



Delegated Report

Planning Application

Planning Application No: 20241020

Location: Land At Meadow Cottage, School Lane, Higham, Rochester
Kent

Description: Application for variation of condition 1 attached to planning permission reference number 20230214 for application for the approval of reserved matters pursuant to outline planning permission reference no. 20191222 allowed on appeal under reference no. APP/K2230/W/20/3255704 for the erection of 3 houses with associated garages and landscaping, relating to details of the appearance, landscaping, layout and scale; to allow substitution of plans for plot 1.

Applicant: M-&J Design & Build

Site Visit Date: 21 November 2024

Submitted Documents/Plans

Application form

Drawing no. 2022/52/43 (proposed rear and western side elevations)

Drawing no. 2022/52/42 (proposed front and eastern side elevations)

Drawing no. 2022/52/41 (proposed second floor plan)

Drawing no. 2022/52/40 (proposed ground and first floor plan)

Relevant Planning History

20230214	Application for the approval of reserved matters pursuant to outline planning permission reference no. 20191222 allowed on appeal under reference no. APP/K2230/W/20/3255704 for the erection of 3 houses with associated garages and landscaping, relating to details of the appearance, landscaping, layout and scale.	Permitted	07.06.2023
20221252	Application for a Lawful Development Certificate to request confirmation that the approved dwellings are not required to be built by self-builders	Certificated granted	07.12.2022
20191222	Outline Application with Some Matters Reserved for the erection	Refused, appeal allowed	21.01.2020

of 3no. self build houses with associated garages and landscaping.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

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 4 – Decision-making
- Section 12 – Achieving well-designed and beautiful places

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);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Environment Agency

No comments to make.

Neighbouring properties

The application has been advertised by site notice and individual letters to 21 neighbouring properties. No letters of representation have been received.

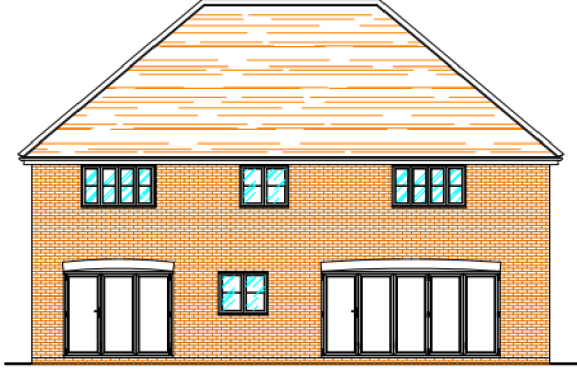
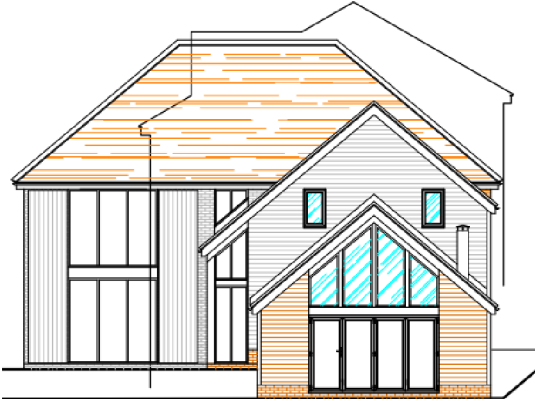
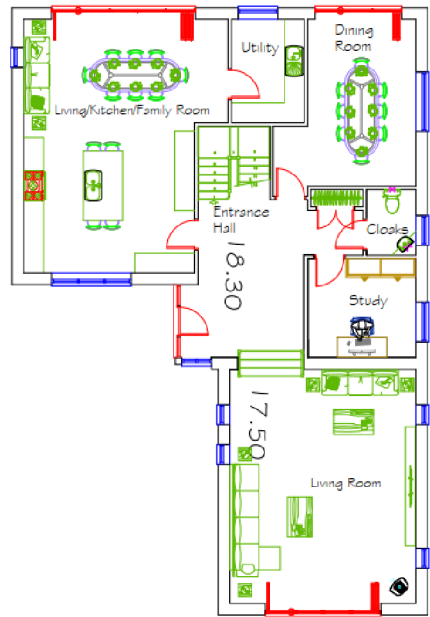
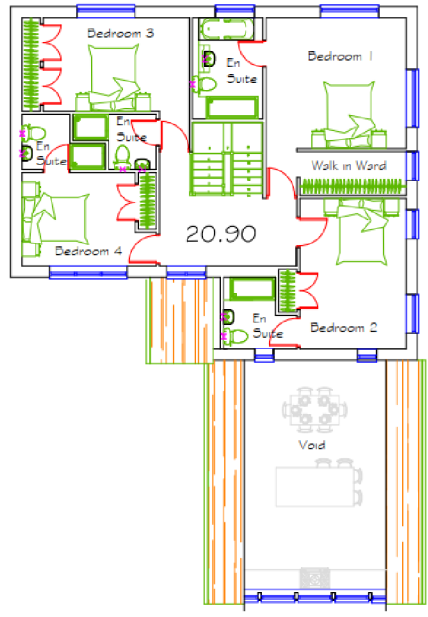
Officer's Analysis

Proposal

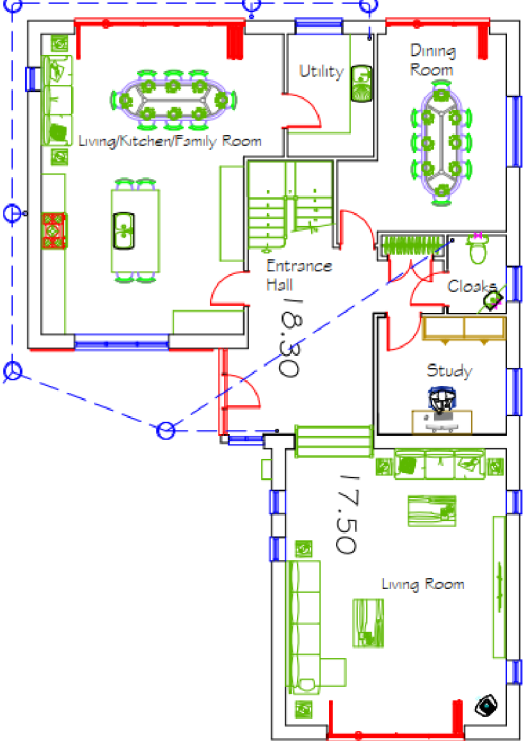
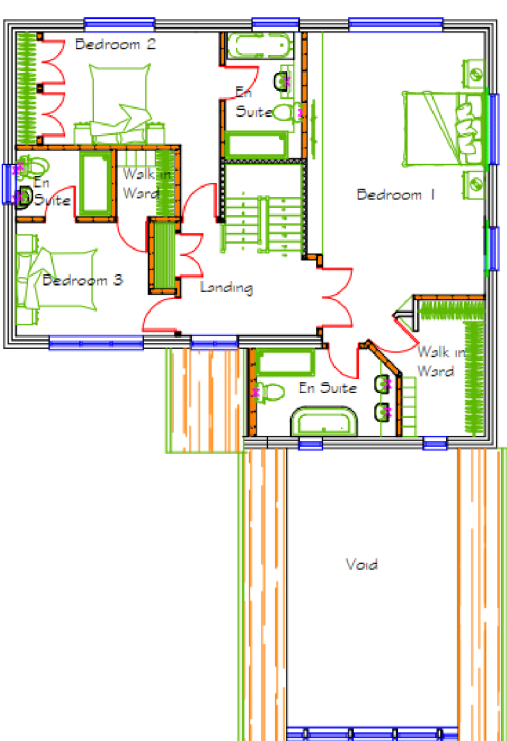
Issues relating to the principle of development, Green Belt, housing need, landscape, layout and scale have all been considered previously and therefore only issues relating to the changes to the approved application are being considered.

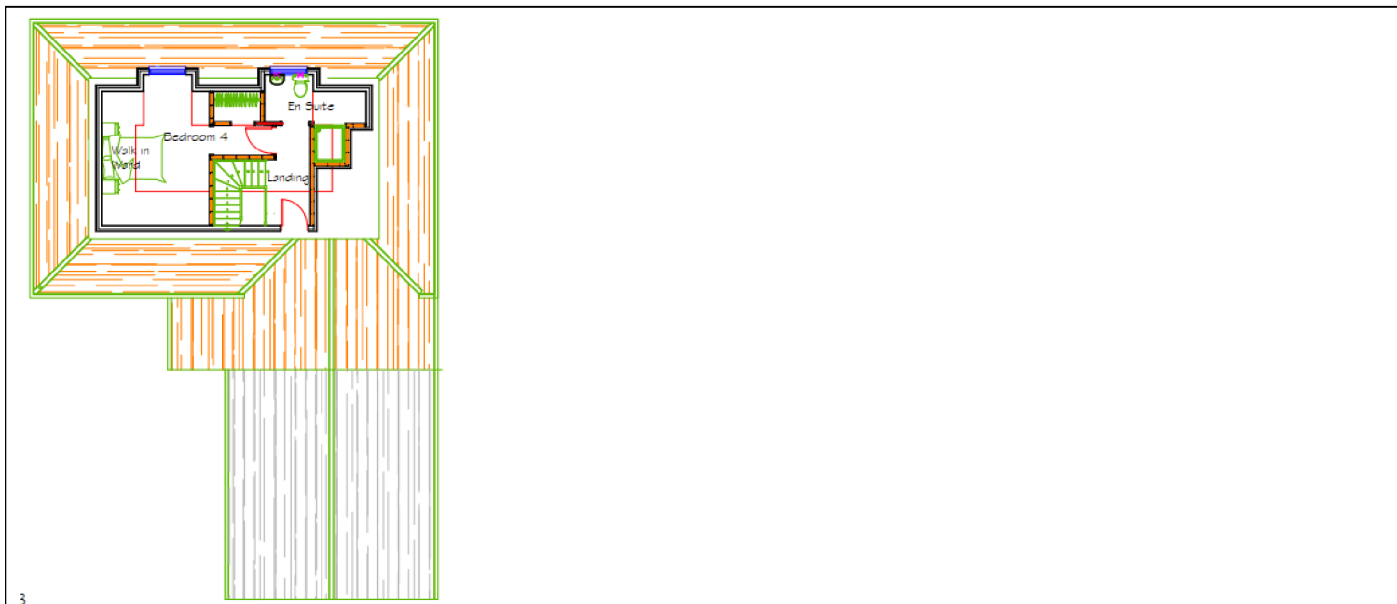
The reserved matters application (20230214) considered appearance, landscaping, layout and scale. The outline application (20191222) dealt with the principle and access.

The approved plans for plot 1 are shown below:

Approved western flank: 	Approved eastern flank:  <i>Proposed Side Elevation facing Plot TWO</i>
Approved rear elevation: 	Approved front elevation: 
Approved floor plans: 	

The proposed plans for plot 1 are shown below:

Western flank	Eastern flank
	 Proposed Side Elevation facing Plot TWO
Rear elevation:	Front elevation:
	
Ground and first floor plans:	
	
Second floor plans:	



As can be seen above the introduction of two rear dormers in the roof will allow for the fourth bedroom to be relocated to the second floor and result in three bedrooms at first floor. The number of bedrooms therefore remains the same.

Condition 1 of 20230214 states:

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

Application form;
 Covering letter;
 Construction Method Statement;
 Drawing no. 2022/52/01 (site location plan);
 Drawing no. 2022/52/01 (proposed semi basement block plan);
 Drawing no. 2022/52/03 (proposed ground floor block plan);
 Drawing no. 2022/52/04 (proposed first floor block plan);
 Drawing no. 2022/52/05 (proposed floor plans - plot 1);
 Drawing no. 2022/52/06A (proposed elevations - plot 1);
 Drawing no. 2022/52/07A (proposed elevations - plot 1);
 Drawing no. 2022/52/08 (proposed floor plans - plot 2);
 Drawing no. 2022/52/09A (proposed elevations - plot 2);
 Drawing no. 2022/52/08 (proposed floor plans - plot 3);
 Drawing no. 2022/52/11A (proposed elevations -plot 3);
 Drawing no. 2022/52/12A (proposed garage details);
 Drawing no. 2022/52/20A (proposed site set up plan);
 Drawing no. 2022/52/21A (proposed foul and surface water drainage plan); and
 Drawing no. 2022/52/22A (proposed landscape plan).

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

The applicant wishes to substitute plans:

Drawing no. 2022/52/05 (proposed floor plans - plot 1);
 Drawing no. 2022/52/06A (proposed elevations - plot 1);
 Drawing no. 2022/52/07A (proposed elevations - plot 1);

for:

Drawing no. 2022/52/43 (proposed rear and western side elevations)
Drawing no. 2022/52/42 (proposed front and eastern side elevations)
Drawing no. 2022/52/40 (proposed ground and first floor plan)

and add:

Drawing no. 2022/52/41 (proposed second floor plan)

These plans show the installation of two hipped roof dormers to the rear roof slopes.

Design, Character and Appearance

The application site is a partially built two storey detached dwelling. It is plot 1 of a development granted approval by appeal in 2020. The approved layout is shown below with plot 1 to the most western side:



The proposed plans show two dormer windows to the rear overlooking the field behind set within the approved roof slope. The materials are shown to match the existing house and the hipped roofs match the design of the main house. The proposed dormers are small in scale and do not dominate the roof slope and therefore no objection is raised in terms of design.

Landscape character

The application site is located within the Higham Arable Farmlands Landscape Character Area. In the appeal decision the Inspector was clear that the site was self-contained which prevented the direct loss of any of the features that contribute to the wider landscape. Given that the two dormer windows are set within an approved roof slope of a property that was not considered to impact on the wider landscape, no concerns are raised that these additions will harm the wider landscape either.

In terms of design the proposed dormers relate well to the approved dwelling in both scale and proportion and therefore accord with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135 of the National Planning Policy Framework 2023.

Amenity

Future Occupiers

The proposed dormers will result in a more spacious first floor layout. Internally the floor space meets the adopted standards and all habitable room windows contain sufficient outlook and daylight.

Neighbouring Amenity

The proposed dormer windows are located to the rear of the property which overlooks the field to the south. There are no other additional windows proposed and therefore there will be no detrimental impact to any neighbouring property in terms of loss of outlook, privacy, sunlight or daylight.

The proposed dormers therefore accord with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2023.

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.

This fee was paid during the course of the allowed appeal of refused application 20191222.

Biodiversity Net Gain

Biodiversity net gain does not apply to:

- retrospective planning permissions made under section 73A; and
- section 73 permissions where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024

Parking and Highways

The insertion of the dormer windows to the rear of plot 1 will not result in any additional bedrooms or the loss of any off road parking and therefore no objection is raised on highways grounds.

Conditions

As this application is a Section 73 application the originally imposed conditions will still stand unless they have been discharged. Condition 2 is an ongoing condition that is required to remain on the decision notice.

The hard and soft landscaping scheme hereby permitted shall be implemented during the first planting

season following occupation of the buildings or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

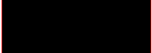
Reason: To ensure that the development permitted protects and enhances the appearance and character of the site and locality in accordance with Local Plan: Core Strategy Policy CS19 and paragraph 135 of the National Planning Policy Framework 2023.

Conclusion

The proposed dormer windows will not result in any detrimental impact to the character and appearance of the surrounding landscape, amenities, parking or highway safety and therefore accord with the abovementioned policies and are recommended for approval.

Recommendation:

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	4 December 2024	Dated:	6th December 2024