



Delegated Report

Variation of Condition Application

Application No:	20250081
Location:	Distarti, Rhododendron Avenue, Meopham, Gravesend, Kent, DA13 OTT
Description:	Application for variation of condition 2 attached to planning permission reference number 20240001 for Demolition of existing dwelling and erection of a new replacement dwelling; to allow change to new dwelling position.
Applicant:	Mr Christopher Martin
Site Visit:	N/A Desktop Assessment

Preliminary Matters

This section 73 of the Town and County Planning Act 1990 seeks to vary condition 2 attached to planning permission reference 20240001, to allow the reposition of the dwelling on the site.

It has been confirmed by the applicant that the only changes to the approval are the location on the site. Therefore, as condition 2 relates to the approved plans, the relevant plans have been transferred from the previous permission and are listed in full below.

Submitted Documents/Plans

- Application Form - dated 26 January 2025;
- Supplementary Information – Annotated Site Plan Comparison (dated Jan-2025) (PL/04 - Rev. D);
- Drawing no. PL-01 - Existing Site Location and Block Plan;
- Drawing no. PL-02 - Existing Floor Plans;
- Drawing no. PL-03 - Existing Elevations;
- Drawing no. PL/04 - Rev. E - Proposed Location and Site Plan (dated Mar-2025);
- Drawing no. PL-05 - Proposed Floor Plans;
- Drawing no. PL-06 - Proposed Elevations;
- Drawing no. PL-07 - Proposed Roof Plan and Sections;
- Drawing no. PL-08 - Proposed 3D Render.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240001	Demolition of existing dwelling and erection of a new replacement dwelling.	PERMITTED	04.03.2024

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development

- CS02 – Scale & Distribution of Development
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- C13 – Extensions to Dwellings in the Countryside
- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- T4 – Development Outside the Built-up Area

Paragraph 34 of the NPPF (2024) sets out that 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 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 that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-Designed Places
- Section 13 – Protecting Green Belt Land
- Section 15 – Conserving and Enhancing the Natural Environment
- Section 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

External Consultees

KCC Heritage – I have no comments to make on archaeological matters in this case.

KCC Public Rights of Way – I can confirm that I do not have any objections to the above planning application at Distarti. Access to the property involves driving along Public Right of Way Bridleway NS293, and we would ask that any construction is done with this in mind. Vehicles should be driven with care over

the bridleway so as not to damage the surface, and any contractors should be made aware that there will likely be frequent use of the route by pedestrians, cyclists and equestrians. I enclose a copy of the Public Rights of Way network map showing the line of the path for your information.

The granting of planning permission confers no other permission or consent on the applicant. It is therefore important to advise the applicant that no works can be undertaken on a Public Right of Way without the express consent of the Highways Authority. In cases of doubt the applicant should be advised to contact this office before commencing any works that may affect the Public Right of Way. Should any temporary closures be required to ensure public safety then this office will deal on the basis that:

- The applicant pays for the administration costs.
- The duration of the closure is kept to a minimum.
- Alternative routes will be provided for the duration of the closure.
- A minimum of six weeks notice is required to process any applications for temporary closures.

This means that the Public Right of Way must not be stopped up, diverted, obstructed (this includes any building materials or waste generated during any of the construction phases) or the surface disturbed. There must be no encroachment on the current width, at any time now or in future and no furniture or fixtures may be erected on or across Public Rights of Way without consent.

Meopham Parish Council – The information provided is limited and the plan attached not particularly detailed or accurate in terms of dimensions and precise location. The Parish Council has reviewed the application to vary Condition 2 (dwelling position) of planning permission 20240001. We do not object to the proposed relocation, provided that:

- The repositioning does not increase the impact on the openness of the Green Belt and remains visually unobtrusive.
- Existing screening and tree retention measures remain unchanged or are suitably mitigated.
- Neighbouring amenity is not compromised, with sufficient separation distances maintained.
- Drainage infrastructure is not affected, or if necessary, updated plans are submitted for review.
- Public Rights of Way (Bridleway NS293) remain unobstructed and accessible throughout construction and occupation.

Subject to the above considerations, we would recommend that the Local Planning Authority impose an additional condition requiring a revised site layout plan confirming the new position and any necessary updates to drainage and landscaping strategies.

Internal Consultees

GBC Environmental Protection – There is no objection to the new dwelling position.

It's noted that a Klargester Treatment Plant (and soakaway) is noted on the plans to the west of the dwelling. The applicant is reminded that Condition 4 of 20240001 still applies and it is imperative that full details of the means of foul sewerage and surface water drainage are submitted for approval prior to any development works commencing on site.

It was previously highlighted that due to the steep slope of the site and limited flat ground free of deep root vegetation (particularly near to the road) that a septic tank or a package treatment plant may be difficult to install properly. Due to the lie of the land, discharge into the ground may be hard to deal with as current rules (since October 2023) for septic tanks/package treatment plants require the discharge to go via a drainage field and not via a soakaway or into a watercourse. Therefore, prior to submitting details the applicant is advised to seek advice from a specialist drainage contractor/Building Control/the Environment Agency.

Neighbouring properties

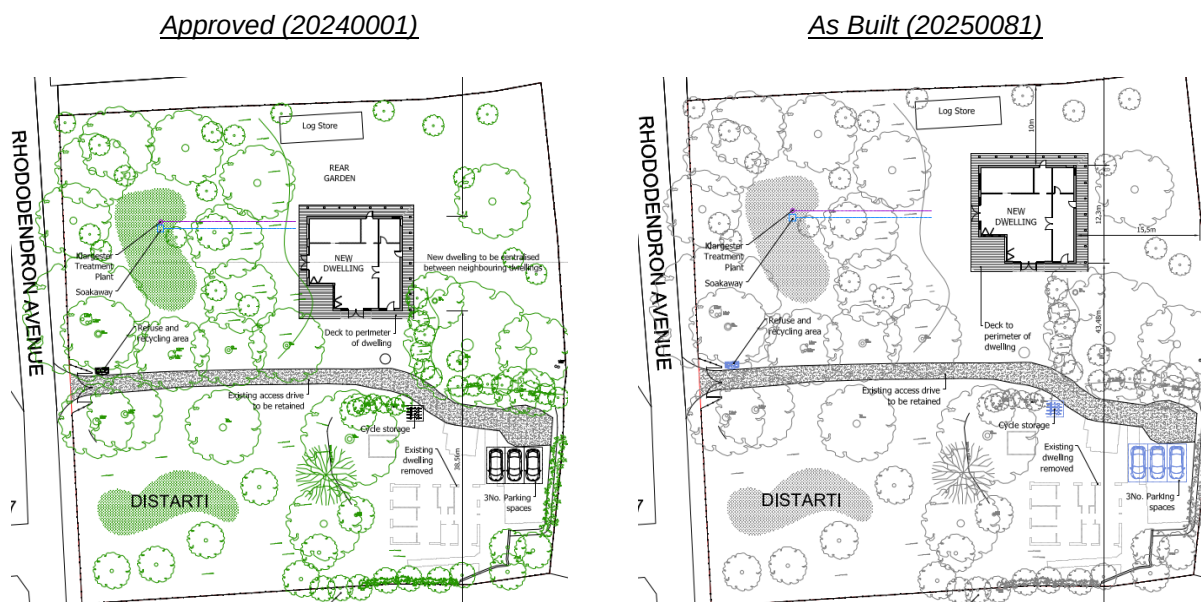
An advert was published in the Gravesend Messenger and a notice was displayed on site 13 February 2025.

In addition, eleven surrounding properties were consulted and no representations were received. The consultation period expired 07 March 2025.

Officer's Analysis

Distarti is a plot located on the eastern side of Rhododendron Avenue. The site benefits from planning permission (ref. 20240001) for the *"demolition of existing dwelling and erection of a new replacement dwelling"*. Following the commencement of the groundworks, the position of the new dwelling has been moved to the north-east.

The plan extract below demonstrates the repositioning of the approved dwelling:



As shown in the images above, the building has moved 6.45m to the north and 1m to the east. This positions the building 10m from the northern boundary and 15.5m from the eastern boundary.

Although the dwelling has been moved, the size and proportions of the building are as approved. Therefore, the consideration given to the design, future occupier amenity and other matters are unchanged and the previous delegated report is attached as an appendix.

For this variation of condition, the core consideration is if the repositioning of the dwelling would impact on the amenity of neighbouring properties. In addition, the original decision was made under a previous version of the National Planning Policy Framework (NPPF), which has been updated and consideration must therefore be given to the changes to Section 13 (Protecting Green Belt Land).

Green Belt

The NPPF 2024 included a number of changes to Section 13 (Protecting Green Belt Land), some key areas related to the definition 'grey belt' land. Although these changes were significant, the Local Planning Authority do not consider these to have altered the approval for demolition and rebuild on this site as the justified exception in paragraph 154 (d) remains unchanged, reading *"the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces"*.

Therefore, the Green Belt assessment within the previous delegated report (appendix 1) is considered accurate and as the size of the proposed dwelling has not increased, the development will accord with Section 13 of the NPPF (2024).

Neighbouring Amenity

The NPPF (2024) states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). Paragraph 198 of the NPPF (2024) seeks to ensure that new development takes into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. The impact on amenity is also considered with regard to the criteria within Policy CS19 (LPCS), which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land and avoid adverse impacts from pollution.

The dwelling, as built, is located approx. 36m from the neighbour to the north (Peace Haven). The windows facing north towards the neighbour are at first floor level only, and serve bathrooms and a secondary bedroom window all of which are obscure glazed and therefore no overlooking or loss of privacy would result. Moreover, the separation distance between the dwelling and the neighbour would not impact overshadowing, outlook or create a sense of enclosure.

The neighbouring property to the south (Amankilla) is approx. 43m from the dwelling as built. This distance has been increased following the repositioning and there is no impact on amenity.

There is no neighbour to the east that adjoins the site.

Overall, the proposal is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Conclusion

The application has been fully considered and is in accordance with local and national planning policy.

The dwelling would not be altered as part of this application, with all external and internal details to remain as approved. The repositioning of the dwelling to the north-east of its originally approved location would not result in any impact on the amenity of adjoining properties.

Therefore, it is recommended that planning permission is granted.

Suggested Conditions

It is acknowledged that the triggers on conditions 2-6 (being prior to commencement / prior to above groundworks) are now outdated due to the commencement and stage of development. However, the Local Planning Authority are in receipt of a discharge of conditions application to address these (ref. 20250070). The discharge of condition will be amended to address the conditions attached to this permission. Therefore, all previous conditions attached to planning permission ref. 20240001 will be attached to this permission, with the exception of conditions 1 (no longer required) and 2 (amended) as listed below:

Time Limit

~~1. The development to which this permission relates must be completed no later than the 25 March 2028.~~

~~Reason In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.~~

Approved Plans

2. The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans:

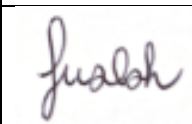
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Reason For the avoidance of doubt and in the interests of proper planning.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	25 March 2025	Dated:	25 March 2025