

Delegated Report

Application No: 20220360

Location: 377 Singlewell Road, Gravesend DA11 7RL

Description: Erection of 2no five bedroom houses with outbuildings along with associated parking

Applicant: Mr Peter Chopra

Site Visit Date: Various

Submitted Documents/Plans

The application comprises the following documents and plans:

Application form
Design and Access Statement
Drawing no. JC/21/03B (proposed block plan)
Drawing no. JC/21/01C (proposed floor plans)
Drawing no. JC/21/02C (proposed elevations)
Drawing no. JC/21/04A (existing plans)

Relevant Planning History

20200918	Retention of a timber framed outbuilding in the rear garden.	Permitted	16.11.2020
20190150	Demolition of existing dwelling and erection of a pair of semi-detached, two storey, five bedroom dwellings, the fifth bedroom being in the roof space; each with attached single garages at the side and relocation of vehicular access onto a classified road. Erection of two brick built buildings to form a storeroom and a gym.	Permitted	09.04.2019
20151016	Demolition of existing dwelling and erection of a pair of semi-detached, two storey, five bedroom dwellings, the fifth bedroom being in the roof space; each with attached single garages at the side and relocation of vehicular access onto a	Permitted	15.03.2016

classified road. Erection of two brick built buildings to form a storeroom and a gym.

20130758	Demolition of existing dwelling and erection of a pair of semi-detached, two storey, five bedroom dwellings, the fifth bedroom being in the roof space; each with attached single garages at the side and relocation of vehicular access onto a classified road.	Permitted	13.02.2014
20120615	Demolition of existing dwelling and erection of a pair of two storey, semi-detached, five bedroom dwellings, the fifth bedroom being in the roof space, each with integral garage and relocation of the vehicular access.	Refused, appeal dismissed	10.09.2012
20120145	Demolition of existing dwelling and erection of a pair of two storey, semi-detached, five bedroom dwellings, the fifth bedroom being in the roofspace; each with attached garage and relocation of the vehicular access.	Permitted	11.04.2012
20110758	Demolition of existing dwelling and erection of a pair of semi-detached, two storey, five room dwellings, the fifth bedroom being in roofspace of each; both with detached garage and relocation of the vehicular access.	Permitted	27.10.2011
20100206	Demolition of existing dwelling and erection of a pair of part two storey part single storey semi-detached six bedroom dwellings each with integral garage and basement.	Refused	31.12.2010
20090961	Demolition of existing dwelling and erection of one pair of four bedroom semi-detached dwellings each with integral garage.	Refused	08.02.2010
19830135	Erection of a two storey extension on the south west side of the building to form an enlarged lounge with two bedrooms over erection of a two storey extension on the north east side to form a granny annexe with bedroom and bathroom over	Permitted	25.04.1983

and erection of a

19820918	Erection of a two storey extension on the south west side to form enlarged lounge with two bedrooms over the erection of a two storey extension on the north east side to form an enlarged lounge and granny annexe with two bedrooms a bathroom and a hall over	REF	23.02.1983
----------	--	-----	------------

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 - Design & Development Principles

Paragraph 33 of the National Planning Policy Framework (2021) sets out those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and The review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- P3 – Vehicle Parking Standards
- T1 – Impact of development on Highway Network

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as

required by the Paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. “the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68); and
- Areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 125(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- Technical Housing Standards – Nationally Described Space Standards

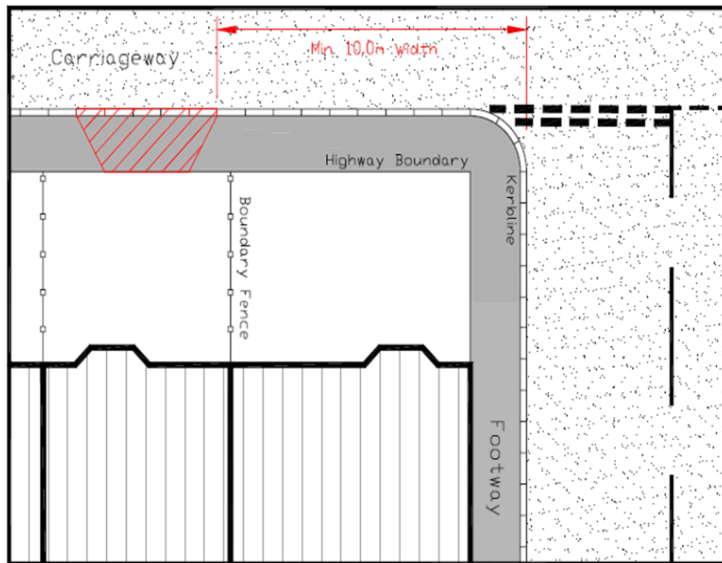
Consultations, Publicity and Representations

GBC Highway Development Management Officer

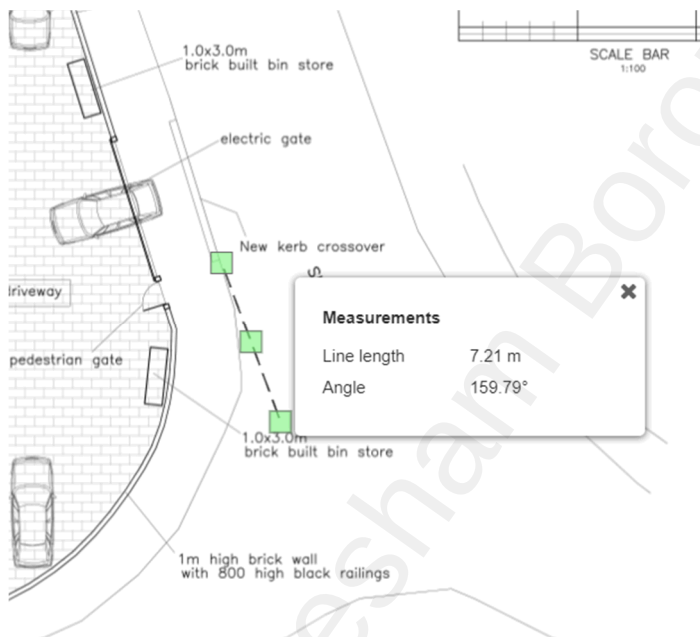
This proposal, due to the location of the new carriage crossover, gets an automatic recommendation of refusal. Guidance issued by Kent County Council states that;

4. Distance from road junctions

If the location of the proposed crossing is closer than 10m to a road junction it would create a serious hazard and the application will be refused. This dimension may be increased to 15m on major roads or near to busy junctions. If the property is situated directly on the junction of two roads, it will generally be safer to situate the access on the minor, side road. Accordingly you may be asked to amend your proposals to comply with this requirement.



https://www.kent.gov.uk/_data/assets/pdf_file/0004/27688/Vehicle-crossing-pre-application-guidance.pdf



Therefore the County Council would not agree to providing a carriage crossover in the position suggested meaning the access to the car parking area cannot be provided.

Singlewell Road has a 'C' road classification and so any new access must comply with the requirements of PGN6 and Manual for Streets in terms of visibility splays. A new access therefore should have 2m x 2m pedestrian visibility splays either side of the access and 43m x 2.4m x 43m vehicular visibility splays, this is measured 2.4 metres back along the centre line of the access from the edge of carriageway and 43metres either side of the centre line measured along the nearside kerbside.

Table 7.1 Derived SSDs for streets (figures rounded).

Speed	Kilometres per hour	16	20	24	25	30	32	40	45	48	50	60
	Miles per hour	10	12	15	16	19	20	25	28	30	31	37
SSD (metres)		9	12	15	16	20	22	31	36	40	43	56
SSD adjusted for bonnet length. See 7.6.4		11	14	17	18	23	25	33	39	43	45	59
Additional features will be needed to achieve low speeds												

Extract from Manual for Streets

Note this differs slightly from the PGN6 requirement of 45m x 2m x 45m

The difference between 2 and 2.4metres is explained by Manual for Streets as follows;

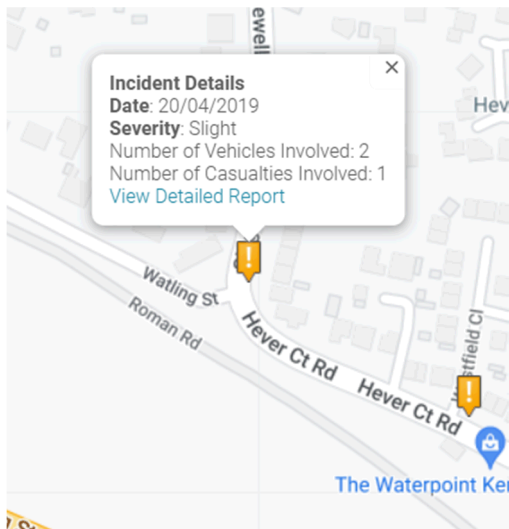
X distance

7.7.6 An X distance of 2.4 m should normally be used in most built-up situations, as this represents a reasonable maximum distance between the front of the car and the driver's eye.

7.7.7 A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered.

7.7.8 Using an X distance in excess of 2.4 m is not generally required in built-up areas.

Given the location of the access (near a bend) and the fact that Singlewell Road serves as part of a direct link between the A2 and Gravesend it is not considered that part of a vehicle overhanging the carriageway is appropriate as an approaching vehicle may swerve to avoid with the risk of collision with an approaching vehicle. Looking at crashmap.co.uk there has been one accident in 2019. (details not checked) in the 5 years between 2017 and 2021 inclusive.



Extending the search back to 1999, the start of crashmap records there have been a total of 4 recorded accidents, all of which resulted in slight injuries. (2000, 2009, 2011 being the other years). Whilst this number of accidents and frequency may not give rise of any concerns in terms of remedial issues. The introduction of a repositioned access nearer the bend could result in an additional distraction to the detriment of road safety.

In terms of the proposed gates, looking at the various Google Street View images the existing gates never appear to have been used.



October 2008



October 2009



April 2012



May 2014



September 2015



July 2016



May 2018



May 2019



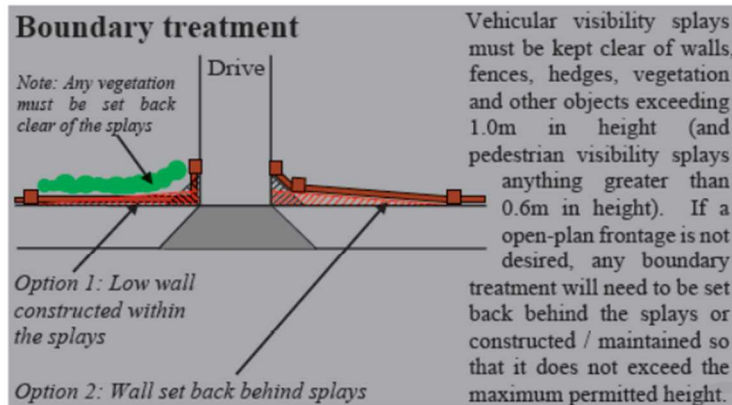
April 2021

In terms of pedestrian visibility splays Kent County Council gives the following guidance;

Footway visibility

X-dimension 2.0m from back of footway

Y-dimension 2.0m within these splays,



There should be no obstruction to visibility between heights of 0.85m and 2.0m above footway level. If the footway is likely to be used by small children, the height should be reduced to 0.6m. Where all or part of the splay lies across land outside of the applicant's control, a relaxation to this requirement may be considered, taking into account the amount of pedestrian activity along the footway and the width of the footway.

It is accepted that this guidance can be confusing, but pedestrian visibility splays should be clear of any hard or soft landscaping and boundary treatments exceeding 850mm in height, (reduced to 600mm where small children can be anticipated)

Kent County Council also give the following advice in terms of gates in their Vehicle Crossing Self-Assessment publication

9. Gates

If gates are to be fitted across the vehicle entrance to your property they must not open outwards across the highway. Additionally, on busy roads they must be set back at least 5m from the edge of the carriageway to allow the driver to park clear of the highway whilst opening the gates. Remember, sufficient space must exist within the site for the gates to close.

https://www.kent.gov.uk/_data/assets/pdf_file/0004/27688/Vehicle-crossing-pre-application-guidance.pdf

Given the proximity of the adjacent junction, bend and the fact the road forms a direct link between the Town Centre and the A2, a vehicle waiting for gates to open would be a hazard to passing traffic.

In addition to the above, the applicant should designate an area where 5 cycles can be securely parked to comply with the requirements of SPG4 of one cycle space per bedroom, this can be an existing out building but should be protected from being used for other purposes.

The driveway requires a carefully designed drainage system to ensure it complies with Building Regulations and does not result in a soakaway being with 5 metres of the highway or a building and no surface water discharges onto the highway.

The applicant needs to note he will be required to provide electric vehicle charging points for each dwelling.

I therefore recommend this application should be refused on highway safety grounds.

- (1) Proximity of access to junction to the detriment of road safety
- (2) Use of gates, which can leave a vehicle waiting on the highway whilst they are opened to the detriment of road safety and free flow of traffic
- (3) Suitable pedestrian visibility splays are not provided, (boundary treatment should not exceed 850mm) to the detriment of highway safety.

Issues regarding drainage, materials and any possible lighting can all be conditioned

KCC Highways (from previous application)

I note that there has been a previous application (GBC/15/20151016). I accept the amendments from the previously approved scheme are minor and do not constitute a recommendation for refusal. Therefore, I do not object to the current application. I would be grateful if you could exclude my previous response dated 21/02/19.

Should you be minded to approve the application, I suggest a condition as follows:

☐ Prior to the dwellings being occupied the dropped kerb in front of the dwellings shall be removed and the footway reinstated to the satisfaction of Gravesham Borough Council in consultation with Kent Highways and Transportation Services. Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained.

Applicants should contact Kent County Council - Highways and Transportation (web: www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

INFORMATIVE: It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

KCC Archaeology

The site of the proposed development lies within an area of multi-period activity. Investigations for the A2, HS1 and Cyclopark have all revealed extensive occupation, settlement and burial remains from the prehistoric to the present day. The ridgeline, high ground to the south, was clearly a major routeway and is followed closely by Watling Street, one of the major Roman roads. In view of this archaeological potential of the site I recommend the following condition is placed on any forthcoming consent:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that groundworks are observed and

items of interest and finds are recorded. The watching brief shall be in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Environmental Protection (from previous application)

Due to the age of the property to be demolished, I would recommend the following condition:

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

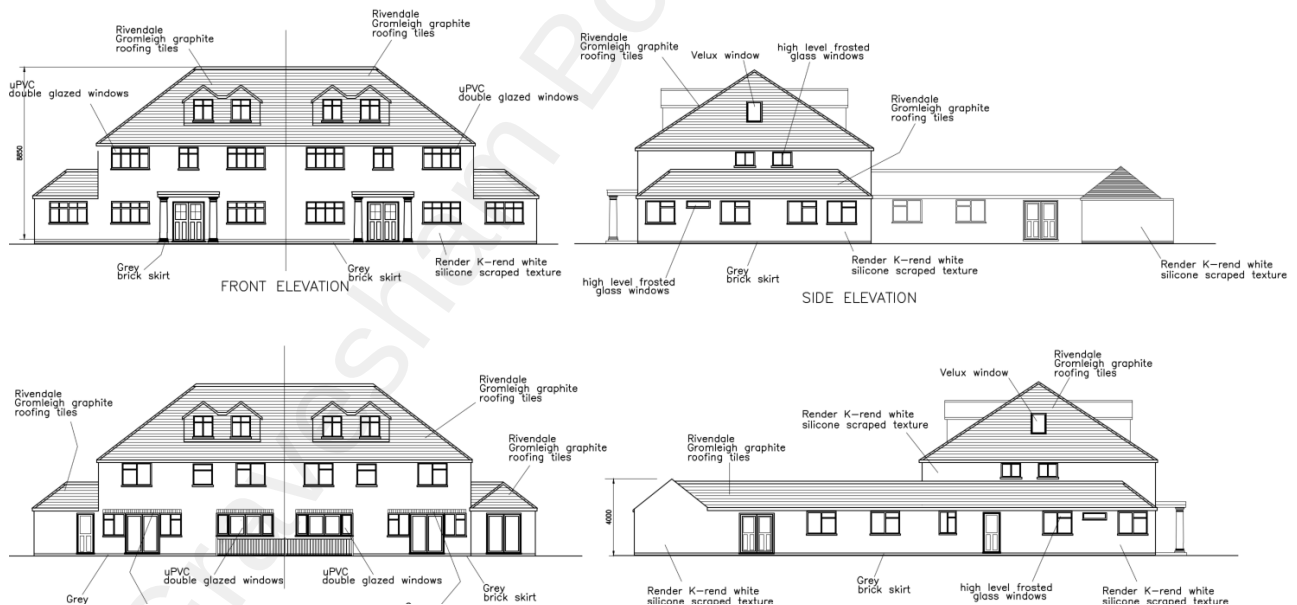
Neighbouring properties

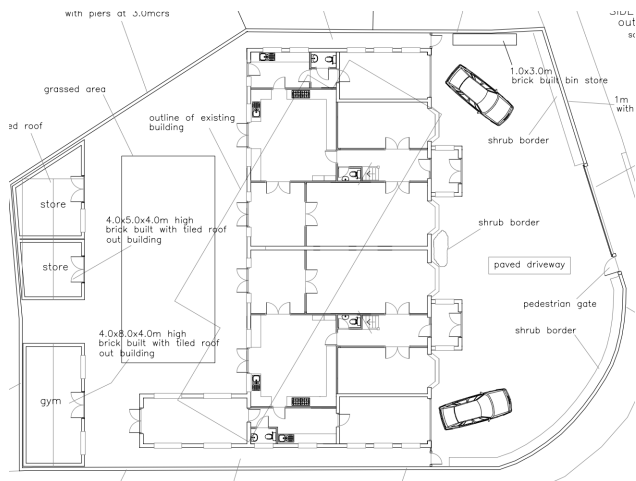
The application was advertised by individual letters to 8 neighbouring properties. No letters of representation have been received.

Analysis

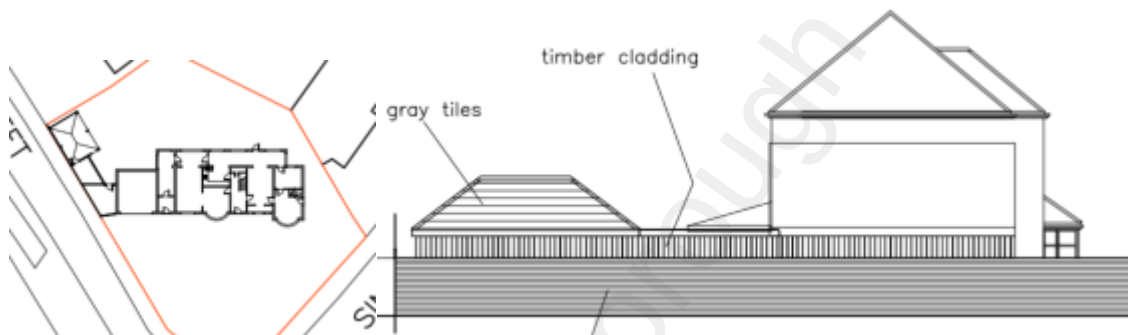
Proposal

This application seeks planning permission for the demolition of the dwelling and its replacement with a pair of semi-detached five-bedroom properties and outbuildings:





Application no. 20200918 sought permission to retain a timber framed out building in the garden and this was granted consent:



Housing Need

In regard to housing need, Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 8 of the National Planning Policy Framework and this means for decision-taking that planning permission for

applications involving the provision of housing should be granted in line with the requirements of the National Planning Policy Framework Para 11(d) unless:

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposed development for a net increase of '1' no. dwelling would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded minimal weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) and in particular paragraph 130 and 134 - of the NPPF (2021) which requires development to be add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers. The proposed development is not considered acceptable as discussed below.

Principle

Permission for two dwellings on the site has been given and the most recent has expired. Policy has not changed with regards to new dwellings in the urban area and therefore the principle of the development is therefore acceptable as is the density and house type. The proposal falls to be considered against the policies below.

Character and Appearance

The application site is located at the south eastern end of Singlewell Road on the corner of Watling Street. Currently the site consists of a large detached property which is mock Tudor in design. The rear of the property currently has a generous sized garden.

The site has a frontage of 29 metres along Singlewell Road with a secondary frontage in excess of 30 metres along Watling Street. To the north and west of the site are detached two storey dwellings. West of the site is Singlewell Road and beyond that is a row of four two storey terraced dwellings. South of the site is Watling Street and beyond this is the former A2 which is now a cycle park and footpath. Beyond the park is the realigned A2.

The proposal is for two semi-detached dwellings in an area of predominantly detached dwellings. The dwellings in Singlewell Road do differ significantly in design to the point where the street scene could reasonably be described as "mixed", with linked detached houses opposite of mock Tudor design, earlier 1970s style dwellings to the north of the site and a more contemporary pair of semi-detached dwellings further north. The existing building is prominent and presents a sense of relative grandeur to the street by virtue of its large front garden and double access driveway. Although the property is a single dwelling, its width, mass and bulk gives a similar impression as two narrower semi-detached properties.

This is the 8th application since 2009 relating to the demolition of 377 Singlewell Road and the replacement with two dwellings. This proposal is essentially the same as the 20190150 in terms of the position of the dwelling and the footprint of the development. The changes with this application over the previous one is that the proposed stores in the rear gardens are slightly larger in terms of floor area (the proposed stores were larger in 2019 than the 2015 application and they are now shown even larger), there are now basements for each property and there are dormer windows at the front and rear. The design of the two dwellings has changed as now the front bay windows have been removed and porches with columns either side have been introduced.

The loss of the front bay windows that were previously shown is regrettable as these added

character to the dwellings. The front and rear dormer windows do not relate well to the properties and fenestration arrangement, particularly to the front. The amount of built development along the southwestern boundary is excessive and, taking into account all these considerations, the site will appear cramped and overdeveloped. It is acknowledged that there are buildings along the southwestern boundary however, only one of these has a hipped roof and the remainder have flat roofs. These buildings were subject to a retrospective application and weight was given to the fact the store buildings were not readily visible because they were the same height at the fence.

No landscaping or boundary details have been provided. The layout plans from the previous application showed some soft landscaping. In order to soften the appearance of the development, make a positive contribution to the street scene and ensure no net loss of biodiversity, soft landscaping is important. The lack of soft landscaping therefore will result in a detrimental impact on the character and appearance of the site and the surrounding area.

The proposed development conflicts with the objectives of Policy CS19 of the Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

Amenity of Future Occupiers

The proposed dwellings are to have five bedrooms, however it is noted that the fifth bedroom contains two bathrooms which indicate this may be divided into two. Either way the adopted Gravesham Residential Standards state that a property of four or more bedrooms would require outside amenity space of 100sqm with a depth of 10m. The proposed garden space for the southern most property is approx. 91.9sqm and therefore falls short.

The garden space for the northern most property exceeds the standards by 4sqm and therefore is acceptable. Internally, the floor space provided meets the National Space Standards and all habitable rooms contain sufficient outlook.

Whilst the shortfall is not significant, it is felt that, given the property will have 5-6 bedrooms and a basement the size of the entire footprint, and number of outbuildings, the shortfall will result in a detrimental impact on the enjoyment of the property for future occupiers.

Neighbouring Amenity

The proposed dwellings will have first and second floor windows. The current property has first floor windows and overlooking is mutual in this location. The roof of the current building could contain windows without requiring planning permission and would have the same impact the proposed dormers. The overlooking is therefore not considered significant. Due to the distances between properties and their orientation there will be no detrimental impact in terms of loss of outlook, sunlight or daylight.

The proposal therefore accords with Policy CS19 of the Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021.

Ecology and Biodiversity

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development

is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £275.88 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. The applicants have not paid towards the mitigation.

The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development conflicts with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Policy CS12 and para. 174 of the National Planning Policy Framework 2021 seek to ensure that there is no net loss of biodiversity. The plans show an entirely paved front garden and a heavily built-on rear garden with patio. There is clearly a significant loss of biodiversity with no attempt to mitigate against the loss. The proposal therefore conflicts with the objectives of this policy and should be refused.

Parking and Highways

The Highways Officers at local and county level initially raised concerns however, this application has essentially been approved before numerous times and no objection was raised on highways grounds initially. The changes between the last three applications are minimal and have no impact on the parking or access arrangements. In the event of an approval a condition would be recommended that the existing crossover is removed and the highway made good prior to the occupation of the properties. A condition would also be recommended to ensure no gates are used to the entrance and that nothing obscures the vision splays of the entrance. Subject to these conditions, the proposal accords with Policy CS11 of the Core Strategy 2014 and saved Policy P3 of the Gravesham Local Plan 1994.

Conclusion

The proposed development, due to the appearance and awkward arrangement of the front dormer windows in relation to the fenestration below, loss of biodiversity and lack of soft landscaping to the front and amount of built form at a height of approx. 4m to the south-western boundary results in a bulky and cramped form of development on a prominent site to the detriment of the character and appearance of the area contrary to policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

The area of the rear garden of the southernmost property falls short of the required 100sqm for a four bedroom house and, due to the number of bedrooms, basement and numerous outbuildings, the insufficient garden space will have a detrimental impact on the enjoyment of the property for future occupiers and therefore conflicts with the Gravesham Residential layout guidelines 2020, policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2021.

The application site is located within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and developers need to pay £275.88 for every new dwelling provided within 6km of the Ramsar site and SPA. The applicants have not paid towards the mitigation and therefore the proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and the development conflicts with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core

Strategy 2014.

Recommendation:

Refuse

See draft Decision

Case Officer: AW	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 6 June 2022	Dated: 6 th June 2022