



Delegated Report

Householder Planning Application

Planning Application No: 20231301

Location: Land To Rear Of 15 - 17 Darnley Road Gravesend Kent

Description: Construction of a three storey building with habitable roof space to accommodate seven apartments with associated pedestrian access, private and communal amenity space, refuse and cycle storage.

Applicant: Hayer Investments South Ltd

Site Visit Date: 04/04/24

Submitted Documents/Plans

Application Form
Location Plan
21-1431-01E – Plans and Block Plan as Proposed
21-1431-02D – Plans as Proposed
21-1431-03F – Elevations as Proposed
23-1431-04F – Sections as Proposed
23-1431-05 – Shadow Maps
CGI Picture of Proposed Building and Details
Planning Statement

Superseded:

~~21-1431-01D – Plans and Block Plan as Proposed~~
~~21-1431-02C – Plans as Proposed~~
~~21-1431-03A – Elevations as Proposed~~
~~21-1431-03E – Elevations as Proposed~~
~~21-1431-03C – Elevations as Proposed~~
~~21-1431-03D – Elevations as Proposed~~
~~23-1431-04B – Sections as Proposed~~
~~23-1431-04C – Sections as Proposed~~
~~23-1431-04E – Sections as Proposed~~

Relevant Planning History

15 Darnley Road

Reference	Description	Decision	Decision Date
20100099	Application for Conservation Area consent for the demolition of 13 Darnley Road, The Lodge, Rathmore Road and front and rear boundary walls of 15 Darnley Road in connection with Gravesend Transport Quarter Maste	Permitted	12.01.2011

19880982	Conversion of dwelling into one maisonette and two bedsits	Permitted	13.01.1989
19880053	Conversion of dwelling into maisonette at basement and ground floor level with 2 no self-contained flats on the first and second floors.	Refused	22.08.1988
19830353	Conversion of dwelling into two self contained maisonettes incorporating single storey rear extension to form bathroom and lobby	Permitted	30.01.1984

17 Darnley Road

Reference	Description	Decision	Decision Date
20220831	Subdivision of the existing dwellinghouse to create three self-contained units with associated amenity space	Permitted	05.01.2023
19870645	Continued use of a vehicular access on to classified road	Permitted	11.04.1989

Transport Quarter Development

Reference	Description	Decision	Decision Date
20170704	Planning application no: GR/12/441/R15 details for making 15 Darnley Road pursuant to condition (15) of planning permission GR/12/441 at Rathmore Road Link, Land at and surrounding Rathmore Road, south of the Railway, Gravesend, Kent, DA11 0HP. KCC Decision 6.9.2018	Observations Sent	06.09.2018
20160053	Details of horizontal and vertical alignment, highway design and construction, enhancement of retained section of existing road, structures, walls and fencing, street furniture and traffic signs, acoustic barrier, lighting, landscaping, noise monitoring and disabled car parking, pursuant to conditions (3), (4), (5), (6), (7), (8), (9), (22) and (23) of planning permission 200120441. KCC decision 16 May 2016	Confirmed	15.02.2016
20120441	Application under Regulation 3 for improvements to Rathmore Road including its realignment through the existing car park at the eastern end to a new junction immediately south of 20 Stone Street, widening at the western end involving the demolition of 13 Darnley Road and The Lodge, Rathmore Road and signalisation of its junctions with Stone Street and Darnley Road. Improvements to the railway station forecourt, including the provision for taxis and disabled parking. (The proposed scheme is part of the Gravesend Transport Quarter Development which was granted outline planning permission in October 2010.) KCC Granted with conditions 14.11.14	Observations Sent	12.07.2012
20100099	Application for Conservation Area consent for the demolition of 13 Darnley Road, The Lodge, Rathmore Road and front and rear boundary walls of 15 Darnley Road in connection with Gravesend Transport Quarter Master Plan.	Permitted	12.01.2011
20100098	Outline application for the phased implementation of Gravesend Transport Quarter Masterplan including	Permitted	21.10.2010

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC3 – Development Affecting Conservation Area

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 5 – Delivering a Sufficient Supply of homes
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving well-designed and beautiful places
- Section 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- SPG2 - 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)
- Darnley Road Conservation Area Character Appraisal (2009)
- Management Plan – 19th Century Conservation Areas (2009)

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

GBC Conservation Officer – 08/02/24

I've had a look at the proposals and suggest the following based on your observations. I think the hierarchy does need to be expressed but as a ground and first floor with the windows as proposed and then reduce height for the second floor and still further for the dormer roof windows. The window fenestration could also be rationalised to emphasise the Georgian window proportion. The proposals are contemporary and with these minor adjustments would respond to the Georgian town house model. See below. I would anticipate a thin profile metal framed window recessed back approximately 100mm from the face of the wall, so the details need to show this and be conditioned.



Officer Note:

- The conservation Officer also requested conditions to include details of materials, joinery details, details of railings, and landscaping conditions (specifically maintaining hedge to railing height for privacy.).
- Amended plans were received following comments, altering the fenestration as requested by the Conservation Officer.

GBC Waste and Refuse – 25/03/24

I have reviewed this planning application and I have the following issues/questions with the refuse and recycling storage for this building.

- The 2x 660ltr bins is not sufficient for a development of 7 flats. Our policy states that 1 x 1100ltr bins should be provided per 6 flats so we would expect to see 1 x 1100 ltr bins for both refuse and recycling collections plus a 23ltr bins for food waste. This is to meet the new “Simpler Recycling” regulations.
- There are no details on how the bins will be transported from the bin store to the public highway. Our policy states that collection crew members are not expected to move wheeled bins a distance greater than 15m nor over surfaces which hinder their smooth passage, for example, steps, slopes greater than 1 in 12 and uneven surfaces.
- The bin collection vehicle will be stationary within 12 metres of the traffic lights at the junction of Rathmore Road and Darnley Road. This is a main route through the town centre, the stationary vehicle will cause traffic congestion as it will take at least 10 minutes to collect, empty and return the bins.

GBC Housing Development and Strategy Manager
No comments received.

GBC Highways Officer – 03/01/24

As this is a town centre/edge of centre property, no car parking is required. Seven cycle parking spaces are required, and it is noted that provision is made for seven cycles. I have no highway objections.

GBC Environmental Protection Team – 02/01/24 and 03/04/24

The development site is close to the railway, Rathmore Road (which can be quite busy), and also adjacent to a car park. This could give rise to noise so a noise impact assessment will be needed to ensure that internal noise levels and also noise levels in the external amenity areas comply with those given in BS8233:2014.

To address this and other matters, the following conditions and informatives are recommended.

Noise Control

Prior to commencement, a noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:

- The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
- The maximum internal noise levels in all habitable rooms should not exceed 45dB LAmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- External areas shall be designed and located to ensure that amenity areas are protected on all boundaries as to not exceed 50 dBLAeq,16hr. If a threshold level relaxation to 55 dBLAeq,16hr is required for external areas full justification should be provided.

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 to ensure that the construction impacts to nearby premises are minimised.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

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.

Officer Note: Smoke Control and Drainage are controlled by Building Control and so it would be

unnecessary to include these informatives.

KCC Highways Officer- 04/01/24 and 02/04/24

The development is located in a highly sustainable location and as such, I consider the nil provision of vehicle parking for the apartments to be acceptable. I am pleased to note that secure, covered cycle storage is to be provided for 7 cycles, which is in accordance with the requirements of Kent Residential Parking Standards (IGN3).

Consequently, provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.
- Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil. Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

KCC Biodiversity Officer – 23/01/24

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that the proposed development has limited potential to result in significant ecological impacts.

We have taken this view due as the works will not result the demolition of any buildings and the satellite photos indicate that gardens are not overgrown with vegetation. As such, we are satisfied that there is no requirement for an ecological survey to be carried out at this time.

Lighting

Lighting can have a negative impact on nocturnal species and while we acknowledge that the site is located in urban area there is still a need to ensure that any additional lighting is designed to minimise light spill.

We recommend that if planning permission is granted the lighting condition has the following requirements:

- Be designed following best practice guidance within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'2
- Downward facing and on motion sensors

Ecological Enhancement/ Measurable Net Gain

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) 2023, biodiversity should be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 186 of the NPPF 2023, the implementation of measurable net gains for biodiversity (integrated as part of design) should be encouraged. We highlight that due to the loss of the vegetated gardens the proposal will not result in a measurable net gain as per the requirements of the NPPF.

However, measures to benefit biodiversity can still be incorporated into the site (such as the inclusion of bat and bird boxes in the building) and we advise that if planning permission is granted, we advise the following condition is included.

Prior to completion, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include integrated and/or wall-mounted bird and/or bat boxes. Wall-mounted boxes will be made of woodcrete to secure a suitably long-term and low maintenance biodiversity enhancement for the site. Any boxes for birds will be targeted at red or amber listed species (as per the latest British Trust for Ornithology Birds of Conservation Concern list). The approved measures will be implemented and retained thereafter.

Appendix 1 provides some generic (non-exhaustive) information regarding the most common enhancements we see proposed. Suitable detail may include the provision of information such as:

- The proposed target species;
- Make and model of any boxes;
- Location information such as height, aspect, surrounding habitat;
- Detailed planting schedules; and
- Relevant (basic) management necessary to ensure the habitat is suitable for the target species.

KCC Biodiversity Officer – Updated on 15/04/24

Internal building photos have been provided as part of this re-consultation. We when provided comments in January 2024 we understood that a new building was being erected and there would be no demolition or renovation works. The application form details that no works have commenced on site yet and therefore we can only presume that the photos have been submitted or uploaded on to the portal accidentally.

If no demolition/renovation works are being carried out on site we advise that the following comments from

January 2024 are still valid. If building are being impacted by the proposal please confirm what buildings will be impacted and we can review and update our comments.

Neighbouring properties

8 surrounding properties were consulted, and a site notice was placed on 4th April 2024. An advertisement was placed in a local newspaper on 12th January 2024. 2 no. comments have been received, objecting to the scheme. These comments are summarised as follows:

- The flats would have a negative impact on visual amenity.
- This would be unnecessary infill which would be out of character in the Conservation Area.
- The building described as storage in the application is the chapels of rest connected to the funeral business at no.19.
- The construction would be a disruption for grieving families.
- Construction and refuse vehicles would result in increased traffic congestion.
- If no.19 were re-instated as a residential property, the light and outlook from the upper floors would be lost as a result of this building.
- No vehicular parking and only cycle storage as proposed.
- External amenity space for no's 15 and 17 would be lost.

Following the consultation period, the planning agents have submitted a rebuttal to the comments. These are summarised as follows:

- The proposed scheme takes a 'contemporary reinterpretation' design approach informed by a details assessment of the sites constraints and visual character of the local area, complying with relevant local plan policies.
- Construction disturbance is not a material planning consideration and will be temporary. The applicant would be willing to accept provision of a Construction Environmental Management Plan and Construction Logistic Plan in order to safeguard neighbouring amenity during construction works.
- The site is in close proximity to the railway and bus station and KCC Highways have supported the car-free development in this location.
- 19 Darnley Road has a Class E commercial use and this planning application cannot consider potential future uses of neighbouring sites.
- The proposal complies with the Gravesham Residential Layout Guidance and would have no unacceptable impact on light or outlook of neighbouring properties.

Officer Note: The initial consultation took place in January. Plans were amended after the consultation period and neighbours and consultees were reconsulted. 0 comments were received from neighbours following the re-consultation.

Officer's Analysis

The Key Issues

The key planning considerations in the assessment of this revised application are as follows:

- The Principle of the Development
- Design and Impact of the Development on the Character and Appearance of the Conservation Area
- Suitability of the accommodation for future occupiers and compliance with local/national standards
- Impact on Local Residential Amenity
- Parking and Highway Issues
- Other Material Considerations - ecology/refuse arrangements etc.

Principle of Development

Policy CS02 Local Plan Core Strategy (LPCS) prioritises development in the urban area as a sustainable location for development. Policy CS02 seeks to achieve this by: Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. The site is within a sustainable location within an urban residential area as per Policy CS02.

The National Planning Policy Framework (NPPF) is explicit that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 123 advises that *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.'*

Housing Need and Sustainability

Local Plan Core Strategy Policy CS02 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 over 6,000 new dwellings in that time. Evidence now available shows that the Council is not able to currently demonstrate a five-year housing supply.

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 2.9 year supply has most recently been calculated within the statement published here:

<https://www.gravesham.gov.uk/downloads/file/266/5-year-housing-land-supply-statement-2022-2027>)

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 paragraph 187) 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 72); 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 NPPF 2023 (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 residential development/use of the site supports the Governments greater emphasis on delivering and prioritising housing land as set out in the current version of the NPPF (section 5 - delivering a sufficient supply of homes).

The redevelopment of sites within the urban area can help reduce the pressures for the release of fresh land in rural locations, which is of particular importance in a Local Authority constrained by Green Belt policy. This would be in conformity with paragraphs 124 and 146 of the NPPF. Evidence of land scarcity can be found in Table 7 of the Five-Year Housing Land Supply Statement 2022-2027 (dated March 2023), which identifies a shortfall in the supply of housing sites of 1,785 dwellings.

Therefore, the development of the site for a net increase of 7 units would offer a minimal contribution towards meeting this local need and, accordingly, weighs in support of this application.

However, this has to be balanced against other requirements of the NPPF and in particular paragraphs 135 and 139 of the NPPF which requires development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity 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. There are a number of other material planning issues that need very careful consideration in the assessment of this application.

Conservation Area, Design, Character and Appearance

This application is located in the Darnley Road Conservation Area, which is subject to both the Darnley Road Conservation Area Character Appraisal (2009) and Management Plan – 19th Century Conservation Areas (2009).

The Conservation Area Character Appraisal identified 2 main character areas; Area 1 – Darnley Road and Area 2 – Cobham Street and Darnley Street. This site falls into Area 1. The positive and negative features present in the Conservation Area should be considered in the assessment of the Design of this scheme and its impact on the Conservation Area.

It identifies the principal positive features of Character Area 1 as follows:

• Suburban character; • Variety of building form, style, scale and materials; • Arrangement of rows of semi-detached buildings or short rows of terraces facing each other across the road; • Nos. 29/31, 65/67, 69/71 and 76 Darnley Road are landmark buildings; • Buildings arranged with a common building line behind front gardens; • Domestic scale of building; • Pitched or hipped roofs covered in slate or tile, sometimes with decorated ridge tiles; • Use of yellow stock and red brick, sometimes with patterning; • Use of render for window and door details; • Shaped gables, turrets and full height canted bays;	• Gothic details on some buildings (nos. 65-67 Darnley Road); • Historic dormer windows (no. 76 Darnley Road); • Sash windows, retaining their original glazing pattern and divided into small panes, giving a predominantly vertical emphasis; • Brick chimneystacks (including the row of stacks on nos. 34 to 72, which are not included in the designation); • Elaborate ironwork on top of low boundary wall outside no. 88 Darnley Road; • Cast iron balconies (nos. 13 -16 Darnley Road)
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In this case, the proposed development would retain a suburban character, with a design and character which is reflective of the wider setting by using similar design features in terms of position, fenestration, materials (Yellow and red stock brick with slate roof) and garden frontages with railings. However it would have its own distinct appearance ensuring a varied and interesting appearance within the Conservation

Area.

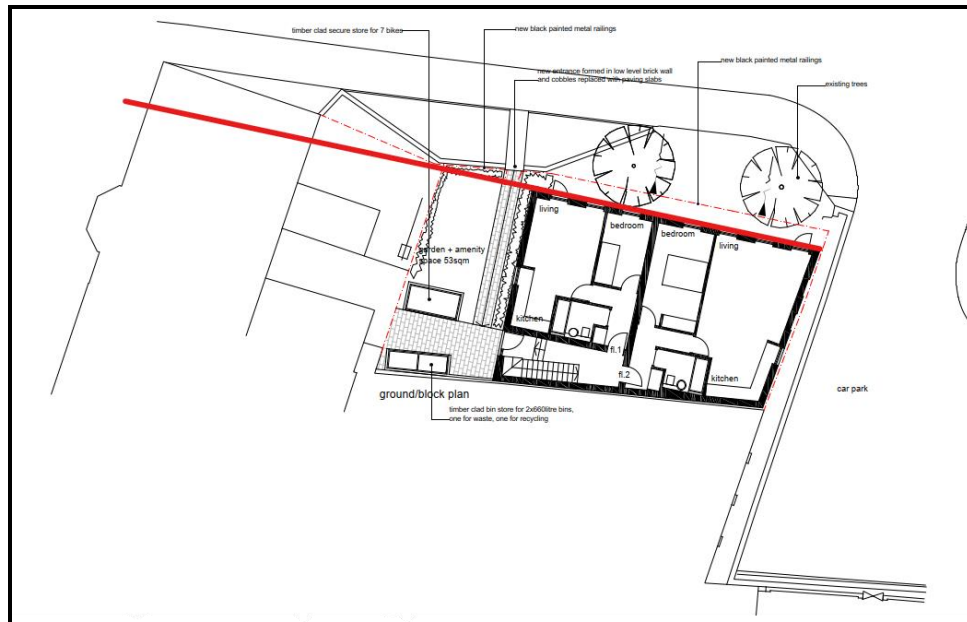
The principal negative features are identified as follows:

- Some modern infill (between nos. 19-21 Darnley Road and behind no. 90 Darnley Road) with a more horizontal emphasis and using modern materials, contrasting with the proportions and materials of the historic buildings (no. 74 Darnley Road);
- Infilling of gaps between the semi-detached houses;
- The general appearance of the lane between Spencer Street and Arthur Street and the outbuildings and garages in the rears of Darnley Road properties at this location;
- General rundown appearance of properties due to sub-division; e.g. nos. 29/31 and 37/39 Darnley Rd, and No. 2-4 Pelham Road;
- Vacancy, or part-vacancy, and under-maintained condition of no. 84 Darnley Road;
- Loss of architectural features, notably sash windows;
- Modern shop signage (no.31a Darnley Road);
- Impact of neighbouring commercial

It is noted that the proposed development would result in increased modern development, where previous modern development has harmed the character of the area. However, in a town centre location and in a sustainable location such as this, modern development is not in principle harmful. However, given the precedent of harm caused by existing modern additions which use modern materials and do not reflect the vertical design of more traditional buildings, it is of increased importance that the current proposal avoids this. The vertical design and reflective materials are maintained in the proposed development ensuring traditional elements are carried through. Conditions would be required to ensure that they would be of a high quality, appropriate for the Conservation Area. This development would not exacerbate any of the negative features of the area, in fact new development may encourage improved maintenance of other nearby run down buildings.

Layout and Street Pattern

The front elevation build line would follow a similar orientation to the street, and would be set back from the side elevation of 15 Darnley Road as the line drawn on the proposed plan (Not to Scale), shows below:



It is worth noting that this road network has previously been widened and as a result demolished what was '13 Darnley Road', which was originally the corner building. This proposal would have the benefit of reinforcing the new street pattern, establishing 15 Darnley Road as the corner plot and reinforcing an appropriate build line. The proposed building would not have a disproportionately large footprint, when compared to other buildings in the area, particularly as the dwellinghouses are generally terraces along this section of Darnley Road and immediately to the south on Cobham Street.

Height and Massing

The plans show that the building would be approx. 1.8 lower than the frontage terrace of 15-19 Darnley Road. The use of a mansard roof to accommodate the third floor, would further reduce the height of the building from a visual perspective. The use of windows and dormers in shorter height at the third and fourth floor would also contribute to this. This is evident in the image below:



Design

This scheme has evolved during the progression of this application. Originally the North Elevation was as

follows:



The now proposed North Elevation is as follows:



As can be seen, engagement with the planning agent has led to an improved design impact on the streetscene. Changes relate to setting the building further down, reduction in fenestration height to the upper floors, reduction in scale of the third floor/roof, with hips to either end. The impact of this is a building which would more appropriately correspond to the character of the area, in particular the street incline, more subservient in appearance and less impactful on neighbours.

As per the Conservation Officer comments, the proposed building, would have the appearance of a Georgian Townhouse. Whilst its overall appearance would not directly reflect that of neighbouring dwellinghouses, it would provide a sensitive approach. Its modern appearance and design would be appropriate in the urban area, near the Town centre whilst the materials, window placement, height and massing, would be reflective of the high quality of the wider, Conservation Area, subject to conditions. The proposed design has evolved over the consideration of this application, the result is a reduced bulk and height, more sensitive design in particular with the roof form and the declining slope of the street. The result

is a building which would be more sympathetic with the streetscene and local setting, which would not exacerbate negative features of the Conservation Area but incorporate some key design features of the Conservation Area, which are considered to have a positive contribution, conserving the character and appearance of the Conservation Area.

On balance, the proposed development would comply with the requirements of Policy CS19 and CS20 of the Core Strategy 2014, Saved Policy TC3 of the Gravesham Local Plan: First Review (1994) and Section 12 and 16 of the NPPF (2023), Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in terms of design, character and appearance and impact on the Conservation Area.

Amenity of Future Occupiers

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines'

This scheme would provide 7 flats. 3 would be single occupancy 1 bedroom units, 3 would be double occupancy 1 bedroom units, and 1 would be a 2 bedroom unit with double bedrooms. The flats would be spread across 4 floors, with 2 single bedroom flats each on the ground, first and second floors and 2 bedroom flat with a small terrace on the entirety of the third floor. All units would be accessible from the west side of the building, with additional accesses for the 2 ground floor units at the north elevation (facing the street). A garden space of 53sqm would be provided alongside the communal access to the west with cycle and bin stores.

To ensure that adequate living space is provided for future residents, the units need to meet the national technical standards (Nationally Described Space Standards) and the GBC Residential Layout Guidelines.

	Flat 1 (m²)	Flat 2 (m²)	Flat 3 (m²)	Flat 4 (m²)	Flat 5 (m²)	Flat 6 (m²)	Flat 7 (m²)	Minimum Space Standards (m²)
Double Bedroom	N/A	14	N/A	14	N/A	14	Bedroom 1: 12 Bedroom 2: 13.5	11.2
Singles Bedrooms	7.8	N/A	7.8	N/A	7	N/A	N/A	6.5
Living Room	19(with open plan kitchen)	30.3(with open plan kitchen)	19(with open plan kitchen)	30.3(with open plan kitchen)	19(with open plan kitchen)	30.3(with open plan kitchen)	32(with open plan kitchen)	13.2
Dining Room	N/A	N/A	N/A	N/A	N/A	N/A	N/A	9.5
Kitchen	19 (with open plan Living Room)	30.3 (with open plan Living Room)	19 (with open plan Living Room)	30.3 (with open plan Living Room)	19 (with open plan Living Room)	30.3 (with open plan Living Room)	32 (with open plan Living Room)	7.2
Kitchen/Diner	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12
Lounge/Diner	N/A	N/A	N/A	N/A	N/A	N/A	N/A	18
Bathroom & WC	4	4	4	4	4	4	4	3.5

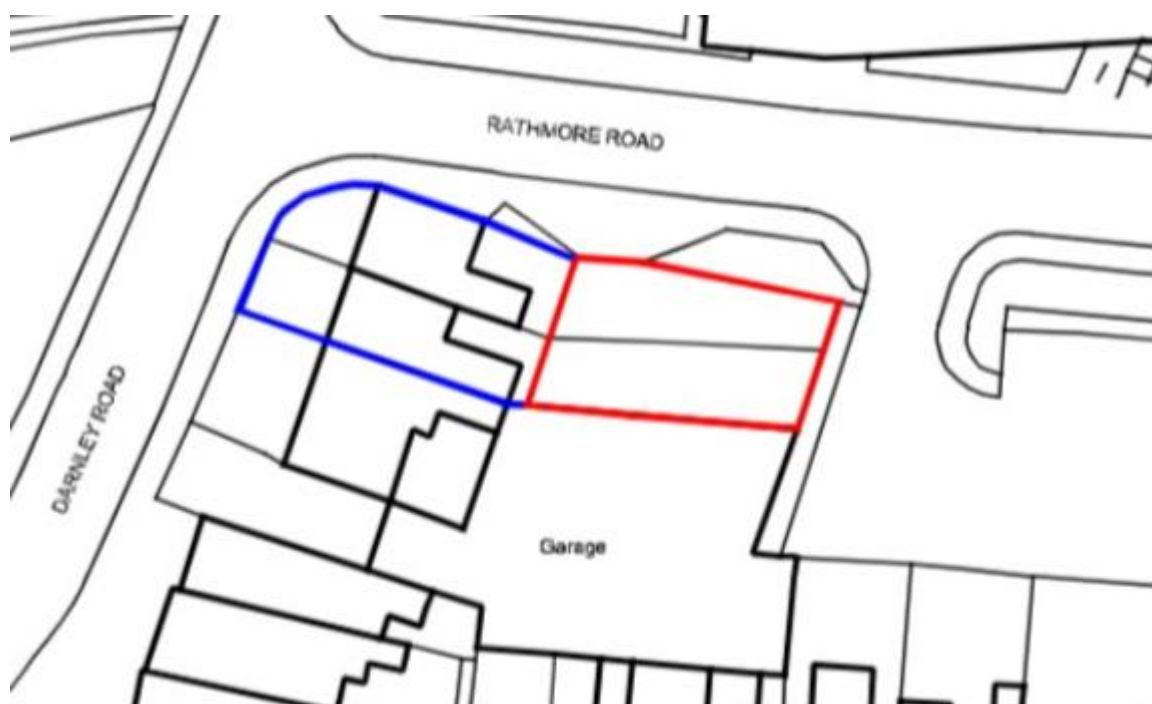
Bathroom Only	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2.8
WC Only	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1.3
Hallway Width	1000mm	1000mm	1000mm	1000mm	1000mm	1000mm	1000mm	900mm Width

As the above table shows, the rooms for all flats comply with the Minimum Space Standards with exception of the Living room and Kitchen. As the living and kitchen spaces are open plan and combined, it would be reasonable to combine the minimum space standards for these rooms, which would result in a space standard of 20.4m². However, flat 1, 3 and 5 have an internal area of 19m² for the kitchen and living area. Given that all other rooms comply and the overall internal floor area is satisfactory, and that there is not a substantial shortfall, it would not be reasonable to refuse the scheme based on this shortfall alone.

The pathway to the entrance also incorporates an external amenity space of 53m². An amenity space of 10m² in addition to footpaths is required for communal flats as per paragraph 31 of the Residential Layout Guidelines. The space provided excluding pathways would be 29m², which would be in excess of the minimum required.

However, it should be noted that there are different requirements for dwellinghouses and that the existing dwellinghouses 15 and 17 Darnley Road would have a reduced garden space as a result of this scheme and so the impact on garden amenity for those properties should also be considered.

As per planning application reference 19880982 15 Darnley Road was divided into three units in 1989. Application reference 20220831 allowed 17 Darnley Road to be divided into three units in 2022. As the blue area on the site plan indicates, both properties are owned by applicant.



The communal units in the three flats at 15 Darnley Road would retain a 24m² amenity space. Those at 17 Darnley Road would have a 17.3m² amenity space. This would be sufficient for both buildings as communal flats. The agent has provided photographic evidence that the internal works to subdivide the building for use as flats at 15 Darnley Road is underway. This evidence is considered sufficient to ensure that the building will be used as communal flats and the remaining external amenity space for the occupiers of these buildings would be retained. The planning agent in their correspondence have also noted that the site is in very close proximity to a range of outdoor amenity spaces such as Gravesend Cricket Club (0.3 mile/6 minute walk), Dashwood Park (0.5 mile/10 minute walk), Woodlands Park (0.7 mile/13 minute walk),

Windmill Hill Park and Gardens (0.5 mile/10 minute walk), Old Gravesendians Rugby Football Club (0.7 mile/14 minute walk) and Riverside Leisure Park (0.6 mile/13 minute walk). This is a reasonable assessment of the local, public, external amenities space and further justifies the space provided.

As such the proposal would safeguard the amenity of future occupiers in compliance with Policy CS19 (LPCS) as well as Section 12 of the NPPF. This would also include the bin store and a secure cycle store.

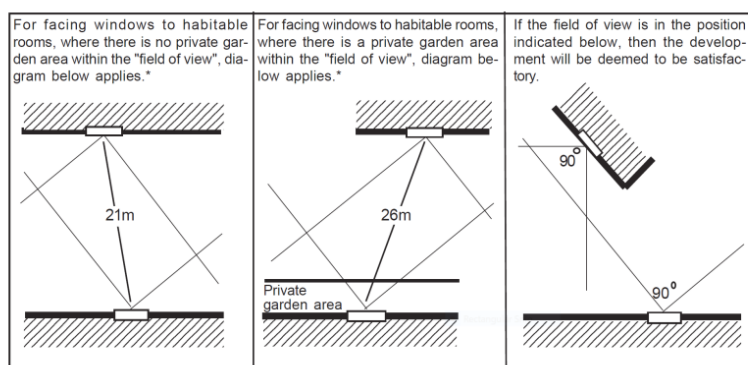
Neighbouring Amenity

The proposed building would be adjacent to 15 and 17 Darnley Road to the West. To the south there is a single storey outbuilding, associated with 19 Darnley Road, which is used as a Funeral Home and has no residential use, as such there would be no impact on residential amenity for this building, as there are no residential occupants. Beyond this to the South there is a row of terraces (30-33 Cobham Street).

15 and 17 Darnley Road

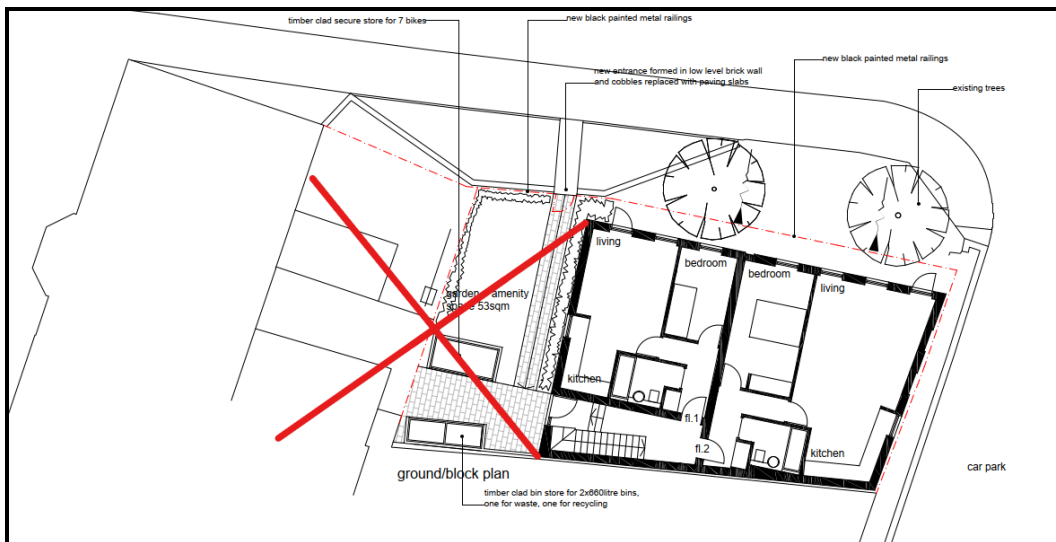
These neighbours are located to the west. The proposed building would be set in from the boundary with these neighbours by 5m. Both of these properties have single storey rear projections. The proposed building would be 6.45m-7.3m from the single storey elements of these neighbours and 11.5 metres from the rear two storey elements of these neighbouring buildings. There would be openings facing this property serving kitchen and communal staircase. The Residential Layout Guidelines provides minimum privacy distances between openings as follows:

Figure 1



* A 90° field of view is measured from the central point of a window of a habitable room on any elevation, to where it overlaps a 90° field of view from the central point of a window to a habitable room on any elevation of another property.

As there is a private garden area between the openings, the minimum distance between the openings should be 26m. However, the plans state that these would be obscure glazed. This would be reserved by conditions along, with fixed glazing to an appropriate height. This would ensure appropriate privacy is retained.



45 Degree Test



25 Degree Test

As the above tests show, the proposed building would not result in any significant overshadowing as a result of the proposed development.

30-33 Cobham Street

These terraces are distanced 17m from the proposed buildings. This would require a privacy distance of 21m as per the Residential Layout Guidelines. Given the distance, there would be no significant overshadowing. Although, the windows would have less than the required 21m distance, there would be no south facing openings and so no overlooking to these neighbouring properties.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Parking and Highway Issues

The proposed development does not provide any car parking facilities. It would provide provision of cycle storage for 7 cycles. The site is in a highly sustainable location, near the Town Centre and so provision of vehicle parking spaces would not be necessary in this instance. This is further justified given that the site is on the opposite side of the road to the train station, with high speed services to London. It is also within a 5 minute walk from the newly refurbished transport hub. Both the GBC Highways Officer and KCC Highways Officer have supported this position. KCC Highways have offered their support of the scheme subject to conditions which would ensure the provision and permanent retention of the cycle parking facilities shown

on the submitted plans prior to the use of the site commencing and would require the submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

Subject to conditions, adequate vehicle and cycle parking provision would be available in accordance with paragraphs 114 to 117 of the National Planning Policy Framework (2023), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014 subject to further details of cycle parking provision.

KCC Biodiversity

The KCC Biodiversity Officer has commented on the application, advising that they are satisfied that no ecological survey needs to be carried out at this time. They have however advised that should planning permission be granted they integrated bat and bird boxes should be incorporated into the building and a lighting condition should be applied.

Subject to the inclusion and compliance with relevant conditions, the proposed development would ensure biodiversity on the site would be maintained and enhanced in accordance with paragraphs 180 and 186 of the National Planning Policy Framework (2023).

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA)

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 £328.27 (previously £314.05) 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.

Where there are no other contributions required for a development applicant's generally have chosen to submit the payment of £314.05 per dwelling by filling in the Strategic Access Management and Monitoring Strategy (SAMMS) Agreement. By filling in this form there are no legal fees to be paid by the applicant and refund mechanisms are in place in the event of a refusal.

The applicant has completed the SAMMS Mitigation Contribution Agreement and made the required payment, addressing this issue.

Therefore, the development would comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Refuse Arrangement

Should the application be approved, details of refuse arrangements would be required. This would be reserved via planning condition.

Environmental Protection

The Environmental Protection Team have raised concerns regarding noise control and requested inclusion of a condition to address this, given the number of units to be provided and the proximity to other nearby residences, the road and the train station, this would be reasonable. Conditions to cover lighting, potential contamination and an informative for the code of development practice would be included where approved.

Drainage requirements are covered by Building Control legislation and so it would not be reasonable to cover this in the decision notice. A smoke control information will be included where approved, as requested.

Conclusion & Recommendation

The proposed development would be in a sustainable, urban location, near the Town Centre. The provision of 7 residential units, would provide a modest contribution to the housing supply shortfall. The proposed design, including the position, height, massing and design features, would result in a building which would be of good design, conserving the high-quality status of the Conservation Area. The internal rooms, mostly meet the minimum space standards required, with exception of the combined living room/kitchen on 3 of the 7 flats, which would be below the required standards. The external amenity space would comply with the minimum space standards required. With appropriate use of design features such as obscure windows, and careful positioning of the windows and hipped roof, there would be no substantial impacts on residential neighbour from overshadowing, or direct overlooking. Given the sustainable location of the site no vehicle parking provision is required. Cycle storage would be provided and would contribute to encouragement of cycling as a sustainable, active travel solution. Given the nature of the site as residential garden in an urban area, no biodiversity issues have presented, and the applicant has paid the SAMM's contribution to appropriate mitigate harm to the Thames Estuary and Marshes Ramsar Site and Special Protection Area (SPA). Whilst the refuse details provided appear to be undersized for the requirements of the flat, there is adequate spacing to provide appropriate refuse facilities. Environmental issues relate to Noise Control, Lighting and Contamination would be reasonably addressed via condition.

On balance, the proposed development would comply with all relevant national and local planning policies, subject to details reserved by conditions.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	
Signed:		Signed:	
Dated:	13 th May 2024	Dated:	