

Delegated Report

Planning Application

Application No:	20250139
Location:	Land Adj to Rose Cottage, Milton Road, Gravesend, Kent, DA12 2PP
Description:	Erection of 2no. detached dwellings and creation of a new vehicle crossover.
Applicant:	Westoak Homes Limited
Site Visit:	17 March 2025

Positive and Proactive Decision Making

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 39 of the National Planning Policy Framework (NPPF) (2024), the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area.

The Local Planning Authority have negotiated with the applicant with regards to design and amenity, to ensure that the development meets the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) and Section 12 of the NPPF (2024).

Submitted Documents/Plans

- Application Form (dated 17 February 2025);
- Planning Statement (ref. DB/SL/33231) (dated February 2024);
- Supplementary Information – Design Ethos Statement (ref. DES/01);
- Supplementary Information – BNG Statement (ref. 2098/12244) (dated January 2025);
- Supplementary Information – BNG Metric (January 2025);
- Supplementary Information – CGIs of Proposed Dwellings;
- Drawing no. 23-08-01B – Existing Site Plan, Block Plan and Location Plan;
- Drawing no. 23-08-02J – Proposed Floor Plans and Elevations (Plot 1);
- Drawing no. 23-08-03J – Proposed Floor Plans and Elevations (Plot 2);
- Drawing no. 23-08-04F – Proposed Site Plan and Block Plan;
- Drawing no. 23-08-05B – Proposed Site Plan (Privacy and Overlooking);
- Drawing no. 23-08-06B – Proposed Street Scene Elevations;
- Drawing no. 23-08-07 – Existing and Proposed Site Sections AA, BB and CC.

Superseded Drawings

- ~~Drawing no. 23-08-02G – Proposed Floor Plans and Elevations (Plot 1) – SUPERSEDED;~~
- ~~Drawing no. 23-08-03G – Proposed Floor Plans and Elevations (Plot 2) – SUPERSEDED;~~
- ~~Drawing no. 23-08-04D – Proposed Site Plan and Block Plan – SUPERSEDED;~~
- ~~Drawing no. 23-08-05A – Proposed Site Plan (Privacy and Overlooking) – SUPERSEDED;~~

- ~~Drawing no. 23-08-06A – Proposed Street Scene Elevations – SUPERSEDED.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20211377	Demolition of the existing dwelling and erection of 2 no.3 bedroom and 1 no.2 bedroom terraced dwellings and creation of new vehicle crossovers.	REFUSED	03.02.2022
AP 2022/0002 6/REF		APPEAL ALLOWED	24.11.2022
19810251	Erection of 22 two storey dwellings with garages and the laying out of estate road and formation of a new access to the A226 to serve also the playing fields	PERMITTED	30.09.1981
19800587	Outline application to erection of 20 dwellings 34 garages and laying out of estate road formation of a new access to the A226 to serve also the playing fields	PERMITTED	04.07.1980

Development Plan

Gravesham Local Plan Core Strategy (2014)

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

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 9 – Promoting Sustainable Transport
- 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)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Other Relevant Guidance

- Kent County Council Dropped Kerb Guidance and Self-Assessment (2023)
- Gravesham Driveway Dropped Kerb Guidance (Informal Guidance) (2023)
- Gravesham Front Driveway Design Guidance (Informal Guidance) (2023)

Consultations, Publicity and Representations

External Consultees

KCC Biodiversity – NO FURTHER INFORMATION REQUESTED

We have reviewed the ecological information submitted in support of this application and advise that no further information is requested from the applicant prior to determination of the planning application.

Proposed biodiversity gains (tree and hedgerow planting) are located within residential curtilage and cannot be counted towards the development's 10% BNG. This does not need to be addressed at this stage, but will need to be remedied when the deemed condition of biodiversity net gain is discharged (pre-commencement).

- **ECOLOGICAL CONSTRAINTS AND MITIGATIONS** – No ecological information has been submitted with this application. As a result of reviewing the data available to us and the information submitted with the planning application, we advise that none will be needed. No impacts to protected/priority species are anticipated as a result of the proposed development as the site is entirely composed of short-sward grassland.
- **DESIGNATED SITES** – The application falls within the zone of influence of the Thames Estuary & Marshes SPA/Ramsar (1.5km east). As such, the North Kent Strategic Access Management and Monitoring Strategy¹ applies and the applicant will be required to make a tariff payment based on the net number of additional dwellings proposed to mitigate additional recreational effects on the designated sites.

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 2017 (as amended) and the National Planning Policy Framework (NPPF) 2024 by carrying out a full Habitat Regulations Assessment (HRA).

A recent decision from the 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 full HRA.

- **BIODIVERSITY NET GAIN (BNG)** – Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications received in England (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG) from the 12th February 2024 and all minor applications from the 2nd April 2024. Where required, the Statutory Biodiversity Metric

will need to be used to demonstrate a minimum 10% biodiversity net gain. Local policy may request a higher level of net gain. Significant gains will need to be secured for at least 30 years.

Biodiversity net gain is a statutory requirement of this proposed development. References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric.

The question has been raised in sections 1.13 and 1.14 of the Biodiversity Net Gain (BNG) Statement (for validation) (BCM Wilson Hill, January 2025) as to whether onsite tree removals which occurred sometime in 2020 constitute unauthorised habitat degradation under The Town and Country Planning Act 1990, Schedule 7A (Sections 6 and 6B2).

Given this site clearance was permitted under APP/K2230/W/22/3297316 in 2022, we would consider it to be authorised (even though this permission was not carried out).

As such, the baseline calculations provided in the submitted Small Sites Metric (Richard Holmes, January 2025) are accepted. These describe the application site as being composed of 421m² vegetated garden and 84m² developed land, with a baseline biodiversity unit value of 0.0842.

The submitted biodiversity metric indicates that the proposed development will result in an increase in developed land of 249m² as well as the creation of 18m² modified grassland (with 238m² vegetated garden retained). A 126.48% biodiversity net gain is anticipated as 447.64m² of trees will be planted onsite. These are clearly within residential curtilage and therefore cannot be counted towards the development's 10% BNG3. Offsite gains will likely be required. A revised approach to delivering BNG can be provided when the below deemed condition is discharged:

GENERAL BNG CONDITION (APPLIES BY DEFAULT): *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.

A Landscape and Ecological Management Plan (LEMP) condition is also recommended to ensure onsite tree/hedgerow planting establishes. This does not imply that these measures can be counted towards the development's 10% BNG as they would have been required under the NPPF 2024 (para. 187[d]) anyway.

SUGGESTED LEMP CONDITION:

Prior to first occupation of the development hereby approved, a landscape and ecological management plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The plan shall accord with the measures outlined in the Proposed Site Plan and Block Plan (Edgington Architectural Services, February 2025) associated with the planning application and shall include details of the following:

- *Habitat creation measures, including full details of tree, shrub and hedgerow planting;*
- *A full planting schedule utilising primarily native species;*
- *Full details of biodiversity enhancements (which may include provision of durable and suitably placed bat/bird boxes, hedgehog highways);*
- *Rolling, long-term maintenance measures covering up to a 5-year period; and*
- *Details of responsible persons.*

The approved plan shall be implemented as described and retained thereafter.

Reason: In accordance with paragraph 187(d) of the NPPF 2024.

KCC Heritage – The site lies within an area of multi-period background archaeological interest on a geology of Clay-with-Flints over Chalk. It would appear from historic mapping that much of the site has not been built on in the 19th and 20th centuries and therefore any below-ground archaeological remains at the site may be relatively undisturbed and could be impacted by the groundworks of the proposed development. This is recognised in the planning statement accompanying the planning application, including in the planning appeal Inspector's report.

Taking into account the scale of the proposed development, I recommend that if planning permission is granted the following condition is applied to any forthcoming consent:

To ensure that features of archaeological interest are properly examined and recorded during development works:

- (a) Prior to any development works the applicant (or their agents or successors in title) shall secure an archaeological watching brief so that excavations and other development groundworks are observed and heritage assets with archaeological interest are recorded. The watching brief shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Specification which has been submitted to, and approved in writing, by the Local Planning Authority.*
- (b) The archaeological watching brief, recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification.*
- (c) Within 6 months of the completion of the watching brief a Report shall be submitted to and approved in writing by the local planning authority.*

REASON: *To ensure that features of archaeological interest are properly examined and recorded in accordance with local and national planning policy*

Internal Consultees

GBC Environmental Protection - There is no objection to this application. The site falls within the buffer zone of a former landfill site. To address this and other matters, the following is recommended:

- **Contaminated Land 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 Local Planning Authority 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 minimise any disturbance/loss of amenity to nearby houses during the development.
- **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.

Neighbouring properties

A notice was displayed on site 17 April 2025.

In addition, four surrounding properties were consulted and three representations were received, all raising objection to the development. The comments raised the following material planning considerations:

Material Planning Considerations

- Out of character with the area
- Increased parking pressures
- Increased traffic
- Increased risks of traffic incidents/accidents

The consultation period expired 07 April 2025.

Previous Applications

This application follows a previous proposal to demolish *“the existing dwelling and erection of 2 no.3 bedroom and 1 no.2 bedroom terraced dwellings and creation of new vehicle crossovers”* (ref. 20211377), which was refused by the Local Planning Authority and allowed at appeal by the Planning Inspectorate.

The Inspector considered the proposed terrace to cause no harm to the character and appearance of the area, and did not impact highway safety or biodiversity in accordance with local and national planning policy. The approval has since expired and the current proposal seeks to construct 2no. detached dwellings and retain the existing Rose Cottage.

Notwithstanding the changes to the development, the principle of constructing new dwellings on this site is acceptable given the appeal decision.

Preliminary Matters

The Local Planning Authority had concerns with the proposal as originally submitted, in relation to the appearance of the dwellings and amenity of future occupiers. The concerns related to the extent of cladding on the dwellings and the sizes of internal rooms.

It was acknowledged that the design strategy and appearance of the dwellings is intentionally distinctive from the immediate context, but tied in with the approved Bowls Green development. However, the cladding was considered to be overly dominant and imposing, given the contrast and impact is much more significant on the smaller scale of the application proposal (as demonstrated below).



In order to address the above concerns, the Local Planning Authority encouraged the applicant to reduce the extent of cladding with more brick introduced, to provide a more balanced appearance but retain the modern distinctive design. The agent has submitted revised plans which have amended the extent of cladding and brickwork.

The internal rooms were below the minimum standards set out in Gravesham's Residential Layout Guidelines (RLG) (2020). These undersized rooms were highlighted to the agent and revised plans have been submitted.

Officer's Analysis

Site Description

Rose Cottage is an early 20th century property. The property is located on a corner plot at the intersection between Ellerslie, Donald Biggs Drive and Copper Beech Close, opposite the Rectory Fields sports facilities. There is a section of amenity land adjacent to the garden boundary of the cottage.

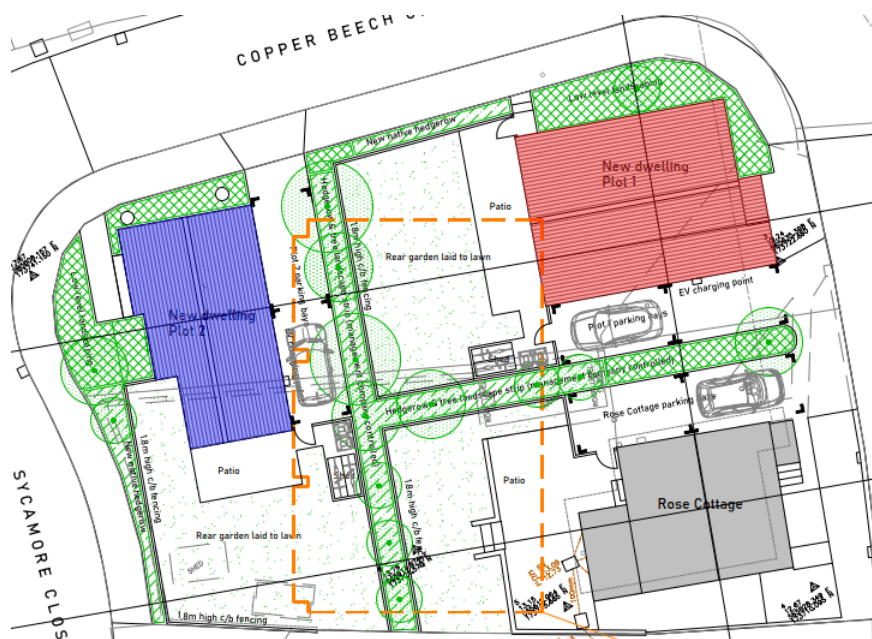


The properties in the surrounding roads were all constructed in the 1980s. The surrounding area is characterised by large detached dwellings that are generally uniform in design, scale and form. Some dwellings have been extended which has altered their appearance, however there is a clear uniformity within the street scene.

Development Proposal

This application proposes the erection of 2no detached dwellings with associated works, including a new vehicle crossover.





The proposed dwellings have 4no bedrooms (Plot 1 - red) and 3no bedrooms (Plot 2 - blue), each with a tandem driveway with space for 2no. vehicles and private garden space. The dwellings have been designed with standard gable ended pitched roofs, with modern characteristics and materials. Plot 1 includes a forward projecting gable balcony and Plot 2 would have a staggered design with step-ins towards the rear. The properties have been oriented to front Donald Biggs Drive (Plot 1) and Copper Beech Close (Plot 2).



The dwellings would be constructed using a mix of red and dark blue brick, with slate grey aluminium cladding and slate grey roof tiles. The dimensions of the proposed dwellings are as follows:

Plot 1

- Depth – 10.35m
- Width – 7.6m
- Height (max) – 7.75m
- Height (eave) – 5.15m

Plot 2

- Depth – 10.1m
- Width – 6.45m
- Height (max) – 7.65m
- Height (eave) – 5.15m

Principle of Development

The principle considerations in the assessment of this application are:

- Housing Need
- Design, Character and Appearance
- Residential Amenity
- Parking and Highways
- Any Other Material Planning Considerations

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 National Planning Policy Framework (NPPF) (2024) 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:

- 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
- 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 NPPF paragraph 194)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 75)
- 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 '2' residential units would offer a small 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 contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Design, Character and Appearance

Policy CS19 (LPCS) states that the design, layout and form of new sustainable 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. The NPPF (2024) sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve and add to the overall quality of the area, not just for the short term but over the lifetime of the development. The NPPF (2024) makes it clear that development that is not well designed should be refused, especially where it fails to reflect local design policies (e.g. CS19 (LPCS) and the associated Supplementary Planning Document adopted by the Council, Design for Gravesham) and government guidance on design (contained in the National Design Guide and National Model Design Code).

The quality and character of the built environment is also important in making the Borough an attractive place in which to invest. Therefore, a balance is required between achieving an effective use of a site, whilst ensuring the development is a sustainable, place-led development with people at its heart and one which protects local amenity. At the level of individual sites and buildings, the environmental impact of new development can be minimised by reducing energy in use; minimising external pollution and environmental damage; reducing embodied energy and resource depletion; and minimising internal pollution and damage to health.

Density of Development

Development on this site should meet the requirements of Policy CS14 (LPCS), where the Council expects new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area.

Policy CS15 (LPCS) requires that all new housing will be developed at a density, which is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration, new residential development within the urban area will be expected to achieve a minimum density of 40 dwellings per hectare. It is clear that whilst Policy CS15 (LPCS) seeks to achieve this minimum density, this should not be at the expense of compromising the character of the surrounding area.

Based on the proposal, the overall density of the development would be circa 41 dwelling units per hectare thus meeting the target minimum density. This density per hectare would not be overdevelopment of the site and is in character with the surrounding area.

Housing Type, Mix and Size

Policy CS14 (LPCS) seeks to ensure that new housing development provides a range of dwelling types and sizes. The proposed scheme will deliver a 3no. and 4no. bedroom dwelling, whilst retaining Rose Cottage. Therefore, the development delivers a range of dwelling types and sizes in accordance with Policy CS14 (LPCS).

Design and Impact on the Area

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 135 of the NPPF (2024) seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 (LPCS) reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The proposed dwellings are oriented to the corner and aligns with the surrounding built form, with Plot 1 fronting Donald Biggs Drive to create a uniform frontage with Rose Cottage and Plot 2 addressing the corner of Sycamore Close. This layout is well-considered and ties in with the established pattern of development. Moreover, the detached dwellings hereby proposed are detached which is in keeping with the scale and typology of properties within the immediate vicinity.



As referenced previously, the properties have been redesigned with the extent of cladding reduced but retain the contemporary modern appearance. This design approach is not directly tied to the established 1960s/70s architecture on Sycamore Close and Copper Beech Close, which are predominantly multi-red

facing brickwork and concrete tiles. Adjacent to the site is the 1990s block of flats (Ellerslie Court) which is finished in yellow stock brick, with red banding and concrete tiles;



Therefore, based on the surrounding context, the proposed dwellings constructed using red brick, grey cladding and slate roof tiles are not directly in-keeping with the existing character, but the modern architectural approach and contemporary features create a contrast. This contrast is not considered to have any detrimental impact on the area, with the properties forming a separate appearance to the more traditional 19C dwellings and have been designed to tie into the recently approved Bowls Green development (located across Donald Biggs Drive). The materiality proposed has been selected by the applicant to reference the neighbouring Bowls Green development through the red brick and slate colours.

Bowls Green



Proposal



The neighbouring resident objections expressed concern that the development is out of character with the area. As briefly referenced above, the Local Planning Authority acknowledge the contrast in architectural approach to the existing 1960/1970s dwellings. However there are some references taken in the design approach, such as the general morphology, roof forms and red brick material. In morphological terms, the detached properties hereby proposed are considered to be more in keeping than the terraces properties allowed by the Planning Inspectorate at appeal. Furthermore, the roof form and material references are considered to be acceptable in Gravesham's new design code: Design for Gravesham (2024), which sets out the expectation for quality place-making through development proposals leading with design quality, expressly referencing that roof forms should respond to local context and that developments on corner must positively contribute to street legibility, amongst other things. It is considered that the proposal achieves these objectives, with the corner of Donald Biggs Drive and Copper Beach Close being addressed through materiality and windows on Plot 1, as well as Plot 2 fronting the corner of Sycamore Close.

In terms of the contemporary features proposed, such as a two storey front canopy porch and covered balcony (Plot 1) and vertical timber panelling and a staggered profile (Plot 2), these are in-keeping with the modern design approach and style adopted by the architect. While this approach does not entirely adhere

to the established architectural language within the street, the new dwellings are modern infills and the minor features are not considered to detract from the wider character of the area.

As part of the proposal, the ‘Design Ethos Statement (ref. DES/01)’ sets out that the development would enable the renovation and refurbishment of Rose Cottage but no details of this have been provided as part of the application. There is no scope for the Local Planning Authority to condition the refurbishment of Rose Cottage, as the existing property is not included in the redline plan, however these works could be undertaken by any future occupier of Rose Cottage and is not considered sufficient grounds to seek amended plans.

Conclusion of Design

Overall, the proposal is a modern design that ties in with the recently approved Bowls Green development in terms of materiality and proposes detached dwellings with standard pitched roofs which are in keeping with the pattern of development in the immediate area. As such, the design is considered to be in accordance with Design for Gravesham (2024) and Policy CS19 (LPCS), as well as paragraph 135 of the NPPF (2024).

Residential Amenity

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

Amenity of Future Occupiers

Policy CS19 (LPCS) 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’ (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These Nationally Described Space Standards (NDSS) came into effect on 1 October 2015.

The Nationally Described Space Standards (2015) require a two storey dwellings to meet a minimum internal gross floor area, although this varies depending on the number of occupants. The table below compares the proposal to the NDSS:

Plot no.	Bedroom(s) /Person(s)	National Housing Standard Guidance	Unit Floor space
1	4 (6 person)	106m ²	122.4m ²
2	3 (4 person)	84m ²	92.9m ²

Table 1 - Unit Floor Area Breakdown (GIA)

As shown in Table 1, the dwellings comply with the recommendations within the National Space Standards. Therefore, it is suggested that the units would provide acceptable accommodation and safeguard the amenity of future occupiers.

Notwithstanding the National Space Standards, Gravesham's RLG breaks down the Council's individual requirements for certain rooms, these have been formulated into a table to compare with the floor area of rooms within the proposed flats.

	Gravesham RLG (2020)	Plot 1	Plot 2
Living Room	11.2m ²	16.8m ²	13.5m ²
Kitchen/Dining	12m ²	21.5m ²	16.5m ²
Utility	N/A	4.3m ²	
w.c.	1.3m ²	2.4m ²	2.75m ²
Bedroom (double)	11.5m ²	12.2m ²	13.5m ²
		11.5m ²	
Bedroom (single)	7.5m ²	9.9m ²	9.5m ²
		8m ²	8.1m ²
Ensuite	3.5m ²	2.5m ²	
Bathroom & w.c.	3.5m ²	5.3m ²	6m ²

Table 2 - Floor Area Breakdown

Table 2 has been colour coded to show which rooms within each dwelling meet the guidance within the RLG. The table shows that all rooms within the new dwellings comply with the minimum floor area, with the exception of the ensuite bathroom in Plot 1. Although failing to meet the RLG minimum, the ensuite bathroom is detailed on the plans as containing a shower basin, which occupies less floor area than a bath and would therefore be acceptable. As such, the proposed dwellings would provide good quality living environments for future occupiers.

The proposed dwellings are oriented to front Donald Biggs Drive and Copper Beach Close, with the rear elevation of Plot 1 facing the flank elevation of Plot 2. The separation distance between the two new dwellings is approx. 12m, with no flank windows on Plot 2 to impact on privacy. This distance means Plot 1 would not be overshadowed and is separated from Rose Cottage to not have any impact through loss of light or overshadowing. Moreover, the distance between the two new dwellings is considered sufficient to mitigate outlook or sense of enclosure impacts.

In relation to Plot 2, the proposed development is oriented North-South and would receive good level of natural light as a result, would not be overlooked and have good outlook.

In terms of external amenity space, each new dwelling would benefit from private gardens. Plot 1 has a garden area with an area of 80m² and a depth of approx. 8m, while Plot 2 has a garden area of 87m² and a depth of approx. 8.9m. Gravesham's RLG states that a three and four-bedroom dwellings should have private garden areas of 60m² and 100m², with a minimum depth of 10m. As such, the garden area for Plot 2 accords with the RLG, however Plot 1 is below the recommendations. Although falling below the RLG, the

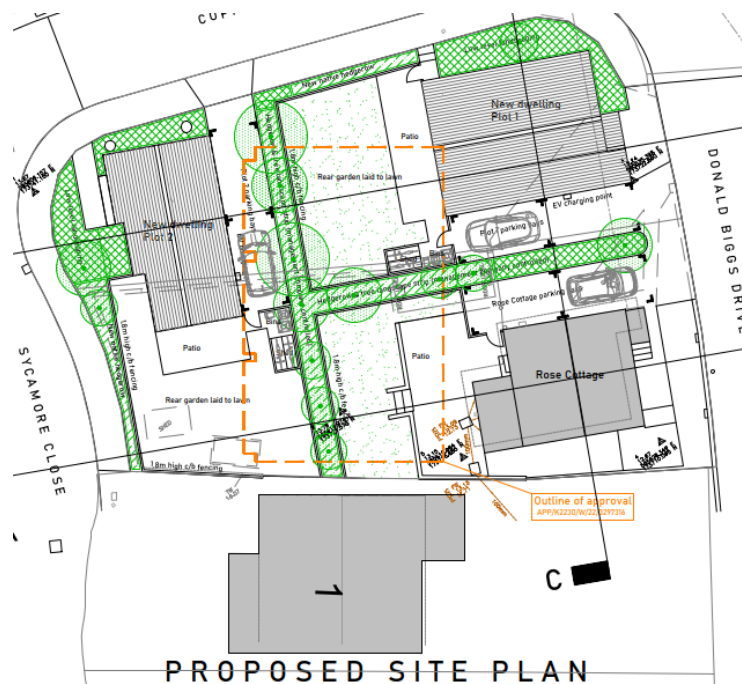
quality of the private amenity space can be secured by condition to ensure that suitable landscaping is secured and that no extensions or outbuildings are constructed to reduce the space. Moreover, the site is within close proximity to sports facilities for future occupiers to utilise. Therefore, on balance the proposal secures good quality external amenity space for future occupiers.

Overall, subject to conditions, the development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Impact on Amenity of Surrounding Properties

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and the NPPF (2024) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

The proposed development is not considered to have any detrimental impact on the amenity of surrounding properties due to the orientation and layout of the development. The nearest neighbouring properties are Rose Cottage and 1 Sycamore Close, both of which are located to the south of the new dwellings and would not be overshadowed or have any loss of light impact. In terms of the layout, the new dwellings have been designed with Plot 1 facing the flank of Plot 2, and Plot 2 being set forward of the front of 1 Sycamore Close by approx. 0.85m. This layout means that the privacy and outlook of Rose Cottage and 1 Sycamore Close will be safeguarded.



The other neighbouring properties closest to the development are 1 Copper Beach Close and 15 Sycamore Close located approx. 19.5m and approx. 21.7m respectively from Plot 2. The separation distance between Plot 2 and 15 Sycamore Close, and lack of flank windows are sufficient to safeguard overlooking. The distance to no. 1 Copper Beach falls marginally below the RLG 21m distance over a highway, however, as shown in the screenshot below the properties are angled and the separation is considered sufficient to mitigate any direct overlooking.



Overall, the proposed development is considered to safeguard neighbour amenity in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Parking and Highways

The proposed development needs to be considered against Policy CS11 (LPCS) which states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities. This is also reflected by Saved Policy T1 (LPFR) which requires proposed development to be adequately served by the highway network and Saved Policy P3 (LPFR) which sets out highways parking standards for development.

At a national level the NPPF (2024) states at paragraph 110, significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF (2024) goes on to state development should only be prevented or refused on transport grounds where the cumulative impact of development is severe.

The proposed properties will each have associated parking and driveways. The driveways have widths of approx. 2.65m and depths of approx. 10.1m, with vehicles to be parking in a tandem arrangement. These dimensions accord with the Gravesham's adopted parking standards (SPG4) (2006) and will accommodate two vehicle per dwelling. Although not an ideal arrangement, tandem parking is accepted in KCC's dropped kerb guidance self-assessment (2023). The recommendation within SPG4 for a four bedroom property is that 3no. spaces are provided per dwelling, however these are maximum parking requirements and that the development is on the edge of the centre, this is not considered sufficient grounds to refuse the application.

It is noted that neighbouring residents core concern with the proposed development was parking and highway impacts. The proximity of the rugby club and Gravesend Grammar School for Boys do result in increased on-street parking conflicts and congestion on nearby Ellerslie, Copper Beech Close and Sycamore Close. While this is a material consideration, the proposed dwellings do provide off-street parking for the two new dwellings and the retained Rose Cottage, and therefore the new development is not considered to result in any severe cumulative impact on the highway network to justify a refusal in line with the NPPF (2024).

Moreover, the new dwellings have cycle parking provision for 2no. bicycles per property. This is in accordance with Gravesham's adopted parking guidance (SPG 4).

Overall, the proposal provides off-street parking and cycle parking. Although the parking provision for the four bedroom dwelling falls below the maximum set out in Gravesham's adopted parking standard, this is insufficient grounds to refuse the application due to the maximum requirement. Nevertheless, the proposal would not result in any severe cumulative impact on the highway network in accordance with paragraph 116 of the NPPF (2024), as well as Policy CS11 (LPCS).

Any Other Material Planning Considerations

Refuse Arrangements

Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste. The plans show refuse/recycling storage areas to the side of each property with sufficient space for bin storage. The new occupiers would be required to drag the bins to the footway on collection days and return these to their properties on collection day, which is a similar arrangement to other properties in the area. Therefore, the refuse arrangements are acceptable and in accordance with Policy CS19 (LPCS).

Archaeology

Policy CS20 (LPCS) gives a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk. When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

The proposal has been reviewed by Kent County Council Heritage who recommended a condition is attached to ensure that features of archaeological interest are properly examined and recorded, in accordance with Policy CS20 (LPCS) and paragraph 214 of the NPPF (2024).

Contaminated Land

Policy CS19 (LPCS) indicates that new development will be located, designed and constructed to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination. Paragraph 187 of the NPPF (2024) indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:

- e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and*
- f) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

The site has been reviewed by GBC Environmental Protection, who have recommended that a contaminated land watching brief is undertaken during construction works. This will be attached to the decision notice in accordance with the Policy CS19 (LPCS) and paragraph 187 of the NPPF (2024).

Recreational Pressures on the Thames Estuary and Marshes Special Protection Area (SPA) and 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

water birds 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.

In this instance, the proposed development would result in the creation of an additional residential properties and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £337.49 per new dwelling unit.

The applicant has paid the SAMMS Mitigation Contribution Agreement for the new residential property and therefore has met the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 192 and 193) of the NPPF (2024) and Policy CS12 (LPCS) (2014).

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

This application falls under mandatory biodiversity net gain so that mandatory biodiversity net gain of 10% will apply. The application has been reviewed by KCC Biodiversity who consider the 2020 site clearance to be authorised by the appeal decision and accept the site being composed of 421m² vegetated garden and 84m² developed land (baseline 0.0842). However, KCC Biodiversity have stated that the anticipated 126.48% biodiversity net gain cannot be counted towards the developments 10% BNG and that the BNG condition should be attached to any approval.

If planning permission is granted, the applicant should submit a biodiversity gain plan form along with supporting information once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

Conclusion

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

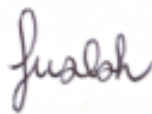
The proposed development, as amended, will be in keeping with the surrounding character of the area and

will have no significant detrimental impact on the amenities of future or neighbouring dwellings, highway safety or ecology and therefore accords with local and national planning policy, and is recommended for permission, subject to conditions.

Recommendation

Permission – subject to conditions

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	10 th June 2025	Dated:	17 June 2025