

Delegated Report

Planning Application

Planning Application No: 20250108

Location: Hartshill Bungalow, Thong Lane, Gravesend, Kent DA12 4AD

Description: Demolition of residential dwelling and change of use of the land for storage purposes associated with the construction of the Lower Thames Crossing

Applicant: National Highways

Site Visit Date: 28 February 2025

Submitted Documents/Plans

Application form
Covering letter
Preliminary Ecological Appraisal and Roost Assessment
Drawing no. J0087675-25-03_Issue02 (site location plan)
Drawing no. J0087675-25-02_Issue02 (existing site plan)
Drawing no. J0087675-25-01_Issue01 (floor plans, roof plan, elevations)

Relevant Planning History

AP 2019/00004/ENF	Appeal against Enforcement Notice in relation to without the benefit of planning permission the unauthorised construction of a single storey rear and side extension to the property and raised patio to the rear of the property.	Appeal Dismissed	29.01.2020
20191296	Application for a Lawful Development Certificate in respect of an outbuilding.	Certificate granted	10.02.2020
20191003	Application for a Lawful Development Certificate in respect of the proposed erection of an outbuilding.	Certificated refused, appeal dismissed	15.11.2019
20190273	Single storey rear extension with a depth of 8 metres, maximum height of 3.3 metres and eaves height of 2.9 metres.	Prior approval refused	01.05.2019
20190269	Application for a Lawful Development Certificate in respect	Certificate refused	08.05.2019

	of the proposed erection of an outbuilding to form triple garage, wood store/storage and equipment store.		
20190013	Application for Lawful Development Certificate for the proposed single storey rear and side extension incorporating a raised patio and flue.	Certificate granted	07.03.2019
20180461	Retention of a single storey rear and side extension and a raised patio at the rear.	Refused, appeal dismissed	22.06.2018
20161214	Single storey rear extension with a depth of 8 metres, maximum height of 3.35 metres and eaves height of 2.4 metres.	Prior approval refused	26.01.2017
20110908	Application for removal of the condition attached to planning permission reference number TH/6/51/41 which restricts the occupation of the dwelling to agricultural workers.	Permitted	06.02.2012
20000007	Occupation of dwelling without complying with condition attached to grant of planning permission ref. TH/6/51/41, restricting occupation of the dwelling to persons whose employment or latest employment is or was employment in agriculture, or in an industry mainly dependant upon agriculture, including the dependants of such persons.	Certificate refused	29.08.2000
19980612	Continued occupation of dwelling without complying with the agricultural occupancy condition of planning permission reference number TH6/51/41.	Refused	09.11.1998
19550178	Erection of dwellinghouse	Refused	23.09.1955

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- 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 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

- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

KCC Biodiversity Officer

SUMMARY: INSUFFICIENT INFORMATION RECEIVED

This application is for the demolition of a residential dwelling, which does not include plans to rebuild onsite, it therefore is likely exempt from mandatory Biodiversity Net Gain. Proposals do not include any photos of the site, and it has not been assessed for its suitability for roosting bats. As the property has been vacant for a number of years and is reportedly in a poor condition there may be features present for roosting bats. We would therefore request a Preliminary Roost Assessment is conducted prior to determination, along with any further emergence surveys (if required).

PRELIMINARY ROOST ASSESSMENT (BATS) NEEDED

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, we advise that the proposed development has the potential to adversely affect roosting bats. The existing structure proposed for demolition is purportedly in a poor state of repair. Bats often roost under tiles, roofing felt and lead flashing, adjacent to windowsills and windowpanes and within cracked brickwork, lifted rendering, weatherboarding, eaves and soffit boxes. As these proposals may adversely affect bats, a Preliminary Roost Assessment (PRA) for bats is requested, including an assessment of the site's potential to provide hibernation opportunities, prior to determination of the planning application, as well as the results of any bat emergence surveys (as required), and details of any mitigation required.

BIODIVERSITY NET GAIN

De Minimis– Likely Exempt

The applicant has indicated within the application form that they do not consider the general Biodiversity Gain Condition applies to this application. Having reviewed proposals we consider this application to be exempt from mandatory biodiversity net gain, so that mandatory biodiversity net gain of 10% will not apply. We consider this application exempt because:

- The development will not impact any onsite priority habitat; AND
- The development will not impact more than 25 square metres of onsite habitat with a biodiversity value greater than zero; AND
- The development will not impact more than 5 metres of onsite linear habitat

KCC were consulted again on amended details and responded with the following:

PREVIOUSLY COMMENTED (NO CHANGE)

We previously commented on this proposal in our advice note dated 07 April 2025. The proposed amendments are unlikely to have significantly different effects on biodiversity when compared to the original proposal. Therefore, the advice provided in our previous response applies equally to this amendment. As such, we advise that our previous comments remain valid and that a Preliminary Roost Assessment is conducted prior to determination, along with any further emergence surveys (if required). If you have any queries regarding our comments, please do not hesitate to get in touch.

KCC were consulted again on amended details and responded with the following:

SUMMARY: SUFFICIENT INFORMATION RECEIVED

We have reviewed the submitted ecological information and advise that no additional surveys or information are required prior to determination. Precautionary working methods should still be in place due to the potential for nesting birds and low likelihood of roosting bats.

BATS AND NESTING BIRDS

A single bat emergence survey was undertaken due to the potential of the building scheduled for demolition to support roosting bats. No bat emergences were recorded, and bats can be presumed likely absent from the site.

Suggested Informative Wording:

There is a risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0345 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

Suggested Informative Wording:

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning

consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

N.B.: It should be noted that some birds are capable of nesting outside of the core nesting period, especially where weather conditions are favourable. Birds such as feral pigeon, wood pigeon and barn owl have been recorded nesting in every month of the year. Care when removing bird nesting habitat may therefore be required at all times of year, with attention paid to the nesting habits of the species that could make use of the site and weather conditions at the time of clearance.

BIODIVERSITY NET GAIN

De Minimis– Likely Exempt

The applicant has indicated within the application form that they do not consider the general Biodiversity Gain Condition applies to this application. Having reviewed proposals we consider this application to be exempt from mandatory biodiversity net gain, so that mandatory biodiversity net gain of 10% will not apply. We consider this application exempt because:

- The development will not impact any onsite priority habitat; AND
- The development will not impact more than 25 square metres of onsite habitat with a biodiversity value greater than zero; AND
- The development will not impact more than 5 metres of onsite linear habitat

Kent Police Designing Out Crime Officer

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. We recommend boundary treatments be a minimum of 2m around the perimeter of the land and the installation of lockable gates to provide controlled access.
2. Lighting - Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g., a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. We recommend that a suitable lighting policy is installed to ensure that staff have safe access to and from the land and to help deflect criminality. External lighting to conform to min standard of BS5489-1:2020.
3. We recommend CCTV be installed, especially at access points/exit road and in areas with limited natural

surveillance such as perimeter/rear of the land, any loading/ unloading areas and utility areas/ bin stores. In addition to this, we recommend cameras to cover any parking area or any area where high values such as materials and/or machinery will be kept. The CCTV must not infringe any lighting plan.

4. We strongly recommend alarms, with an auto-dial function, be installed around the perimeter of the site. If buildings are proposed; (The above recommendations still apply)

5. Defined pedestrian routes to/ from the building are recommended to improve safety and avoid pedestrian and vehicle conflict.

6. CCTV to be installed in the following areas to keep users safe and monitor their movements; any access points to the unit including emergency exits, any stairs or lifts, reception or waiting areas, main office/ safe. The CCTV must not infringe any lighting plan.

7. We strongly recommend alarms, with an auto-dial function, be installed on all external doors, including emergency exits.

8. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation, and locks) including folding or sliding to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.

9. Windows on the ground floor to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes. Any curtain walling and fixings should be tested and meet BS EN 1627:2011 and/or be certified to LPS 1175: Issue 7, SR1 or STS 202: Issue 3, BR1.

10. Any Shutters should be as close to the building line as possible and must avoid the creation of a recess. Shutters must be certificated to LPS 1175: Issue 7, SR2; STS 202: Issue 3, BR2; Sold Secure Gold or PAS 68:2013

11. Bin Stores must be secure, lit and, if in an area with limited natural surveillance we recommend CCTV cameras be installed. We also strongly advise against placing this store close enough to the building that it can be used as a climbing aid into the building when closed. Please note where there is a mixed-use building, residential and commercial bins must be segregated.

12. If any buildings are to have roof access for maintenance of solar panels and lift shafts etc., we recommend that ladders/ access doors to these areas are securely locked so that members of the public are unable to access this area. We also require CCTV to cover this area in order to monitor unauthorized access.

13. The Access Control, Doorsets and Windows should also meet SBD Non-Residential (Commercial) 2025 Guide advised standards. Any public access to commercial units should be restricted to one main public/visitor entrance into the building. Reception, Audio/Visual systems linking to the reception or personnel managing access control is essential for businesses that could attract crime risk (we can advise). For doorsets, we recommend minimum standards of PAS 24:2022, LPS 1175: Issue 7, SR2, STS 201 or STS 202: Issue 3, BR2. Units may require additional strengthening for some uses.

14. Access control. Adequate access control is required for entrances used by staff only such as storage rooms and other restricted areas including offices/rooms contained within the unit.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

GBC Environmental Protection

There is no objection to this application.

It is recommended that a Code of Practice for Demolition/Demolition Management Plan to include an asbestos survey is attached to any permission.

Dickens' Country Protection Society

If consent is granted it may be appropriate to impose conditions on the future use of the site.

Following on from amended information the Dickens' Country Protection Society responded with:

Thank you for your letter of 12th May 2025 concerning the above. It is noted the site adjoins the Thong conservation area. The building was a former farm worker's dwelling.

If the area is to be used for storage, the Society would suggest it may be appropriate to impose conditions including the height to which material can be stored and the hours of operation (to control traffic and noise). A noise limit is desirable and no processing of material to take place on site. Depending on the detail, screening may also be desirable since the facility may be required for some time.

Shorne Parish Council

The Parish Council has no objection in principle to this application, although it is perhaps premature. The planning history is noted.

If the property is as problematic structurally as has been stated, has a structural survey been undertaken? The formal report should be submitted with the application.

The damp problems mentioned may be caused/exacerbated by lack of use.

The property was originally an agricultural worker dwelling that was changed to residential use.

Any replacement dwelling or other future structures on the site should require planning permission.

Neighbouring properties

The application has been advertised by site notice and individual letters to eight neighbouring properties. One letter of representation has been received. The main objections are:

- There is a requirement and a need for accommodation locally following the decision to approve the Lower Thames Crossing Development Consent Order 2025.
- There are safety and security reasons to have on site accommodation
- The present application is pre-mature
- A structural survey should accompany the application

Officer's Analysis

Proposal

This application seeks planning permission for the demolition of a dwelling and the change of use of the land for storage purposes associated with the construction of the Lower Thames Crossing.

Background

The application dwelling is a single storey, three bedroom property located within the hamlet of Thong. It is a corner plot well screened from high vegetation along Shorne Ifield Road. The dwelling forms part of a wider landholding. The dwelling was extended substantially in 2018 without planning permission and has

been subject to enforcement action ever since. There is currently a live enforcement notice on the site.

The reasons given for demolishing the property are that the extensions have not been subject to building regulations and therefore do not meet the standards. They pose a health and safety risk and the property now also suffers from damp. The second reason is that the site was acquired by National Highways to facilitate the Lower Thames Crossing which requires the land for storage of materials during the construction of the LTC.

Housing Need

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

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

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

Given the Council’s current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham’s Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75);
- and areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 129(c)) in context, the relative

contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

The proposed development for a net decrease of '1' residential units would not offer any contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in opposition to the application.

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

Principle

Clearly the above paragraph weighs significantly against the application. Section 5 of the National Planning Policy Framework 2024 is clear that the Government's aim is to significantly boost the supply of homes and the overall aim should be to meet an area's identified housing need.

Policy CS02 states that the development strategy for the Borough is to retain and improve the existing stock of housing.

Policy CS14 of the Gravesham Core Strategy 2014 states that the Council will protect the mix of housing in the existing housing stock. The loss of a dwelling clearly conflicts with both the NPPF and the Core Strategy. However, since the application was submitted the Development Consent Order has been granted for the construction of the Lower Thames Crossing. The land upon which the dwelling is sited is within the redline of the DCO and is required for the storage of materials. There is no reason to dispute this and therefore, on balance, the loss of one dwelling is regrettable but appropriate to facilitate the infrastructure work.

Green Belt

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

It is agreed that the unauthorised extensions to the property are inappropriate in the green belt due to their size and therefore have a spatial impact on the openness of the Green Belt. The demolition of the extensions and/or the whole dwelling will improve the openness of the Green Belt and therefore weighs in favour of the application. The use of the land for storage will be temporary and therefore will have an impact on the openness of the Green Belt however only for a limited time and a condition is recommended that the land is cleared once the LTC is opened to traffic.

Design, Character and Appearance

The site is within the green belt, close proximity to SSSI, landscape area and adjacent to Thong

Conservation Area.

The property is not readily visible from the road or the surrounding countryside and Conservation Area however the demolition of the bungalow would bring some environmental benefits to include improving openness and visual amenity. As mentioned above a condition is recommended that all stored materials are removed prior to the opening of the LTC to traffic.

Subject to conditions, the demolition of the building would accord with Policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135 of the National Planning Policy Framework 2024.

Amenity

Neighbouring Amenity

The demolition of the dwelling will have no detrimental impact on neighbouring properties in terms of loss of outlook, privacy, sunlight or daylight. Any noise and/or dust resulting from the demolition can be controlled by condition. Hours of work should reflect those which were directed by the approved DCO (07:00-19:00 weekdays and 07:00-16:00 Saturdays only).

Subject to a demolition control condition the proposed development accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

Ecology and Biodiversity

No bats have been found at the site however an informative is required to ensure that the developer is aware that there is a risk bats may occur at the site.

Biodiversity Net Gain

The mandatory biodiversity net gain of 10% does not apply as the proposals are exempt.

Parking and Highways

As the application is to demolish the building with no plans to build anything in its place there are no concerns with regards to highways. A condition is recommended to control the demolition process which can include how waste is removed by vehicle. In terms of storage, there is sufficient space on site for materials to be stored and for vehicles to turn on site.

Conclusion


The proposed demolition of the dwelling will result in the loss of housing stock which conflicts with both local and national policy and carries significant weight. However, the demolition of the building will result in reinstating openness to this green belt site once the LTC is operational which also carries significant weight. On balance, the loss of the dwelling is outweighed by the need for the crossing and the application is recommended for approval.

Recommendation:

Permit

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richad Hart
----------------------	--------------------	---------------------	-------------

Signed:		Signed:	<i>R Hart</i>
Dated:	27 August 2025	Dated:	27th August 2025