



Delegated Report

Householder Planning Application

Planning Application No: 20240097

Location: Tourmalane 63 Old Watling Street Gravesend Kent

Description: Demolition of existing bungalow and erection of a replacement two storey house.

Applicant: Mr Harshi Sangha

Site Visit Date: 22/02/24

Submitted Documents/Plans

Application Form

HS/01 – Site Location Plan

HS/02 – Existing Ground Floor and First Floor Plans

HS/03 – Existing Elevations

HS/04 B – Proposed Ground Floor and First Floor Plans

HS/05 B – Proposed Front Elevation South

HS/06 B – Proposed Side Elevation West Facing Ranmorene

HS/07 B – Proposed Rear Elevation South

HS/08 B – Proposed Site Elevation East Facing Kateshga

HS/09 B – Proposed Roof Plan

HS/10 B – Existing and Proposed Site Block Plans

HS/11 – Proposed Block Plan

Statement

Bat Survey Report

Relevant Planning History

Reference	Description	Decision	Decision Date
20230123	Demolition of existing bungalow and erection of a replacement two storey house.	Withdrawn	16.11.2023
19750060	Erection of a bedroom in the roof space	Permitted	18.02.1975
19740451	Formation of a bedroom, w.c and store in roof space.	Refused	20.11.1974

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 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

GBC Waste and Refuse

No comments received.

GBC Environmental Protection

There is no objection to this application. The following is recommended:

Code of Practice on Construction and Demolition: Please apply as appropriate to minimise the impact of the development on nearby residential premises.

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.

GBC Highways Officer

The applicant suggests that parking will be in the front garden and there is adequate space. However, the applicant should submit a detailed plan of the proposed front garden, showing what is permeable paved and what is landscaped, to protect the retention of both. The existing accesses should be retained.

Southern Water

Protection of Public Apparatus

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer within the development site. The exact position of the public asset must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

- The 150 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

Please note: There is a private water communication pipe within the development site.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

Foul and Surface Water Drainage

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

KCC Biodiversity Officer

KCC EAS commented on the previous application for this site (planning ref. 20240097) in our letter dated August 2023. The current application does not include amendments which are likely to result in additional impacts on biodiversity and the bat survey report submitted under the previous application remains valid. The required mitigation for bat roosts remains achievable within the proposed design and we advise that no further ecological information is required at this time.

If planning permission is approved, we advise that the conditions below are attached. These have the same wording as those recommended for the previous application.

BAT MITIGATION

Two day roosts of common pipistrelle bat have been confirmed and it is proposed that the site is registered under the Bat Low Impact Class Licence scheme. Given that pipistrelle bats are known to utilise buildings as hibernation sites we advise that works on suitable features for roosting bats are avoided during the hibernation season (Nov-Feb/March inclusive) wherever possible. Suggested condition wording:

All mitigation for bats will be carried out in accordance with the details contained in Section 4 of the Bat Survey Report (Crossman, June 2023), unless additional/alternative measures are required by Natural England. A granted Natural England bat mitigation licence must be in place prior to carrying out any works that could affect the bat roost(s) on-site. Should Natural England require less mitigation than that detailed within the report, then all remaining measures will be included as enhancements under the National Planning Policy Framework 2023. Bat mitigation, and any enhancements, will be implemented as above and retained thereafter.

LIGHTING AND BIODIVERSITY

Artificial lighting has been proven to significantly impact on the behaviour of insects, birds, bats, and other nocturnal mammals. This is relevant to both retained and created/enhanced areas of vegetation, as well as any proposed features such as bat and bird boxes. If planning permission is approved, we advise that the avoidance/mitigation of increased artificial lighting impacts is secured through provision of a sensitive lighting plan. The Plan should be designed in accordance with National Planning Policy Framework 2021 and the Bat Conservation Trust's 'Guidance Note 8: Bats and Artificial Lighting 08/23. Suggested wording:

Prior to completion, a lighting design plan for biodiversity will be submitted to and approved in writing by the local planning authority. The plan will show how and where external lighting will be installed and will include a baseline lighting assessment for the site/site boundaries. The Plan will detail the expected vertical and horizontal light spill in Lux levels, so that it can be clearly demonstrated that areas to be lit will not increase lighting impacts on retained vegetation or impact on areas of proposed landscaping and biodiversity enhancement. The Lux contour plan should incorporate any mitigation measures proposed to reduce impacts from external and internal lighting, including sensitive positioning / recessing of internal lighting, use of cowls, and/or tinted glazing treatments. All lighting shall be installed in accordance with the specifications and locations set out in the plan and be maintained thereafter. During occupation, no additional lighting will be installed without prior written agreement from the Local Planning Authority.

BIODIVERSITY ENHANCEMENTS

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 180 and 186 of the National Planning Policy Framework (NPPF) 2021, biodiversity should be maintained and enhanced through the planning system. If planning permission is granted, we advise the following condition is attached to secure a biodiversity net gain for the site and to ensure that integral features can be accommodated:

Prior to completion, a Biodiversity Enhancement Plan including details of how the development will offset biodiversity loss/enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. Details will include measures such as generous native species planting and habitat boxes for insects, hedgehog, bats and/or breeding birds. Boxes for breeding birds will be targeted at S41 priority species1/red/amber listed species2. Any boxes included for wildlife will be building integrated and/or Woodstone/woodcrete boxes to ensure durability. The approved measures will be implemented and

retained thereafter.

DESIGNATED SITES

The proposals involve the replacement of an existing bungalow with a two-storey house within the zone of influence (6km) of the Thames Estuary and Marshes Special Protection Area and Wetland of International Importance under the Ramsar Convention (Ramsar Site). While the number of properties will remain the same, there is understood to be a net increase in the number of bedrooms from four to five.

Gravesham Borough Council will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS). This is to mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

A decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full Appropriate Assessment is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the North Kent SAMMS, there is a need for an appropriate assessment to be carried out as part of this application.

Neighbouring properties

4no. surrounding properties were consulted and a site notice was placed nearby the site. The final date to submit comments passed on 15.03.24, and no comments have been received from members of the public.

Officer's Analysis

Principle of Development

This dwellinghouse is located in an urban area, where development is considered to be most sustainable.

It is also considered that local adopted policies CS02 (Scale and Distribution of Development); CS15 (Housing Density); and CS19 (Development and Design Principles) provide together an assessment framework in line with the guidance provided by paragraph 53 of the National Planning Policy Framework (NPPF) (2023). Therefore, these policies are key to the whether the scheme is appropriate.

The principle considerations in the assessment of this application are:

- Housing Need
- Location
- Design, Character and Appearance
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Ecology
- Environmental Protection

Housing Need

Paragraph 11 of the National Planning Policy Framework (2023) requires that 'Plans and decisions should apply a presumption in favour of sustainable development'.

The most recent assessment of Gravesham's Housing Land Supply was calculated at 3.27 years supply. This falls substantially below that required by the Housing Delivery Test. Given the inability to demonstrate a 5 Year Housing Land Supply, the housing delivery element of Gravesham's Local Plan Core Strategy (2014), Policy CS02 must be disregarded, as out of date, in accordance with Paragraph 11(c) and (d) of the National Planning Policy Framework (2023).

This requires that for 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 relation to part i. those relevant are set out in footnote 7 as follows:

- Habitats sites (and those sites listed in paragraph 181)
- Sites of Special Scientific Interest;
- land designated as Green Belt
- Local Green Space,
- 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 72 in chapter 16)
- Areas at risk of flooding or coastal change

Therefore, there is a 'tilted balance', in favour of planning permission involving housing. However, development should still be assessed against other relevant planning policies within the development plan.

This proposal would result in replacement of 1 residential unit with 1 residential unit and so there would be no net increase/decrease. Therefore, there would be no contribution, and so this replacement dwellinghouse would have a neutral impact in terms of the housing need.

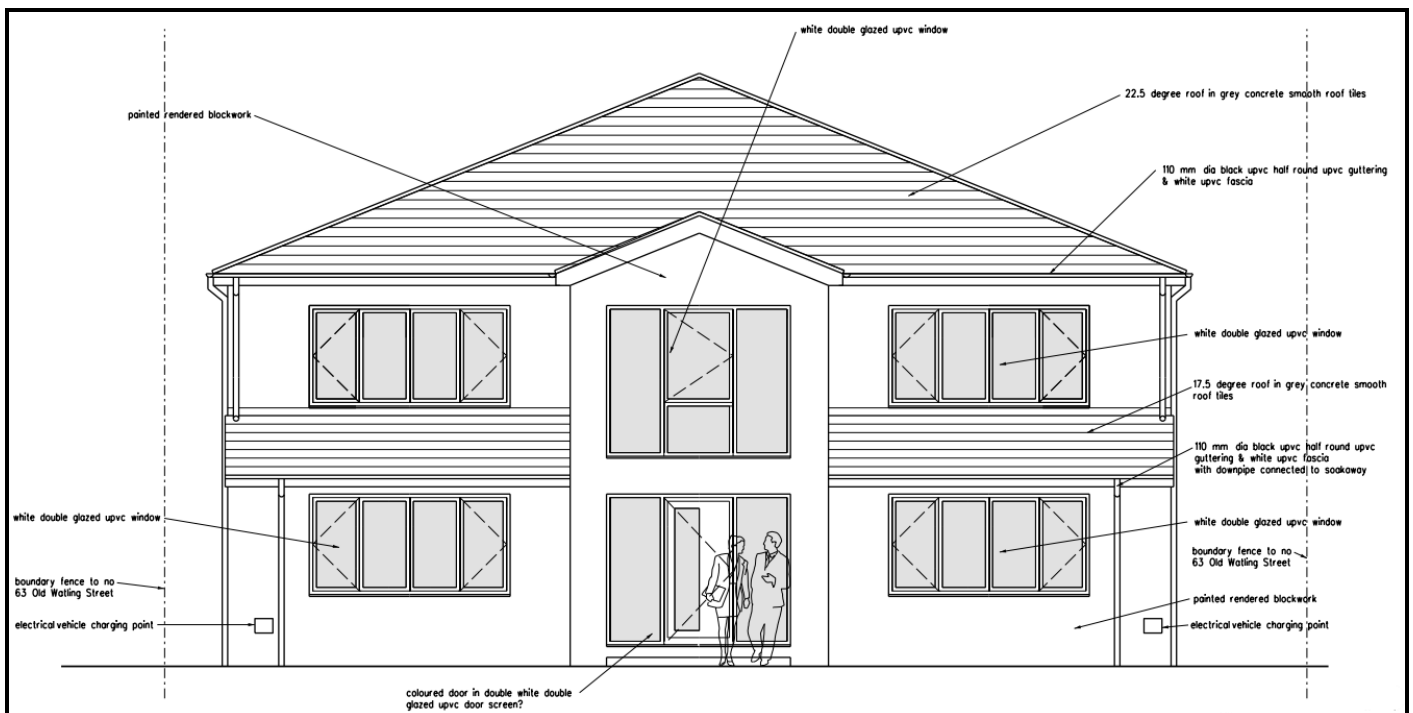
Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Section 12 (Achieving well-designed places) of the NPPF sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

As the below image shows, this dwellinghouse is a bungalow, surrounded by large two-storey dwellinghouses, which have evolved to their present form over time, either by extension, or replacement.



The proposed dwellinghouse would be two storeys in height with a hipped roof form. Image of the front elevation (Not to Scale) is included below for comparison to the photograph above.



It is clear that the new dwelling would be larger than the existing bungalow, by both its increase height and footprint. The existing bungalow has a footprint of 120.7m². The proposed dwellinghouse would have a footprint of 202m². An 81.3m² (68.3%) increase.

The proposed two storey dwellinghouse would have a height of 8.3m and an eave height of 5.3m. It would have a width of 13.3m and a depth of 16.5m.

Old Watling is characterised by new large-scale redevelopment and new mansion style properties have been erected in the locality. Therefore, although the development would be considerably larger than that which it would replace, this would cause no significant harm to the existing character of the varied, residential streetscene.

It is also noted that the design would be one of symmetry and the varied projection and lowered from the central front gable would add depth and visual interest to the frontage. As stated in the application form, the proposed dwellinghouse would use painted render and blockwork to the walls, plain concrete roof tiles, upvc and aluminium framed windows and doors, which all match the existing and so in that sense would have a cohesive appearance.

As the proposed dwelling is of a significant size, relative to neighbouring properties, a condition shall be attached to ensure that the property is not extended to appear significantly greater in scale through the use of permitted development allowances (for Class A and Class B enlargements).

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2023) in terms of design, character and appearance.

Amenity of Future Occupiers

The NPPF (2023) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, 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. The impact on neighbours will be assessed in the next section of the report.

The rooms would meet the required minimum space standards and would continue to have adequate rear garden depth and area as per SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020.

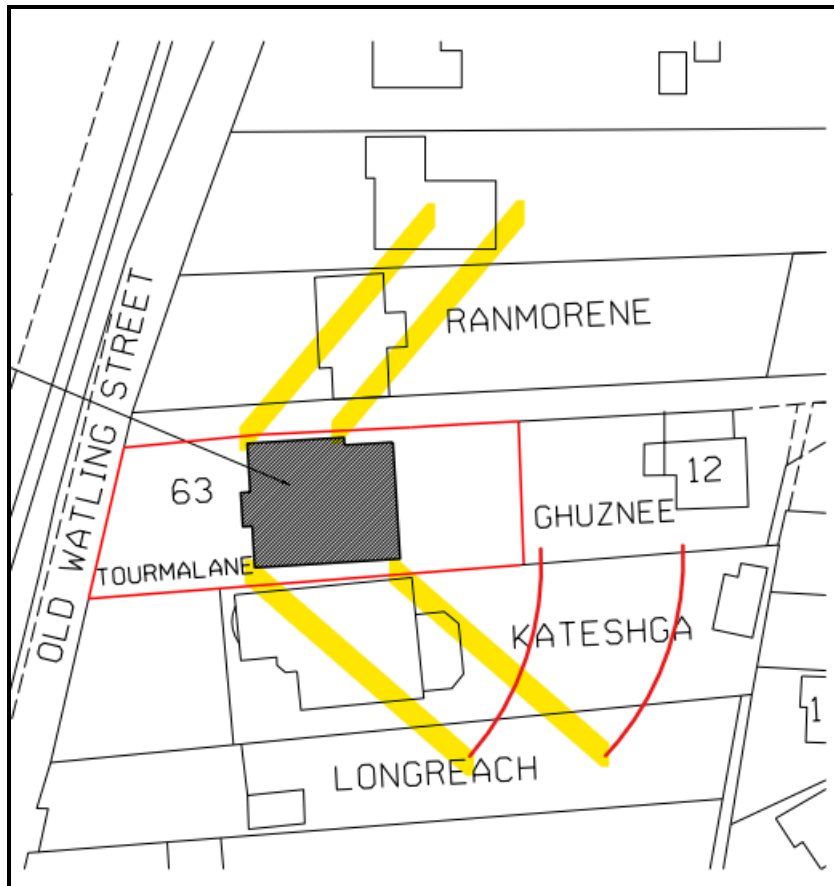
Neighbouring Amenity

As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, no objection to the proposal was received.

The two first floor windows on the side elevations relate to bathrooms and so a condition can be attached to ensure these windows would be obscure glazed and fixed to prevent overlook.

The scale of the building would also be relative, particularly to neighbouring property Kateshga but in terms of raised height also therefore to Ranmorene. Although greater in bulk it would be appropriately positioned at a distance from all adjoining neighbours, and it is not considered that the proposed dwellinghouse would overbear on these neighbours in terms of bulk and scale.

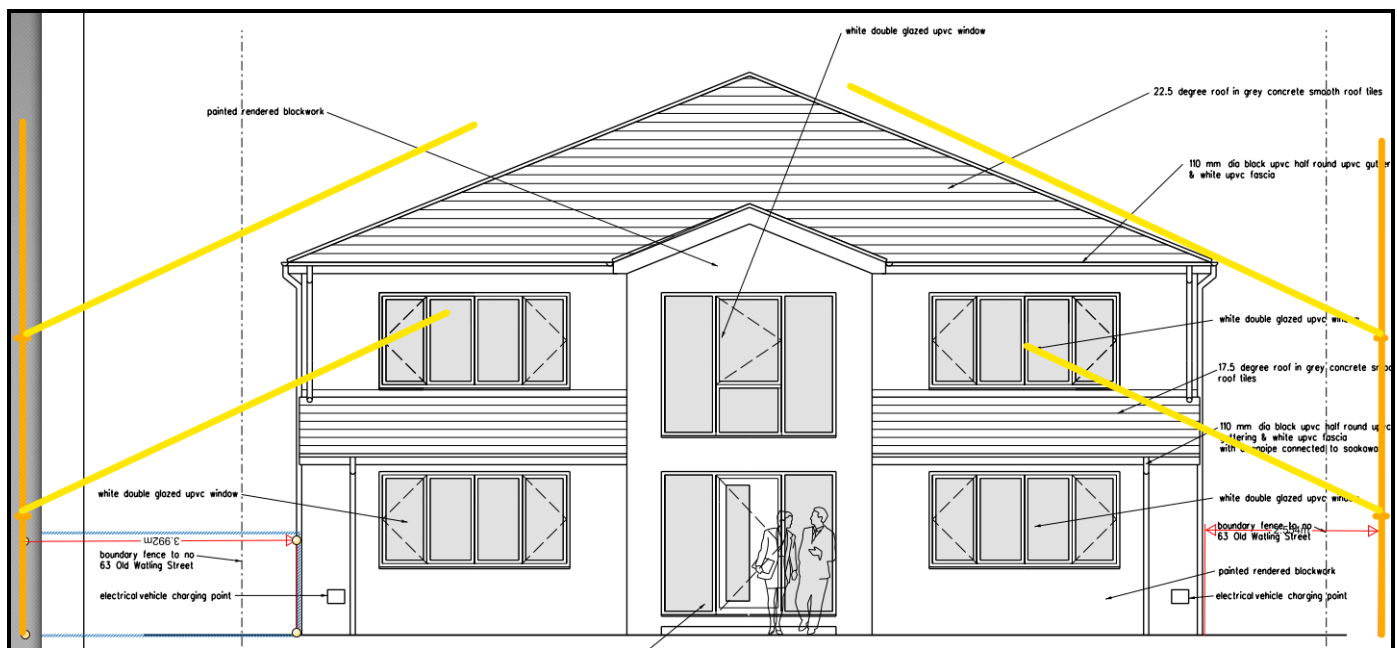
There is potential for overshadowing resulting from the development as the below 45 degree lines show.



Based on floor plans for planning approval 20030766 Ranmorene appears to have one upper floor window on the side elevation facing the subject property, likely serving a bathroom and one ground floor window which is a secondary window to a kitchen.

Kateshga has three ground floor openings to this side elevation Based on planning approval 20140848 for this property, which serves a shower room, study and secondary openings to the lounge. The three rooflights serves a dressing area, bathroom and shower room.

The below plan shows a 25-degree test shows the 25 degree angle from the approximate position of neighbouring side openings, ground and first floor.



The ground floor window for Ranmorene would be overshadowed. However, this serves a kitchen which has a main window providing light to the rear elevation so its impact would be minor in terms of overshadowing the room. The upper floor room to Ranmorene serves a bathroom but as shown in the 25 degree test, this room would not be overshadowed.

For Kateshga, the upper floor roof lights would not result in overshadowing based on the test applied above. There may be some overshadowing of the ground floor windows. However, the sun travels from east to west taking a southerly route. This property is located to the south and so any shadows cast would be northwards, away from this neighbour's property.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Highways & Parking

Details of the parking arrangements have been supplied but this does not indicate the extent of hard/ soft landscaping. Whilst it appears that there is scope for the plot to accommodate the required space of 2 vehicles and 2-4 cycle spaces, it must be ensured that this space is made available. Therefore, where approved a condition would be included requiring submission and approval of a parking plan and ongoing compliance with the approved documents and landscaping.

Subject to conditions, adequate vehicle and cycle parking provision would therefore be available in accordance with paragraphs 110 to 113 of the National Planning Policy Framework (2023), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014 subject to further details of cycle parking provision.

Ecology and Biodiversity

Paragraph 174 and 177 of the NPPF (2023) requires planning decisions to ensure that the natural and local environment is enhanced by minimising impacts on and providing net gains for biodiversity and this is reflected in Section 40 of the Natural England Commission Rural Communities (NERC) Act (2006) and the Environmental Act (2021).

Policy CS12 (LPCS) indicates that sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, and that there will be no net loss of biodiversity in the Borough.

Particular regard to impact on ecology should be had when considering proposals to demolition. When considering bats, it is often the case that they will roost in nooks and crannies of old buildings oftentimes unbeknownst to the occupiers. As a protected species, it is therefore important to ascertain whether they are present, prior to demolition and if so, undertake mitigation measures to minimise the impact to roosting bats.

A bat survey was provided with the application. KCC Biodiversity have proposed the imposition of planning conditions relating to mitigation measures and lighting. They have also proposed condition relating to biodiversity enhancement.

Therefore, the development would comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Thames Estuary and Ramsar Site

The site is within the vicinity of the Thames estuary and Ramsar site where in particular circumstance a SAMM's fee is required to mitigate impact of development on birds using these sites. However, where new dwellings are concerned this fee is only required where there is a net increase in the number of dwellings. This proposal would not result in an increase in the number of dwellinghouses and so the fee would not be required in this instance.

Environmental Protection

This site is in a smoke control area. However, the development does not propose a fireplace and so there are no concerns raised in this regard.

Environmental Protection have requested submission of drainage details in the previous scheme. This can be included in the new submitted application or included as a condition to be addressed by submission of further details.

Conclusion & Recommendation

The proposed development would comply with all relevant national and local planning policies, subject to planning conditions. The recommendation is therefore to approve.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	20th March 2024	Dated:	22 March 2024