



Delegated Report

Planning Application

Planning Application No: 20240998

Location: BRT Properties Kent, Top Yard, Hardys Corner, 2 Vale Road, Northfleet

Description: Application for the variation of condition 2 attached to appeal ref APP/K2230/W/22/3302467 relating to erection of a three storey building with rooms in the roof space to provide 14 x two bedroom self-contained flats, with associated access, car parking, cycle parking, refuse stores and amenity space; to allow the alteration of the design of the windows and different sized dormers and ground floor doors accessing private terraces to be altered to windows and adjust the landscaping to suit.

Applicant: BRT Properties Kent Ltd

Site Visit Date: 13 November 2024

Submitted Documents/Plans

Application form

Cover letter

Drawing no. 7985-PD-01 rev C (proposed site layout plan, street scene, site section and location plan)

Drawing no. 7985-PD-06 rev A (proposed landscaping plan)

Drawing no. 7985-PD-03 rev B (proposed 2nd and 3rd floor plans and roof plan)

Drawing no. 7985-PD-02 rev B (proposed ground and first floor plans)

Drawing no. 7985-PD-05 rev A (refuse and cycle stores, proposed plans, elevations and indicative section)

Relevant Planning History

20211582	Erection of a three storey building with rooms in the roof space to provide 14 x two bedroom self-contained flats, with associated access, car parking, cycle parking, refuse stores and amenity space.	Refused, appeal allowed	25.05.2022
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Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills

- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 - Design & Development Principles

Gravesham Local Plan: First Review (1994)

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

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 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural 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);
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);

Consultations, Publicity and Representations

Consultees

Neighbouring properties

The application has been advertised by site notice and press notice and individual letters to 33 dwellings. No letters of representation have been received.

Officer's Analysis

Proposal

Condition 2 of APP/K2230/W/22/3302467 states:

The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents:

7985-PD-06 (proposed landscaping and exterior lighting)
7985-PD-05 (refuse and cycle stores)
7985-PD-04 (proposed elevations and sections)
7985-PD-03 Rev A (proposed 2nd floor, 3rd floor and roof plans)
7985-PD-02 Rev A (proposed ground and 1st floor plans)
7985-PD-01 Rev B (proposed site layout)
1530 Rev P03 (typical drainage details)
1540 Rev P03 (typical construction details)
1510 Rev P03 (drainage layout 1 of 2)
1511 Rev P03 (drainage layout 2 of 2)
1510 Rev P01 (manhole schedule)
1500 Rev P03 (engineering layout 1 of 2)
1501 Rev P03 (engineering layout 2 of 2)

Supporting Documents

External Surfaces Materials Schedule
Vibration Assessment
Piling Risk Assessment
Noise Impact Assessment
Phase 1 Habitat Survey
Sustainability Statement for Planning
Remediation Strategy Rev B
Supplementary Phase 2 Site Investigation
Desk Study Assessment Report - Phase 1 Desktop Study
Geo-Environmental Assessment Report
Drainage Operations and Maintenance Manual
Storm Sewer Design
100 Year Storm Calculations
Drainage Strategy Appraisal Technical Note

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

The proposal seeks to supersede the following drawings:

7985-PD-06 (proposed landscaping and exterior lighting)
7985-PD-05 (refuse and cycle stores)
7985-PD-04 (proposed elevations and sections)
7985-PD-03 Rev A (proposed 2nd floor, 3rd floor and roof plans)
7985-PD-02 Rev A (proposed ground and 1st floor plans)
7985-PD-01 Rev B (proposed site layout)

And replace them with:

7985-PD-06 Rev A (proposed landscaping and exterior lighting)
7985-PD-05 Rev A (refuse and cycle stores)
7985-PD-04 Rev A (proposed elevations and sections)
7985-PD-03 Rev B (proposed 2nd floor, 3rd floor and roof plans)
7985-PD-02 Rev B (proposed ground and 1st floor plans)
7985-PD-01 Rev C (proposed site layout)

The approved plans are shown below:

Flats (Units 1-10)



Proposed Front Elevation 1 (South-East Facing)
SCALE 1:100



Proposed Front Elevation 2 (North-East Facing)
SCALE 1:100



Proposed Rear Elevation 1 (South-West Facing)
SCALE 1:100



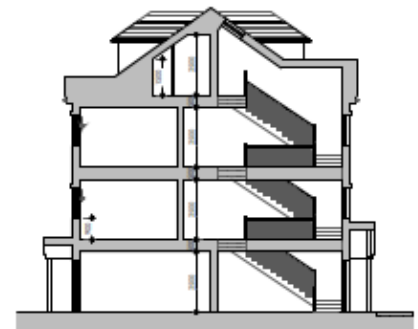
Proposed Rear Elevation 2 (North-West Facing)
SCALE 1:100



Proposed Right-Flank Elevation (North Facing)
SCALE 1:100



Proposed Rear Elevation 2 (South Facing)
SCALE 1:100



Proposed Indicative Section
SCALE 1:100

The proposed changes are shown below:

Flats (Units 1-10)



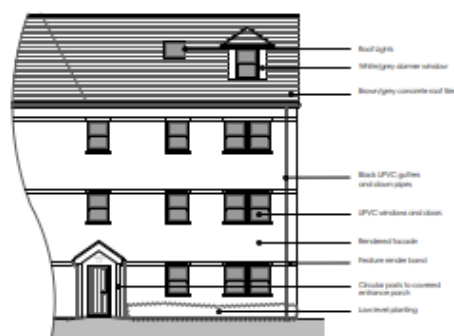
Proposed Front Elevation 1 (South-East Facing)
SCALE 1:50



Proposed Front Elevation 2 (North-East Facing)
SCALE 1:50



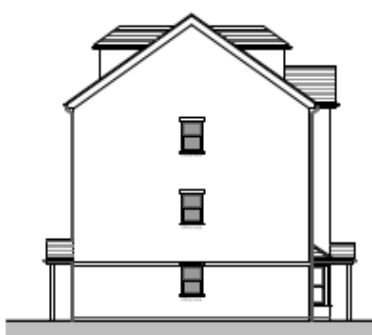
Proposed Rear Elevation 1 (South-West Facing)
SCALE 1:50



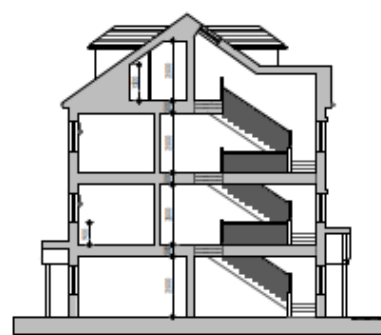
Proposed Rear Elevation 2 (North-West Facing)
SCALE 1:50



Proposed Right-Flank Elevation (North Facing)
SCALE 1:50



Proposed Rear Elevation 2 (South Facing)
SCALE 1:50



Proposed Indicative Section
SCALE 1:50

The differences are removal of dormer and ground floor window no the front (south-east facing) elevation; reduction in the number of dormer windows in the roof (their replacement with rooflights) and front elevation windows (north-east facing); reduction in dormers in the roof (their replacement with rooflights) and rear elevation windows, loss of three storey projection to the south-west and north west elevation; and a reduction in windows to the south facing rear elevation.

Low level railings are also shown in front of low level planting shown on the original plans.

The below plan shows the suggested landscaping in the approved application:



The below is now proposed suggested landscaping:

the domestic scale of Vale Road. The proposed changes result in less windows and, more importantly, the loss of many of the dormer windows in the roof. These changes aid in creating a development that appears simpler in terms of design and therefore less bulky and dominant. No objection is therefore raised to the changes.

The other changes involve the loss of the play area which, while regrettable, was not given significant weight by the Planning Inspector. In fact he raised concerns that it would suffer in terms of noise and pollution due to the commercial activity to the north, road to the east and vehicular access to the south. He gave the creation of private green space negligible weight.

The plans also show reduced levels of planting and loss of private amenity spaces for the ground floor residents. There was a condition imposed on the original application to ensure full details of hard and soft landscaping to be submitted to the Council. Although regrettable that less planting is proposed, the principle of what has been submitted is, on balance, acceptable. The condition should be reworded to ensure the development is undertaken in accordance with the submitted details and as additional soft landscaping scheme submission is not required as all the required information is on the plans.

Amenity

Future Occupiers

The table below is taken from the previous planning report. The alterations that are now proposed affect the third floor only and therefore flat 7 and flat 14. The revised measurements are shown below in red.

	GIA	National Residential Space Standards	Double bedroom 11.5sqm	Single Bedroom 7.5sqm
Unit 1 (2B/3P)	62.3sqm	61sqm	N - Bedroom 1 – 11.1sqm	Y - Bedroom 2 – 9.7sqm
Unit 2 (2B/4P)	88.6sqm	70	Y	n/a
Unit 8 (2B/3P)	69sqm	61	Y	Y
Unit 9 (2B/4P)	70sqm	70	Y	n/a
Unit 3 (2B/3P)	65sqm	61	Y	Y
Unit 4 (2B/4P)	85sqm	70	Y	Y
Unit 10 (2B/4P)	73.8sqm	70	Y	n/a
Unit 11 (2B/4P)	68.7sqm	70	Y	n/a
Unit 5 (2B/3P)	65.5sqm	61	Y	Y
Unit 6 (2B/4P)	84.5sqm	70	Y	n/a
Unit 12 (2B/4P)	74.2sqm	70	Y	n/a
Unit 13 (2B/4P)	68.7sqm	70	Y	n/a
Unit 7	92.3sqm/84.65sqm	61	Y/Y	Y/Y

(2B/3P)				
Unit 14 (2B/3P)	87.8sqm/80.38sqm	61	Y/Y	Y/Y

As can be seen from the table above the amendments do not result in any of the rooms being substandard in size. Each habitable room is provided with sufficient outlook and daylight however the private amenity space for the ground floor flats has been removed. No weight was given to the provision of private amenity space for these flats within the appeal decision and therefore the loss is not considered significant.

In terms of the shared amenity space the inspector stated in para. 42 that the following harms weigh against the proposal:

- *Circulation and shared amenity space. Although the provision of a dedicated space and play area is to be welcome, I find it poorly situated and that the nearby movement of vehicles would cause pollution and disrupt circulation. Consequently, I give this harm moderate weight.*

Therefore the children's play area was not considered a positive aspect of the scheme due to its location and therefore its loss does not result in a concern.

Neighbouring Amenity

The proposed building is not being changed in size, position or height and therefore there will be no loss of amenity over and above the previously approved scheme. The reduction in the number of windows will reduce the perception of overlooking compared to the approved scheme.

The proposed lighting is shown on the plans and is acceptable and therefore a condition requiring lighting details is no longer required.

The proposed development will have no detrimental impact on the amenities of future residents or neighbouring dwellings and therefore accords with Policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

Ecology and Biodiversity

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £328.27 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. The applicants have not paid towards the mitigation.

The originally approved scheme included a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development complies 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 of the Gravesham Local Plan Core Strategy 2014.

Waste Storage

Policy CS19 of Gravesham Core Strategy requires new development to incorporate appropriate facilities for the storage and recycling of waste. The submitted plans show how waste will be stored and the details are acceptable and therefore condition 15 of the appeal is no longer required and can be reworded to ensure the development is built in accordance with the approved plans.

Climate Change

Policy CS18 of Gravesham Core Strategy (2014) sets out the requirements for dealing with sustainable drainage and surface water run-off. Sustainable Urban Drainage Strategy (SUDS) for the site which should include the following details:

- Pervious pavements/road surface to allow water to drain through the surface;
- outlet to pipes or infiltration to ground;
- rain gardens for each dwelling (simple and small basins for roof water drainage); and
- Filter Drains.

KCC as the lead local flood authority initially objected to the original proposal on the grounds that no SUDS information had been submitted with the application. On 17 January 2019 a Desk Study Assessment was submitted in support of application 20181113 which KCC were consulted on. They responded raising no objection but requesting conditions regarding surface water management. A condition was imposed by the Planning Inspector and shall still remain on the decision notice.

Planning Obligations and Viability

A s106 agreement was signed and allows for variations to the application and therefore does not need a deed of variation.

Parking and Highways

The amount of parking, position of spaces and vehicular access remains the same as the approved drawings. No objection was raised to this and the plans show sufficient cycle storage. On this basis a condition relating to cycle storage is only required to ensure it is provided.

Conclusion

The proposed alterations are acceptable and will have no significant detrimental impact on the character and appearance of the area, amenities, parking or highway safety and therefore accord with the abovementioned policies and are recommended for approval.

Recommendation:

Permit

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	3/2/25	Dated:	5th March 2025