



Delegated Report

Outline Planning Application

Planning Application No: 20260117

Location: Altamirano Sole Street Cobham Gravesend

Description: Outline application with all matters reserved bar access for the erection of a bungalow to the rear of Altamirano.

Applicant: Ms and Mr Claire Munn and Craig Parrett Munn & Parret...

Site Visit Date: 6th May 2025

Submitted Documents/Plans

Planning Application Form;
Design & Access Statement;
Drawing No. 1461-SK01 Rev B – Existing Location Plan;
Drawing No. 1461-SK16 – Garage Elevations – 7m Depth;
Drawing No. 1461-SK31 – Existing Layout;
Drawing No. 1461-SK33 – Block Plans;
Drawing No. 1461-SK40 – Outline – Proposed Layout;
Preliminary Ecological Appraisal – KB Ecology (2025/12/08 - 26.01.26;
Drawing Issue Register;
BNG Metric;
Biodiversity Gain Statement; and
Baseline Habitats.

Relevant Planning History

Reference	Description	Decision	Decision Date
20250688	Demolition of rear garage and erection of a replacement garage. Installation of a vehicle crossover.	Permitted	31.10.2025

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

- T1 – Impact of Development on Highway Network

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 9 – Making Effective Use of Land
- Section 12 – Achieving Well-Designed Places
- Section 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

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

Other Relevant Guidance

- Kent County Council Vehicle Crossing: - Guidance and Self-Assessment (2023)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only

conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, *Gladman Developments Ltd v SSHCLG & Corby Borough Council*; & *Uttlesford DC* [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

External

KCC Heritage Conservation

The site of the proposed development lies within an area of multi-period archaeological interest and early historic mapping shows a row of potentially terrace houses within the boundaries of the site. Bowyer Cottage a listed building considered to date to the medieval period is located c.20m opposite to the site and it is considered possible that the medieval structural remains will be present within the boundary of the site. While I do not consider this to preclude development of the site, I would recommend that any application is accompanied by a archaeological desk-based assessment to better understand the archaeological potential of the site, following this archaeological fieldwork in the form of evaluation or monitoring would potentially be required.

KCC Highways and Transportation

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:

Access:

The applicant previously obtained planning permission (ref. 20250688) for a new vehicle crossover and a revised parking layout at the front of Altamirano, which is expected to serve the existing dwelling. The current proposal seeks to replace the existing rear garage with a new two-bedroom bungalow.

The proposed dwelling would be accessed via the existing private access lane off Sole Street, which also serves several other properties. This access is approximately 2.6 metres in width and does not allow two vehicles to pass. There are also significant concerns regarding the ability of a fire tender to reach the proposed dwelling via this narrow lane. Current standards typically require a minimum width of 3.7 metres for fire tender access, along with the ability for emergency vehicles to reach within 45 metres of the dwelling.

It is therefore strongly recommended that Gravesham Borough Council ensures Kent Fire and Rescue Service are consulted, given that they may have concerns relating to emergency access for the proposed development.

Parking:

The applicant proposes to provide parking adjacent to the new bungalow. The overall parking provision across the site would remain unchanged. Based on the submitted details, the proposed dwelling is of two-bedroom size, for which SPG4 requires the provision of two parking spaces. The proposed parking area measures approximately 5.4 metres in width and 6.8 metres in depth, which is sufficient to accommodate

two vehicles in accordance with the guidance. The parking layout as shown is therefore considered to comply with the parking requirements set out within SPG4.

Cycle Parking:

KCC Highways are content for detail to be secured by appropriate condition attached to any permission granted.

Electric Vehicle Charging:

It is noted that the applicant has proposed installing electric vehicle charging point (7kW), which will be positioned on the eastern side of the house. This is acceptable.

Conclusion and Conditions:

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

- Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans (drawing number 1461-SK33) prior to the use of the site commencing.
- Provision of measures to prevent the discharge of surface water onto the highway.
- Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing a 7kw output) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list: <https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approved-chargepoint-model-list>

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Kent Fire & Rescue Service

Thank you for your email dated 2 April 2026. Following my assessment of Fire and Rescue Service emergency access provisions for outline planning application; 20260117, I would like to make the following observations.

Upon reviewing the available plan drawings, the side access road leading to the proposed bungalow does not appear suitable for a fire tender. However, if 45m hose lay distances can be achieved and demonstrated from the main access road from a suitably parked position, then it would be in our opinion that the emergency access requirements under the above act would appear broadly compliant.

Please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

Kent Downs National Landscape

The Kent Downs National Landscape team has seen a recent uplift in the number of consultations on planning applications. In accordance with the agreed Kent Downs Planning Protocol, which sets out that the Kent Downs Landscape team will only have a limited land use planning role and will prioritise its

involvement in planning to planning policy matters, we will not normally provide bespoke comments on more minor applications such as this. This does not imply support for, or objection to, the proposal. If our input would be particularly valued in this instance, please get in touch and we endeavour to provide informal advice where our current planning capacity allows.

In determining the application, the local planning authority has a new statutory duty, as set out above, to seek to further the purpose of conserving and enhancing the natural beauty of the Kent Downs National Landscape. Further advice on the new duty is provided in Appendix 2 of this letter. The Kent Downs National Landscape team recommends that to help fulfil the new statutory duty, the Local Planning Authority should ensure that the decision is consistent with relevant national and local planning policy and takes into account the aims, objectives and principles set out in the Kent Downs AONB Management Plan and its associated guidance documents. Further details of these are provided in Appendix 1.

Cobham Parish Council

Cobham Parish Council objects to this application.

We feel it is a small plot to change from garaging and parking to an additional residential dwelling. Other properties in the area or generally on much larger original plots.

This will impact on additional traffic joining the road very close to the railway bridge. This would not only be vehicles from this additional property but also for Altamirano vehicles exiting from the current front garden that would become their only parking area if this property was built.

The property next door, Rosemount, has multiple applications for vehicular access onto the road and these should be considered on why 3 were refused. 20060246, 20060299, 20200963 and 20210014

We therefore object to this application.

Neighbouring properties

Consultation was by way of the displaying of a site notice, together with individual letters sent to 3 surrounding properties with an overall expiry date of 27.04.26. A total of 18 responses were received, however 4 were duplicate comments from same two households. 10 letters of support and 4 letters of objection raising the following concerns;

- Out of character – should not be infill opportunity
- Out of context, scale and settlement pattern of the area
- Overdevelopment
- Intensifying use of access
- Increase activity
- Increase vehicle movements
- Parking pressure
- Cumulative impact
- Would set a precedent
- Site not appropriate for development
- Highway safety
- Loss of outlook
- Overbearing and dominance
- Loss of privacy
- Overshadowing
- Window to window distance
- Erosion of character
- Impact on openness
- Emergency access inadequate



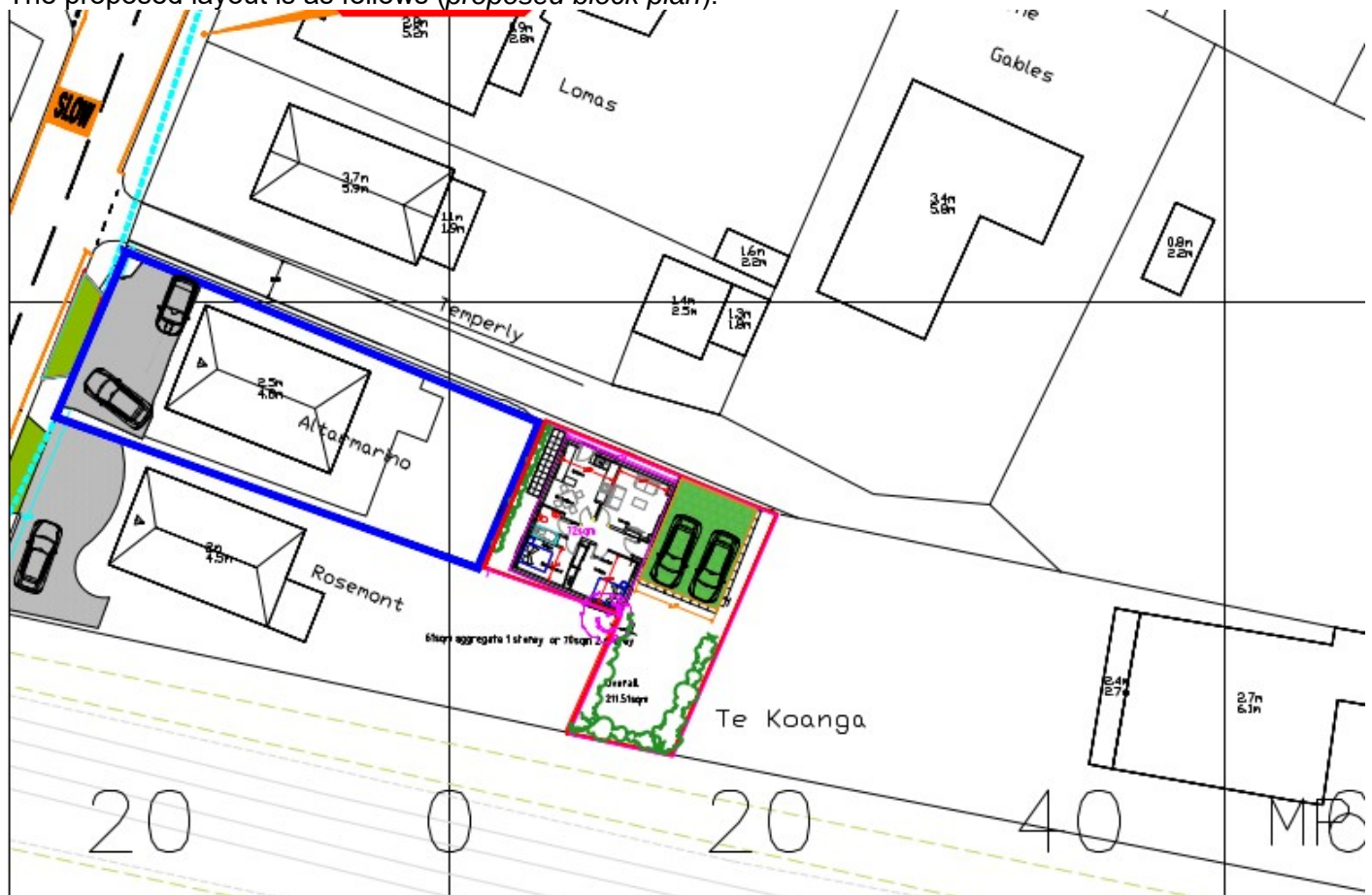
- Loss of green space
- Harm to the area
- Contrary to the NPPF
- Contrary to the Local Plan

Officer's Analysis

Proposal

The proposal is an outline application, with all matters reserved bar access for the erection of a bungalow to the rear of Altamirano.

The proposed layout is as follows (*proposed block plan*):



Whilst this is an outline application only, the submission does include floor plans and elevations and show the proposed dwelling to be a single storey property with barn hip roof design.

Housing need

Hopkins Homes Ltd v Secretary of State for Communities and Local Government [2017] 1 W.L.R. 1865, Lord Carnwath re-emphasised that the National Planning Policy Framework is only a material consideration in planning decisions and 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 3.0 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 Policy CS02 of the Core Strategy must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

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, a National Landscape, 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, 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.

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

Design, Character and Appearance

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 124), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF. Relevant to this proposal, paragraph 129 of the NPPF states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting (including residential gardens), and the importance of securing well-designed places.

The application proposes the subdivision of an existing residential plot, with the introduction of one new dwelling within the garden at the back of the plot where there is currently a detached garage. With regards to the latter element of the proposal, whilst there are no specific local planning policies which prohibit backland development in either the Core Strategy 2014 or those saved policies from the Local

Plan First Review 1994, at a national level the NPPF addresses the issue of garden grabbing in paragraph 75, and states “plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.” This provides the initial policy context for such development.

Consideration of the character of the area is a continuous thread throughout other policies relevant to this case. Policy CS14 of the Core Strategy 2014 sets out that new housing development is expected to provide a range of dwelling types and sizes, taking into account the existing character of the area as well as evidence of local need to create sustainable and balanced communities. The proposals detached dwellings in an area of similar sized properties and this would therefore be supported by Policy CS14 of the Core Strategy 2014, providing design and character is also acceptable.

Policy CS15 of the Core Strategy seeks to achieve a minimum density for residential development in the rural area of 30 dwellings per hectare (dph), subject to the overriding consideration that it achieves good design and does not compromise the distinctive character of the area. In terms of the density of development currently proposed for this site, this would equate to 50dph; this is a higher density than expected for the area and given the character of the area, which is generally made up of detached houses in good size plots, a higher density is out of keeping. This is shown and explored further in the below images and text.

It is considered that the proposed size and density of the proposed dwelling alone could be acceptable, but their appearance and layout must be considered in the context of their surroundings which will be considered further below.

Section 12 of the NPPF 2024 relates to achieving well-designed places and sets out the Government’s requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

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 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The existing site contains a detached dwelling, Altarmarino, which is a modest detached bungalow which is not listed or within a Conservation Area. The property benefits from a large rear garden with detached garage and surface parking behind which extends to the rear of the adjacent property to the south, Rosemont. Looking at the special layout of the area, properties benefit from large plots with generous rear gardens.

Existing Property



Rear of Existing Property



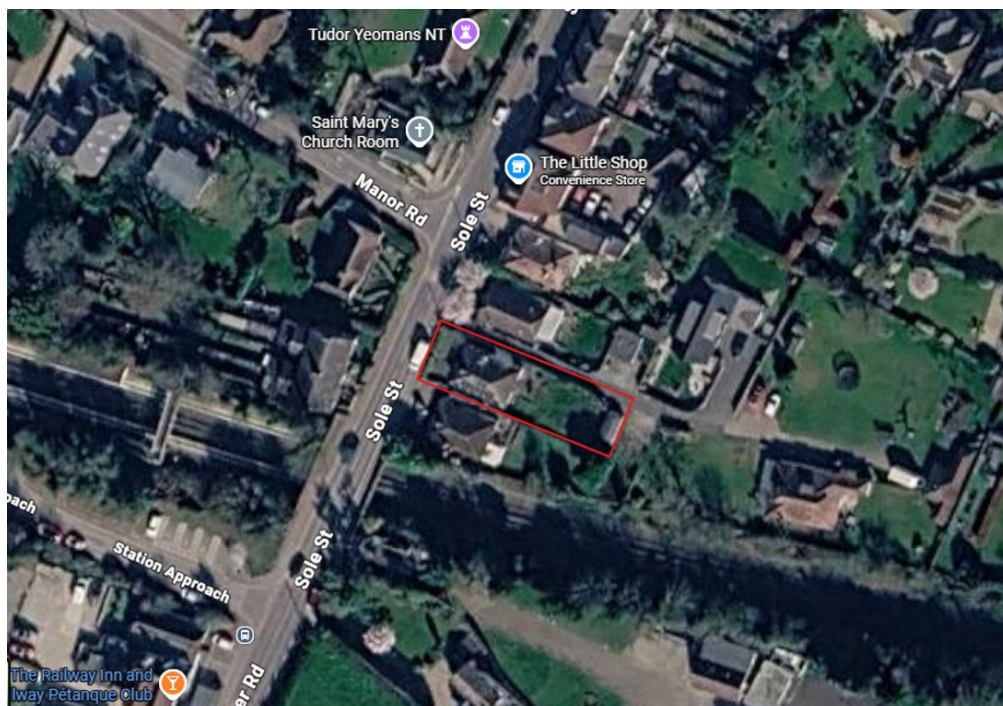
Existing Garage



Existing Parking Area and Garage to Rear



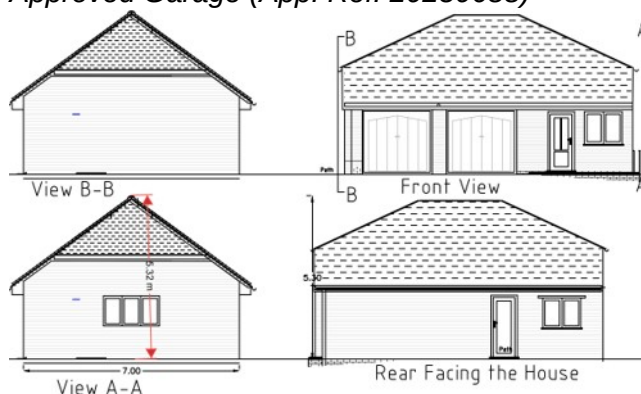
Spatial Layout of the Area



With the plot being subdivided in the manner proposed, into one plot at the front and one at the rear, the garden sizes would be much reduced compared to the existing. This is compounded by the fact that such a subdivision into two plots in the manner proposed would be out of character with the area. It is noted that there are some forms of backland development within the area, such as The Gables and Te Koanga, however these are both historic development and have much more spacious plots and level of amenity space in comparison to the current proposal. In addition, the arrangement of the proposed property would be such that the building would be located where the existing detached garage is, with the garden located to the rear of the parking area. This would result in an incoherent and disjointed form of development that would be at odds with the surrounding built form. As such the proposal would represent a comparatively cramped and alien form of development.

Whilst this is an outline application only, the indicative plans of the proposed house show a height of 5.8m with a barn hip roof. The proposed property would be clearly visible over a general 2m high garden boundary and would be significantly taller than the existing detached garage. A recent application for a replacement garage was approved and whilst the design was similar, the height ridge height was 5.3m and the barn hip was much shallower, resulting in less height and bulk over the proposed new property. This can be seen in the following images;

Approved Garage (App. Ref. 20250688)



Proposed Property



In terms of design, there is no uniformity in the area with detached bungalows, chalet bungalows and two storey properties in the area. Therefore there is no objection in the overall design of the property. In terms of scale, the property has a smaller external footprint than the majority of the surrounding properties. However the concern lies within the arrangement of the property, its parking and the private amenity



space, which sits to the south east of the site and not directly to the rear of the property. This is at odds with what would normally be expected and would be out of character with the other surrounding properties and is not considered to be appropriate in relation to its backland location. This would also have a detrimental effect on future occupants and existing neighbours, which will be discussed further in the amenity section below.

Proposed Block Plan



In terms of landscaping, from the proposed block which shows access and parking, this would largely be inline with the existing site layout with the property being in a similar location to the existing detached garage and the parking being in the same location. The land to the south is overgrown, which would form the proposed new garden. However it much be acknowledged that a large section of the existing garden of Altamirano (approximately 72.5sqm), which is currently soft landscaped, would be lost. The surrounding properties have generous gardens and the proposed property, together with the retained garden of Altamirano would be significantly smaller, which would be out of character with the spatial layout. This would also result in a loss of biodiversity which will be covered further in this report.

As such, the principal backland siting of the proposal, accentuated by the bulk and height of the proposed dwelling, together with the unusual layout of the property and garden, would appear as an incongruous and comparatively cramped form of development that would result in overdevelopment of the site. It would be uncharacteristic to this part of Cobham, and would fail to integrate into its surroundings or enhance quality of the area. The proposal would therefore be contrary to the requirements of Policies CS14, CS15, and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 128, 129, 131 and 135 of the National Planning Policy Framework 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). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, 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 environmental impacts from pollution, including noise, air and odour pollution.

Future Occupiers

The Nationally Described Space Standard (NDSS) 2015 sets out the minimum gross internal floor area (GIFA) standard for new dwellings. Whilst this is an outline application only, the proposed floor plans show the property as two bed, four person property with a gross internal layout of 60.09m² which would fall below 70m² minimum, as laid out in the National Space Standards (2015). With regard to individual room sizes, bedroom 1 has an area of 11.6m² which accords with the 11.5m² minimum, however bedroom 2 has an area of 8.4m², which falls short of this minimum by a significant amount. The property could be looked at as a two bed, three person property, which would only just fall short of the gross internal layout standards of 61m² and single bedroom size of 7.5m², however the application has been assessed as a two bedroom four bedroom property as shown on the submitted plans. As such, the proposed property would not meet the minimum space standards for a two bed, four person property.

With regard to outlook, light from the habitable room windows, the proposed layout of the property is such that proposed sitting room would have bi-fold doors onto the open parking area to the front of the property, which would be an odd arrangement and could be overlooked by neighbouring properties. Bedroom 2 is served by a window that looks onto the rear pathway which only has a depth of 1.55m and bedroom 1 has limited view of the garden area to the southeast. In addition, whilst the kitchen/dining area benefits from a door and window on the north elevation, this looks directly onto the access road/track and the second window looks onto the 1.55m wide path to the west, similar to bedroom 2. As such, it is considered that in terms of outlook, future occupiers would have limited and poor outlook when inside the property, with minimal to no views of the garden area.

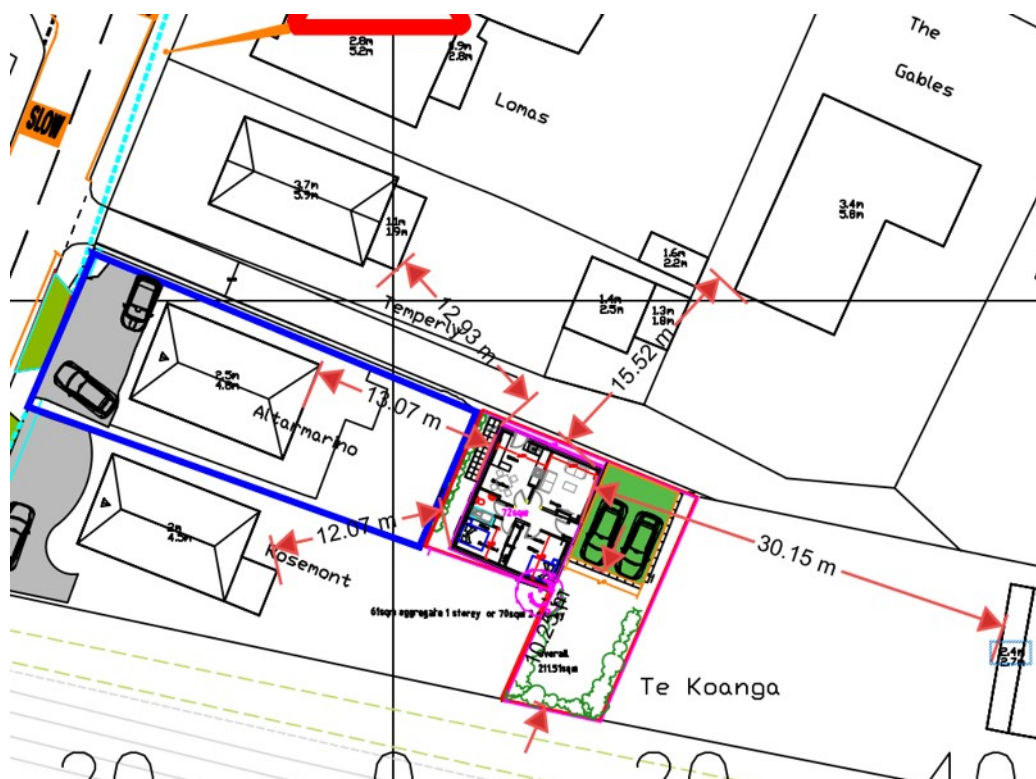
With regard to garden size, the proposed block plan shows a garden area of 64m². This does not include the area to the front of the property which is not considered to be usable garden space. The Council's residential layout guidelines states that a 1-2 bedroom property should have a minimum garden area of 37.2m² and a minimum depth of 7.6m. The garden area would have exceeded the minimum and would have a depth of more than 10m, however this would not be from the rear from the house, due to the proposed layout of the house and garden. In terms of garden space, the proposed property would have sufficient rear garden space.

The indicative layout of the proposed property is such that insufficient distance would be maintained between the new property and the rear elevations of Altamirano (13.07m), Rosemont (12.07m) and Temperly (12.93m) and the front elevation of The Gables (15.52m). The Residential Layout Guidelines require distances of between 21m and 26m depending on whether it is across a private garden area. As such, the proposed property would be located within the required distances, contrary to the Gravesham Residential Layout Guidelines. More details are shown in the neighbouring properties section below.

It is therefore considered that in terms of occupier amenity, by virtue of gross internal floor area, inadequate outlook, poor relationship with private amenity space and insufficient privacy distances to surrounding properties, the proposal would be contrary to the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2024 in respect of the standard of amenity and living conditions for future occupants of the proposed dwelling on the site.

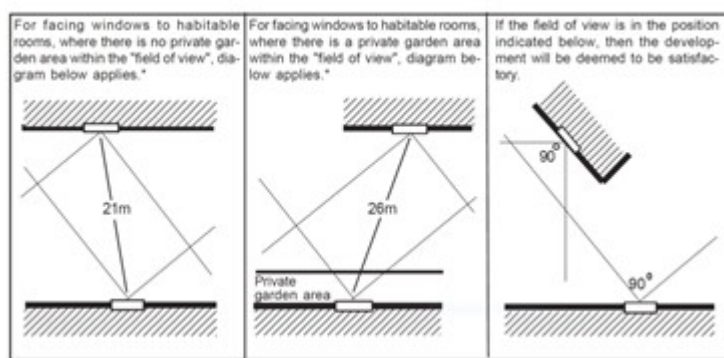
Neighbouring Properties

The main neighbouring properties likely to be affected by the proposal are the detached dwellings to the west, being Temperly, Altamirano, Rosemont and The Gables. It is acknowledged that the proposed property would be a bungalow with no first floor windows, however due to the location of the windows and doors and the short distances to the neighbouring properties, there is the potential for overlooking into the rear gardens and windows of Temperly, Altamirano and Rosemont and the front facing windows of The Gables.



In terms of the impact of the property on surrounding properties, there would be insufficient distance between the north and west elevations of the proposed property and the rear elevations of Altamirano (13.07m), Rosemont (12.07m) and Temperly (12.93m) and the front elevation of The Gables (15.52m). The Council's residential layout guidelines states that new dwellings will be expected to comply with the privacy distances and guidance on overshadowing as shown in the image below:

Figure 1



It is therefore considered that the proposal represents an unneighbourly form of development due to the proximity to the surrounding properties which is likely to materially impact on their living conditions.

Overall it is considered that the location and layout of the proposed property, by virtue of the privacy distances and window relationship, would have a detrimental impact on the amenities of existing and future occupiers in terms of overlooking and loss of privacy, as well as an unneighbourly form of development and the proposal is therefore contrary to the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2024.

Parking and Highways

Saved policies T1 and P3 of the Local Plan 1994, Policy CS11 of the Core Strategy 2014 and paragraph 116 of the NPPF 2024 comprise the relevant highways considerations for this proposal. These policies ensure that development has an acceptable amount of parking, is not detrimental to the highway network and promotes sustainable transport methods.

It is proposed the additional dwelling will utilise the existing access from Sole Street. KCC Highways raised concerns over the width of the access which is only 2.6m in width and does not allow two vehicles to pass. Whilst there is an existing garage and parking to the rear to serve Altamirano, it must be acknowledged that an additional dwelling would intensify the use of the access with the potential comings and goings for four people occupying the new dwelling. In terms of parking provision, the proposal includes two parking spaces for the new property and the existing property of Altamirano has parking provision to the front for two vehicles which was secured via recent planning approval (App. Ref. 20250688). This is considered adequate. Overall KCC Highways did not object to the proposal subject to the imposition of conditions of retention of parking spaces, appropriate drainage, cycle parking and electric vehicle chargers.

Emergency Access

With regard to KCC concerns regarding to emergency access, Kent Fire and Rescue were consulted and confirmed that, although the access road is not suitable for a fire tender, a 45m hose lay distance can be achieved the main road of Sole Street to the proposed property and that the emergency access requirements would appear compliant.

Any Other Material Planning Considerations

Ecology and Biodiversity

Thames Estuary and Marshes Ramsar / Special Protection Area (SPA) – SAMMS Tariff:

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 £350.16 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. The applicants have not paid towards the mitigation.

The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development conflicts with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 193 and 194) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Biodiversity

Policy CS12 of the Core Strategy 2014 seeks to maintain important landscape features for their aesthetic and ecological benefits. This policy also states that there will be no net loss of biodiversity and that the overall landscape character of the Borough will be conserved, restored and enhanced. The Gravesham Landscape Character Assessment (LCA) 2009 will be taken into account in determining applications.

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.

The proposed development would be the erection of one new dwelling in the rear garden of an existing property and as such, would result in a loss of biodiversity.

The application has been submitted with a biodiversity gain statement, together with a baseline ecology survey and preliminary ecological appraisal, undertaken by KB Ecology Ltd.

The BNG metric shows habitats onsite to consist primarily of modified grassland, existing small urban tree and vegetated garden.

Offsite habitat creation will be required to achieve a BNG either through habitat creation within the applicants landholdings (if there is any) or the purchasing of off-site units. There is less than 0.25 units of habitat required to achieve a BNG statutory credits can be purchased without having to demonstrate that insufficient off-site options are available. Details of the off-site habitat creation are not required prior to determination.

The proposed development, if acceptable in principal, would be subject to the biodiversity gain condition should permission be forthcoming.

Ecology

The supporting preliminary ecological appraisal confirmed that there were no irreplaceable habitats on site.

Landscape Character

The site is located within the Meopham Downs Landscape Character Area. As the site comprises an existing residential property within the rural settlement boundary of Meopham, the proposal is unlikely to have any adverse impact on the wider landscape character of the area.

Archaeology

The site lies within an area of multi-period archaeological interest and early historic mapping shows a row of potentially terrace houses within the boundaries of the site. Bowyer Cottage a listed building considered to date to the medieval period is located c.20m opposite to the site and it is considered possible that the medieval structural remains will be present within the boundary of the site.

KCC Heritage have recommended that the application be accompanied by an archaeological desk-based assessment which would then need to be followed by archaeological fieldwork and monitoring. If the principle of the development had been acceptable, this information would have been requested in order to better understand the archaeological potential of the site.

Environmental Protection

As an existing residential property in a residential area, the application would have a low environmental risk. A condition should be imposed relating to a lighting and code of practice on construction and demolition. The proposal would therefore comply with Policy CS19 of the Core Strategy 2014 and paragraph 198 of the NPPF 2024.

Conclusion and Recommendation

The proposed development would provide a net increase of 1 dwelling on the site and would offer a minimal contribution towards meeting general housing need in the Borough. Accordingly, this weighs in support of the application, particularly where evidence has shown that the Council cannot currently demonstrate a five year housing supply.

However, this has to be balanced against the proposal on layout, design and amenity impact, matters which are sought throughout the NPPF 2024, including in particular in paragraphs 128, 129, 131 and 135. In this case, as discussed above, there are concerns relating to these matters, and the application is therefore recommended for refusal on the following grounds:

1. The principal backland siting of the proposal, accentuated by the bulk and height of the proposed dwelling, together with the unusual layout of the property and garden, would appear as an incongruous and comparatively cramped form of development that would result in overdevelopment of the site. It would be uncharacteristic to this part of Cobham, and would fail to integrate into its surroundings or enhance quality of the area. The proposal would therefore be contrary to the requirements of Policies CS14, CS15, and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 128, 129, 131 and 135 of the National Planning Policy Framework 2024.
2. By virtue of gross internal floor area, inadequate outlook, poor relationship with private amenity space and insufficient privacy distances to surrounding properties, the proposal would be contrary to the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2024 in respect of the standard of amenity and living conditions for future occupants of the proposed dwelling on the site.
3. The location and layout of the proposed property, by virtue of the privacy distances and window relationship, would have a detrimental impact on the amenities of existing and future occupiers in terms of overlooking and loss of privacy, as well as an unneighbourly form of development and the proposal is therefore contrary to the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF 2024.
4. The proposal fails to secure a contribution towards strategic mitigation measures within the Thames Estuary and Marshes SPA/Ramsar Sites to resolve disturbance issues to wintering birds, and in the absence of this contribution or any evidence to inform an appropriate assessment, the development fails to comply with the requirements of the Habitat Regulations and paragraphs 193 and 194 of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

(For detailed reasons for refusal see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	12 th June 2026	Dated:	12th June 2026