



Delegated Report

Planning Application

Planning Application No: 20251053

Location: Land Adjacent To And To The Rear Of Elm Close Old Manor Drive
Gravesend DA12 1QD

Description: Erection of a new single-storey detached dwelling with associated access and parking space

Applicant: Mr J Loker

Site Visit Date: 12.02.2026

Submitted Documents/Plans

- Application form;
- Drawing no. 01 – Site Location Plan;
- Drawing no. 02 – Existing Block Plan;
- Drawing no. 03 – Proposed Block Plan;
- Drawing no. 04 – Proposed Bungalow;
- Strategic Access Management & Monitoring Strategy (SAMMS) Contribution Agreement;
- BNG Metric;
- Planning Statement;
- Reptile Survey Report by KB Ecology, 18 August 2025, Ref. 2025/02/03;
- Preliminary Ecological Appraisal by KB Ecology, 15 June 2025, Ref. 2025/02/03;
- Phase 1 Geo Environmental Desk Study and Preliminary Risk Assessment by R. Carr Geotechnical Services, November 2020, Ref; 3822/20;
- Phase 1 Contamination Assessment Old Manor Drive Appendix B;
- Biodiversity Gain Statement Version 1.2; and
- Arboricultural Report by GRS Arboricultural Consultant Ltd, 2 October 2025.

Relevant Planning History

Reference	Description	Decision	Decision Date
19880431	Outline application for the erection of a detached dwelling and garage	Refused	28.06.1988

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Design and Development Principles

- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- H5 – Increasing the Housing Stock by the Conversion of Existing Dwellings
- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- TC3 – Development Affecting Conservation Areas
- TC7 – Other Archaeological Sites

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 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving Well-Designed Places
- 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)

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

There is no objection to this application. The submitted contaminated land phase 1 desk top study has been reviewed. The report indicates that there have been no on-site potentially contaminative land uses and any off-site uses are sufficiently distanced so as not to be any risk. The report advises that a watching brief is undertaken during the development and this is agreed with.

The following are recommended:

Watching Brief

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.

Code of Practice on Construction and Demolition

Please apply as appropriate due to the proximity to other dwellings and also the narrow access to the site.

Smoke Control Informative

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

KCC Archaeology

Thank you for your letter consulting us on the above planning application. In this instance I suggest that no archaeological measures are required.

I hope that the above is helpful and would be pleased to discuss further if required.

KCC Biodiversity

SUMMARY: SUFFICIENT INFORMATION

We have reviewed the information submitted by the applicant and advise that sufficient ecological and biodiversity net gain information has been provided for determination. Recommended condition/informative wording is provided below.

Developer contributions will need to be provided to mitigate for recreational pressure within the zone of influence of designated sites of international importance.

DETAILED COMMENT

Artificial lighting

We are satisfied with the conclusions of the ecological report which state that none of the trees present on site offered potential for roosting bats and thus no further survey work is recommended with regard to bats.

However, nocturnal animals (including bats) may use the site and the surrounding area for foraging and commuting and any lighting associated with the proposal may have a negative impact, especially any light spill to hedgerow boundaries and trees on the site. We advise that a **condition** will be required for the external lighting and will require the following requirements:

- *Plan showing location of lighting and light spill*
- *Downward facing*
- *On a motion sensor (where possible)*
- *Follow the recommendations within Bat Conservation Trust/Institute of Lighting*

Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night1'

Breeding birds

The site contains suitable habitat for breeding birds and all nesting birds are protected under the wildlife and countryside act 1981 (as amended).

We advise that there is a need for a breeding birds informative to be attached to the planning permission if granted. We suggest the following wording:

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees are likely to contain nesting birds between 1st March and 31st August inclusive. Trees are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

Reptiles

The site provides suitable habitat for reptiles to be present. A reptile survey was undertaken but no reptiles have been found and as such there is no requirement for any mitigation to be submitted.

Retained habitats

We advise that all trees to be retained within the proposed development shall be protected during construction in line with standard arboriculture best practice (BS5837:2012) and in line with the submitted arboricultural report.

We recommend incorporating the protection of the retained habitats into the Construction Management Plan and to secure this as a condition of planning permission if granted.

Recreational Disturbance And National Site Network Sites (Samms)

The application site falls within the 6km zone of influence of the Thames Estuary and Marshes Special Protection Area and its associated Wetland of International Importance under the Ramsar Convention (Ramsar Site).

This type of development may cause additional recreational disturbance, and likely significant effects on birds using the SPA and Ramsar sites. As such, the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) applies and the applicant will be required to make a tariff payment which is based on the net number of additional dwellings/overnight accommodation proposed. The payment is to mitigate for additional recreational effects on the designated sites. The local planning authority must ensure that adequate means are in place to secure this mitigation before first occupation.

Gravesham Borough Council must consider the impact the proposal will have on these designated sites in accordance with the Conservation of Habitats and Species Regulations (CHSR) 2017 (as amended) and the National Planning Policy Framework (NPPF) 2024.

A decision from the Court of Justice of the European Union (CJEU: C-323/17) has detailed that mitigation measures cannot be considered when carrying out a screening assessment to decide whether a full 'Appropriate Assessment' is needed under the Habitats Directive. Therefore, we advise that there is a need for the local planning authority to carry out an Appropriate Assessment as part of a Habitats Regulations Assessment (HRA).

Biodiversity Net Gain (BNG)

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications² for development (unless exempt^{3,4},) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development.

Significant on-site gains, and all off-site gains will need to be secured for at least 30 years.

Having reviewed submitted information⁵, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

There will be a net percentage change of -70.31% (-0.2677 units) for habitats onsite, with some of the existing vegetated garden retained. There is not considered to be room available within the site boundary to offset this loss.

We would like to point out that a small tree have been recorded as habitat baseline. However the Small Site Metric user guide states the following "*Count all medium, large and very large individual trees within private gardens.*" After the removal of this tree from the metric, there is a net percentage change of -66.55% (-0.2266 units) for habitats onsite.

Given their limited options, we advise that the applicant is likely to seek offsite gain or the purchase of biodiversity credits.

'Off-site' biodiversity gains are any BNG measures proposed outside of the red line boundary. It can be achieved through habitat creation on land owned by the applicant/developer, a third-party provider or through the purchase of BNG units from a habitat bank operator for a site which is registered on the Biodiversity Gain Site Register.

The statutory Biodiversity Gain Plan (BGP) must contain the biodiversity gain site register reference number for any offsite units if these are used. BNG sites must be registered here: [Register a biodiversity gain site - GOV.UK](https://register.a biodiversity gain site - GOV.UK).

If off-site habitat creation is required, we direct the applicant towards the Kent Biodiversity Net Gain Site Register available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

If any off-site habitat creation/enhancement is proposed outside of the LPA boundary/National Character Area of the impact site these will be subject to spatial risk penalties.

Where off-site gains are secured on land owned by the developer (but outside the redline boundary), or on third-party land (but not through a 'habitat bank operator'), the biodiversity net gain needs to be subject to a deed of conservation covenants or Section 106 (as appropriate). Section 106 agreement templates are available on the Planning Advisory Service website.

Where off-site gains are to be secured through a 'habitat bank operator' (which has its own legal agreement and HMMP), no additional conditions or section 106 obligations are required, above a condition requiring biodiversity net gain to be delivered as set out in the planning application.

The submission of provisional/draft legal documents outlining the agreement between the applicant and the provider of any off-site gains are advisable prior to determination to confirm that the proposed route to delivering net gain is feasible, but this information is not required until submission of the pre-commencement Biodiversity Gain Plan.

How the BNG is to be achieved will have to be agreed, secured and, where applicable, registered on the Biodiversity Gain Site Register, prior to the submission of the pre-commencement Biodiversity Gain Plan.

If it can be demonstrated that onsite biodiversity gains are not possible, the developer will need to demonstrate that they have approached 3 local or national suppliers, habitat banks or trading websites

before considering statutory credits. The only exception⁸ to this is where a developer has a unit deficit smaller than 0.25 biodiversity units (area or linear), in which case they do not need to approach 3 suppliers before considering statutory biodiversity credits. Statutory credits are intentionally marked up in price to prevent undercutting the off-site market; these prices are reviewed every 6 months. Prices are available here: [Statutory biodiversity credit prices - GOV.UK](#).

We ran the calculations ourselves and the estimated cost of statutory biodiversity credits would be £9,660 (excluding VAT).

We recommend using this informative for the biodiversity gain:

*The development hereby permitted is subject to the general condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—
(a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.*

The condition cannot be varied or removed. An application must be made to discharge it as any other condition.

Ecological enhancements

Under section 40 of the NERC Act (2006) and paragraph 187 of the NPPF (2024), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 193 of the NPPF (2024), the implementation of net gains for biodiversity should be encouraged.

Enhancement features are not considered as part of a measurable net gain; however, in addition to the measurable net gains we expect enhancement features to also be incorporated into an enhancement plan within the red line boundary. These can include bat and bird bricks/durable boxes, log piles, hibernacula, and hedgehog homes as well as generous native planting.

Good tailored ecological enhancements have been recommended within the submitted Preliminary Ecological Appraisal.

We suggest the following condition wording :

Within three months of works commencing, a detailed plan showing how the development shall enhance and maintain biodiversity shall be submitted to, and approved in writing by, the local planning authority. This shall include details of native and wildlife-friendly planting, durable integrated bat boxes and integrated swift bricks, and holes in close-board fencing. The approved measures shall be implemented and retained thereafter.

KCC Highways and Transportation

It would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements.

Kent Fire & Rescue Service

Thank you for your email dated 5 November 2025. Following my assessment of Fire and Rescue Service emergency access provisions for application number 20251053 I would like to make the following observations.

Upon reviewing the available plans on the planning portal, I note that the access route between Parrock Road and the roundabout appears narrow, and unsuitable for a fire appliance. The access route along Old Manor Drive appears to be longer than 20m with no turning facilities. Please ensure turning facilities are provided, in accordance with Diagram 13.1 of ADB, Volume 1.

Please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

Neighbouring properties

21 surrounding properties were consulted plus site notice – overall consultation expiry date was 26.11.2025 – no responses received.

Officer's Analysis

The application site consists of an L-shaped plot wrapping around the north-east (side) and south-east (rear) boundaries of 'Elm Close' which is a detached two storey dwelling. It is previous garden land that is now overgrown with grass, plants, shrubs etc. It is said in the Planning Statement that the land originally formed part of the curtilage of Elm Close, was separated from Elm Close around 18 years ago and has remained fenced and vacant since that time; the site is accessed from Old Manor Drive between nos. 60 & 62 Parrock Road. To the north-eastern boundary of the site is Byre Court and to the south-eastern boundary is Tulip Tree Cottage, both single-family dwellings. To the south-western boundary is the shopping parade on Echo Square roundabout, which are two storey buildings in commercial use at ground floor level and what appears to be residential use above; directly adjacent to the application site are nos. 86 & 88 Parrock Road and a vehicular access to the rear of them. To the north-west of the site there is the Old Manor Drive access and opposite is no. 1 Old Manor Drive. The site is located in the urban area of Gravesend, in the Thames Estuary And Marshes Ramsar Buffer Zone and in an Area of Archaeological Potential.

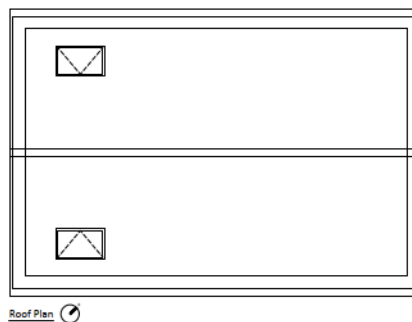
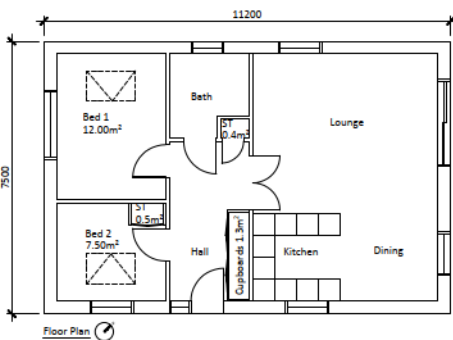
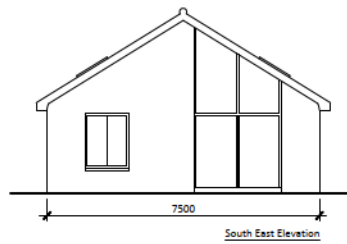
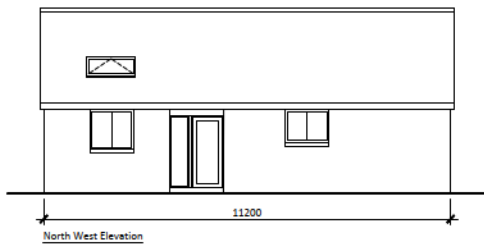
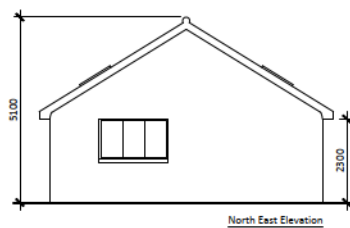
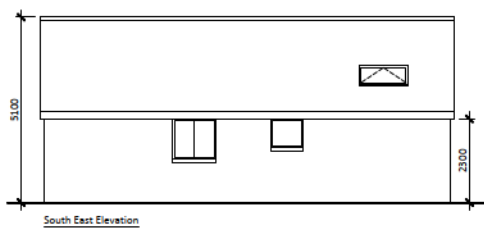
The proposal is for the erection of a new single storey detached two bedroom dwelling with associated access and parking space. In terms of the plot, directly from Old Manor Drive a vehicular access would be formed with the access to the proposed dwelling running down the side of Elm Close with two proposed parking spaces and a turning space before the dwelling is reached in the back part of the site to the rear of Elm Close and to the south-west of Byre Court. The dwelling would be 11.2m in length, 7.5m in width and 5.1m to the ridge of the pitched roof (2.3m to eaves level). The walls would have facing brickwork or render and the roof would have concrete tiles.

In the north-west elevation which would be the front elevation facing towards the rear of Elm Close there would be the front door, a window and roof light serving bedroom 2 and a window serving the kitchen/dining/lounge; in the south-east elevation which would be the elevation adjacent to Tulip Tree Cottage there would be a window serving the lounge/kitchen/dining room, a window serving the bathroom and a roof light serving bedroom 1; in the north-east elevation which would be the elevation adjacent to Byre Court there would be one window serving bedroom 1 and in the south-east elevation adjacent to nos. 86 & 88 there would be one window and a set of sliding doors serving the lounge/kitchen/dining room.

For ease of reference the existing and proposed block plans are as follows:



The proposed elevations and floor plan:



The principle issues in the assessment of the application are as follows:

Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

"It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-

making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than "guidance" and as such a "material consideration" for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme."

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in February 2025, it demonstrates that based on data up for the period 2024-2029, the Council can only demonstrate a land supply of 3 years.

Given the Council's current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). 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 paragraph 194) and/or designated as Sites of Special Scientific Interest;
 - Land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75);
 - 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 129(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.

The proposed development for a net increase of '1' residential unit would offer a minimum contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2024) which requires new development to be high quality, beautiful and create acceptable living conditions for future occupiers.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.

Principle

The application site is defined on the Core Strategy Policies Map as lying within the urban area. Policy CS02 (LPCS) "prioritises development in the urban area as a sustainable location for development".

The NPPF at paragraph 61 (NPPF, 2024) supports development for housing stating:

“To support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community”.

In addition, paragraph 73 of the NPPF (2024) requires that in order to promote the development of a good mix of sites local planning authorities should, inter alia, “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

In light of these considerations, there is no objection to the broad principle of residential development subject to the proposal being appropriate in terms of other planning issues.

Design, Character and Appearance

Section 12 of the NPPF (2024) relates to “achieving well-designed and beautiful places” and sets out the Government’s requirements in relation to design issues. Paragraph 131 is particularly relevant:

“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

The aims set out in paragraph 131 of the NPPF (2024) are reflected in Policy CS19 (LPCS) which requires new development to be “visually attractive, fit for purpose and locally distinctive” and to “conserve and enhance the character of the local built, historic and natural environment”. It also requires new development to “integrate well with the surrounding local area”. In addition, Policy CS19 requires the following:

“...the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings”.

Design for Gravesham (2024) expands on the LPCS and Policy CS19 in particular to provide additional clarity on what is expected of applicants when submitting design proposals, setting out the minimum requirements to achieve design quality.

The application site is located in a residential area which has predominantly two storey detached dwellings on fairly large plots which are set behind the main dwellings along Parrock Road, Old Road East and Park Avenue. They are accessed from Old Manor Drive and also a drive on Old Road East and there are a couple of accesses between the shops on Parrock Road. The development behind here is more organic and varied than the linear and uniform pattern of development along the roads. Behind here the dwellings all mostly share being detached but other than that the style and design and orientation is varied. The proposed development needs to be assessed in the context of this character.

The proposed new dwelling would be located within the L shaped piece of land to the side and rear of Elm Close, apparently being sold off and left unused for a number of years. Specifically, it would be located in the back part of the site whilst the drive, two parking spaces and turning circle would be located in the front part. The dwelling would therefore be located on a plot which would be differently shaped and generally smaller than the surrounding properties but given the mixed character of the area it is considered that it would not appear as an incongruous form of development. By being set at the back of the site with a large amount of space for the driveway, two parking spaces and turning area it means the dwelling does not appear as an overly cramped or contrived form of development as it has two components to it so to speak, a front and a back part. The dwelling would be located up close to three of its four boundaries at the back

which is not ideal but it is considered that the dwelling makes good use of the space available and there is plenty of room to its south-western side with a depth of some 20m. Due to the varied character of the area in terms of positioning and orientation of dwellings and their size and appearance it is considered that the dwelling would not be out of keeping with the spacious character of the immediate locality and the single storey nature of the dwelling would not be harmful to the generally two storey scale of dwellings in the area. The dwelling itself is of a sympathetic design in terms of its scale which is not overly large, its pitched roof design and simple fenestration. The materials should permission be forthcoming could be conditioned.

In respect of design, character and appearance it is considered the proposal would be compliant with Policy CS19 (LPCS).

Amenity of Future Occupiers

Internal Space

The property would be a 2 bedroom, 3 persons, 1 storey dwelling. The Technical Housing Standards (THS) (2015) state that for this type of accommodation the minimum internal floor area is 61 sq. m. The dwelling would have an internal floor area of 71.45 sq. m and so would exceed the minimum standard and provide sufficient internal space for future occupiers.

The internal space standard of all the bedrooms would be as follows:

Bedroom 1 – 11.95 sq. m

Bedroom 2 – 8 sq. m

As can be seen bedroom 1 would exceed the minimum standard as set out in the THS (2015) for a double bedroom which is 11.5 sq. m. and bedroom 2 would exceed the minimum standard for a single bedroom which is 7.5 sq. m.

Private Amenity Space

The dwelling would have 2 bedrooms. SPG2 (2020) states that for a property with 1-2 bedrooms there should be a minimum garden area of 37.2 sq. m and minimum rear garden depth of 7.6m. The main garden area would essentially be to the south-western side of the dwelling and so that is the part that has been measured: The garden area and depth would be as follows:

Garden Area – 249 sq. m

Rear Garden Depth – 20m

As can be seen the dwelling would exceed the minimum garden area and depth sizes as set out in SPG2 (2020).

Light & outlook

All rooms in the dwelling would be served by a window and so would receive sufficient light. The window to bedroom 1 would be located 1m from the flank wall of the outbuilding in the rear garden of Byre Court 1m away, therefore the outlook to this room would not be as good as would be expected. However, it is considered that the rooflight that has been added to the roof in the course of the application with amended plans and that the person(s) who choose to live in the property will be aware of the close proximity of the this flank wall in front of bedroom 1's window, means that this situation is considered acceptable.

In respect of the amenity of future occupiers the proposal would be compliant with Policy CS19 (LPCS).

Neighbouring Amenity

Proposals for new development need to ensure that there would be no undue harm to the amenity and living conditions of neighbouring properties with regards overshadowing, loss of light, loss of outlook, overlooking etc. in order to comply with Policy CS19 (LPCS). SPG2 (2020) should be followed with regards privacy distances and overshadowing.

Elm Close

This property is to the north-west and is a two storey detached dwelling. The nearest part of the proposed dwelling to Elm Close would be some 13.5m where there is a panel fence between the two properties. Due to the single storey nature of the proposed dwelling and the distance from Elm Close, it would not cause any overshadowing, loss of light or outlook or be overbearing on Elm Close. There would be a window serving a bedroom and a window serving the kitchen/dining/lounge but due to the boundary fence there would be no overlooking.

The proposed access to the dwelling would be down the side of Elm Close and the two parking spaces and turning area. The north-eastern elevation of Elm Close which would face onto these elements does have windows in it and there is the rear garden behind. Whilst it is not ideal that the access to the dwelling, two parking spaces and turning area would all be to the side elevation of Elm Close (compared to it being an overgrown bit of land), the proposed dwelling would be a two bedroom, three persons dwelling and as such it is considered that the vehicular movements from this one dwelling would not cause any material harm to the amenity of existing and future occupiers of Elm Close.

Byre Court

This property is to the east and is a two storey semi-detached dwelling. Due to the location of Byre Court to the proposed dwelling which would be some 9m distance at its nearest point, the single storey nature of the proposed dwelling and the boundary fence in between the two, it is considered there would be no overshadowing, loss of light or outlook or be overbearing on Byre Court. There would be a window serving bedroom 1 in the north east elevation which would face onto the outbuilding in the rear garden of Byre Court, this has no windows in that elevation therefore no overlooking. A condition can also be added to request details of any boundary treatments along boundaries. In the south-east elevation there would be no window serving bedroom 1 and this would instead be served by a rooflight meaning that any potential overlooking which may have taken place is now avoided. There would be windows further along the south-east elevation serving the bathroom and lounge/dining/kitchen. The setting of these further away along the elevation helps avoid any overlooking and due to the single storey nature of the dwelling and the boundary fence there would be no overlooking.

Tulip Tree Cottage

This property is to the south-east of the proposed dwelling and is a two storey detached dwelling. As this dwelling is situated at the front of its plot onto Old Road East with a large rear garden behind there would be a distance between this property and the proposed dwelling of some 30m. Given this and the single storey nature of the proposed dwelling, it would cause no harm on Tulip Tree Cottage in respect of overshadowing, loss of light or outlook or be overbearing. The windows in the south-east elevation as discussed above would not cause any overlooking given the single storey nature of the dwelling and the boundary fencing.

Nos. 86 & 88 Parrock Road

These are two storey buildings in a local centre separated by a vehicular access drive which are in commercial use at ground floor and what appears residential use at first floor level. The proposed dwelling would be some 28m distance from these buildings. Therefore, given this distance and the single storey nature of the proposed dwelling it would cause no overshadowing, loss of light or outlook or be overbearing. There would be sliding doors and a window serving the lounge/kitchen/dining but given the distance and single storey nature of the proposed dwelling it would not cause any overlooking. The current boundary treatment on this boundary is just open with overgrown vegetation therefore a condition can also be added

to request details of any boundary treatments along boundaries.

Overall, therefore, it is considered that in respect of neighbouring amenity the proposal would be compliant with Policy CS19 (LPCS).

Parking and Highways

The site has an existing vehicular access with a timber gate across the opening. According to the 'Find my Street' website Old Manor Drive is 'Neither M, A, B or C' and the responsibility of the road is 'Not maintainable at public expense, Private Street Manager'. It is therefore a private road and it only has a small number of dwellings which use this private road. There are two parking spaces shown and a turning area. SPG4 (2006) states that for a dwelling with 2 or 3 bedrooms there should be two parking spaces, this would therefore be achieved. With the turning area vehicles would be able to both enter and exit in forward gear. There is an existing fence along the front boundary of the site which may affect visibility from the access and therefore if permission is forthcoming a condition should be added regarding boundary treatments to ensure there is adequate visibility, along with details of parking area surfacing etc. Subject to conditions the proposal is therefore considered acceptable in respect of parking and highways.

Ecology and Biodiversity

The application site is currently overgrown and has two trees on it – T2B1 Wild Cherry and T3C1 Common Yew. There are two beech trees in the adjacent land to the south-east and a Bay tree to the north-east of the site whose root protection areas extend out into the application site.

The application is accompanied by a BNG (Biodiversity Net Gain (BNG) Metric, Reptile Survey Report, Preliminary Ecological Appraisal, Biodiversity Gain Statement and Arboricultural Report.

KCC Biodiversity advise that sufficient ecological and BNG information has been submitted for this application and provide conditions and informatives they require.

Biodiversity Net Gain (BNG)

KCC Biodiversity advise that they consider a 10% BNG is a statutory requirement of this proposed development, that there will be a net percentage change of -66.55% (-0.2266 units) for habitats onsite, with some of the existing vegetated garden retained and there is not considered to be room available within the site boundary to offset this loss. They therefore advise that the applicant is likely to seek offsite gain or the purchase of biodiversity credits and advise of the following informative regarding BNG

The development hereby permitted is subject to the general condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—

(a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition.

Therefore, subject to this informative being added should permission be forthcoming then the proposal is considered acceptable in respect of BNG.

SAMMS

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 £337.49 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 for this application.

This proposal would result in the net addition of 1 unit and the applicant has paid the required tariff (£337.49). The Local Planning Authority can therefore be satisfied that the proposal has put in place adequate measures to mitigate potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar site. Therefore the development is compliant with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 193 and 194) of the National Planning Policy Framework 2024 and Policy CS12 (LPCS).

Other matters

With regards bats they advise that they are satisfied with the conclusions of the ecological report which state that none of the trees on site offered potential for roosting bats and therefore no further survey work is required with regards to bats. However, they advise that nocturnal animals (including bats) may use the site and the surrounding area for foraging and commuting and any lighting associated with the proposal may have a negative impact, especially any light spill to hedgerow boundaries and trees on the site. They therefore require a planning condition regarding external lighting to request a plan showing location of lighting and light spill, downward facing, on a motion sensor and which follows the recommendations in the at Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night.

With regards breeding birds they advise that there is a need for an informative which can be attached should permission be forthcoming.

In respect of reptiles, KCC Biodiversity advise that although the site provides suitable habitat for reptiles to be present, the reptile survey undertaken found no reptiles and so they advise there is no requirement for mitigation to be submitted.

With regards to retained habitats, they advise that all trees to be retained within the proposed development shall be protected during construction in line with standard arboriculture best practice (BS5837:2012) and in line with the submitted arboricultural report; they recommend incorporating the protection of the retained habitats in to the Construction Management Plan and to secure this as a condition of planning permission if granted.

KCC Biodiversity state that good tailored ecological enhancements have been recommended within the submitted Preliminary Ecological Enhancement and suggest the following condition to ensure that appropriate ecological enhancements are carried out.

Within three months of works commencing, a detailed plan showing how the development shall enhance and maintain biodiversity shall be submitted to, and approved in writing by, the local planning authority. This shall include details of native and wildlife-friendly planting, durable integrated bat boxes and integrated swift bricks, and holes in close-board fencing. The approved measures shall be implemented and retained thereafter.

Subject to the conditions (and informatives) as above then the proposal would be acceptable in respect of ecology and biodiversity and compliant with the requirements of the Habitat Regulations, Section 15

(specifically paragraphs 193 and 194) of the NPPF (2024) and Policy CS12 (LPCS).

Land Contamination

The application is accompanied by a Phase 1 Geo Environmental Desk Study and Preliminary Risk Assessment and Phase 1 Contamination Assessment Old Manor Drive Appendix B.

GBC Environmental Protection advise that they have no objection to the proposal. They note that the submitted contaminated land phase 1 desk top study indicates that there have been no on-site potentially contaminative land uses and any off-site uses are sufficiently distanced so as not to be any risk. The report advises that a watching brief is undertaken during the development and they agree with this and so request a watching brief condition is attached. This along with a Code of Practice on Construction and Demolition given the proximity to other dwellings and also the narrow access to the site.

Subject to this watching brief condition it is considered the proposal would be acceptable in respect of land contamination matters and would therefore be compliant with Policy CS19 (LPCS).

Archaeology

The site is located in an Area of Archaeological Potential and KCC Heritage advise that no archaeological measures are required. As such the proposal is compliant with saved Policy TC7 (LPFR).

Fire Safety

Kent Fire & Rescue note that the access route between Parrock Road and the roundabout appears narrow, and unsuitable for a fire appliance and that the access route along Old Manor Drive appears to be longer than 20m with no turning facilities. They state that turning facilities in accordance with Diagram 13.1 of ADB, Volume 1 must be provided. They advise that should permission be forthcoming the development would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5. They make clear that fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority and that a full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

As a building regulations matter, this information would be added to any permission should it be forthcoming.

Any Other Material Planning Considerations

None.

Conclusion

The proposal subject to conditions and informatives is considered acceptable in respect of principle of development, design, character and appearance, amenity of future occupiers, neighbouring amenity, parking and highways, ecology and biodiversity, land contamination and archaeology. The proposal is therefore compliant with local and national planning policy.

Recommendation

Permission

(For detailed reasons for conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>R Hart</i>
Dated:	13 April 2026	Dated:	13th April 2026