

Delegated Report

Planning Application

Planning Application No: 20250244

Location: 1 Russell Road Gravesend Kent DA12 2RT

Description: Demolition of existing dwelling and garage and erection of a two-storey building with roof accommodation, containing 1no. 3 bed dwellinghouse, 3no. studio apartments and 3no. one bed apartments with associated access, private and communal amenity space, refuse and cycle storage.

Applicant: Samra Property SE Ltd

Site Visit Date: Previous Visit

Submitted Documents/Plans

Application Form
Location Plan
23-1437-01E – Plans as Proposed
23-1437-02B – Elevations and Sections as Proposed
23-1437-03A – Existing and Proposed Block Plans
LUG/9.0 – Site survey
LUG/9.1 – Site Survey
Redevelopment of site
Planning Statement

Relevant Planning History

Reference	Description	Decision	Decision Date
20080104	Erection of single storey side extension to form living room, bedroom, ensuite shower room/wc, hall and wc.	Permitted	28.03.2008
19940561	Erection of a detached garage at the side.	Permitted	19.12.1994
19930435	Erection of single storey front and side extension to form entrance hall, lobby and lounge and erection of single storey rear extension to form enlarged kitchen.	Permitted	12.10.1993

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS12 – Green Infrastructure

- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T5 – Access to the Identified 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 11 – Making Effective Use of Land
- Section 12 – Achieving well-designed places

Supplementary Planning Guidance

- SPG2 – Residential Layout Guidelines (2020).
- SPG4 – KCC Parking Standards (2006).
- Technical Housing Standards – nationally described space standard (2015);
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

GBC Environmental Protection

There is no objection to this application. The site falls within the buffer zone of the former Canal Road landfill site. A contaminated land watching brief is therefore recommended. To address this and other matters, the following is recommended.

Watching Brief

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

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 Waste and Refuse

No comments received.

GBC Housing Development and Strategy Manager

No comments received.

KCC Biodiversity

SUMMARY – NO FURTHER INFORMATION REQUIRED

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that the proposed development has limited potential to result in significant ecological impacts.

All buildings present on the site are in good condition and exhibit limited features suitable for roosting bat species. The absence of cracks, crevices, and other potential entry points reduces the likelihood of bats utilising these structures for roosting. Additionally, the site contains minimal vegetation and is predominantly hard standing, which further limits its ecological value and the potential for supporting diverse wildlife.

Given these factors, we conclude that the ecological impact of the proposed development is likely to be minimal and no ecological information is required to be submitted as part of this application.

Biodiversity Net Gain

Further, the applicant has indicated within the application form that that they do not consider the general Biodiversity Gain Condition applies to this application. As the proposal does not have any vegetation within the site, we agree with this position due to the development being subject to the de minimis exemption:

- 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.

As such, we are satisfied that there is no requirement for a statutory biodiversity metric to be carried out at this time.

Under section 40 of the NERC Act 2006 and paragraphs 187 and 193 of the NPPF 2024 biodiversity should be maintained and enhanced through the planning system. Although BNG is not required we advise that ecological enhancement features must also be incorporated into the site. If planning permission is granted, we recommend that an ecological enhancement plan is included. Enhancements include bat and bird boxes and bee bricks within the site and buildings. We suggest the following:

Within 3 months of works commencing within the site an ecological enhancement plan must be submitted to the LPA for written approval. The plan must demonstrate how the site will enhance biodiversity through the inclusion of ecological enhancement features within the buildings. The plan must be implemented as approved.

KCC Highways

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

Thank you for your consultation in relation to the above planning application. I note that in highway terms the proposals do not differ materially from the previous application for this site, GB/20240554 which was acceptable to us.

Consequently, 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 shown on the submitted plans prior to the use of the site commencing.
- ☐ Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.

- ☐ Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - (a) Routing of construction and delivery vehicles to / from site.
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths.
 - (c) Timing of deliveries, avoiding network and school peaks where possible.
 - (d) Provision of wheel washing facilities.
 - (e) Measures to prevent the discharge of surface water onto the highway.
 - (f) Temporary traffic management /signage.

- ☐ Provision and permanent retention of electric vehicle charging facilities for the 3 bed dwelling, 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>

Planning permission does not convey any approval for construction of the required vehicular crossing, or any other works within the highway for which a statutory licence must be obtained.

Applicants should contact Kent County Council - Highways and Transportation (web:

www.kent.gov.uk/roads_and_transport.aspx or telephone: 03000 418181) in order to obtain the necessary Application Pack.

KCC Flood and Water Management

Thank you for your consultation on the above referenced planning application.

As Lead Local Flood Authority, Kent County Council are required to provide technical advice and guidance on the surface water drainage strategies, designs and maintenance arrangement put forward by developers to any new major development.

According to the Town and Country Planning (Development Management Procedure) (England) Order 2010, major development is defined in planning as any development involving any one or more of the

following:

- a) The winning and working of minerals or the use of land for mineral-working deposits;
- b) Waste development;
- c) The provision of dwelling houses where:
 - i. The number of dwelling houses to be provided is ten or more; or
 - ii. The development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c) (i);
- d) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- e) Development carried out on a site having an area of one hectare or more.

The application under the above reference number therefore falls outside the definition of major development and also falls outside of KCC's remit as statutory consultee.

Notwithstanding the above, please feel free to contact us again if you consider there to be local flood risk issues on this site that may require further consideration.

KCC Heritage

The site lies within an area of multi-period background archaeological potential. However, based on existing Historic Environment Record data for the area and the past development of the site, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Environment Agency

Thank you for consulting us. Due to the scale, nature and setting of this proposal and the supporting information submitted, we have assessed this proposal as low risk. We therefore do not have any specific comments to add.

The Environment Agency's Approach to Groundwater Protection

We recommend the applicant/enquirer refers to our groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

Waste management

Discharge of liquid effluents

Land contamination

Ground source heat pumps

Cemetery developments

Drainage

Land contamination: risk management and good practice

We recommend that developers should:

Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination

Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health

Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed

Refer to the contaminated land pages on gov.uk for more information

Drainage and infiltration

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

Discharge of treated sewage effluent

If you are proposing a non-mains drainage solution the following form should be completed:

<https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

The discharge of domestic sewage associated with this development may be subject to General Binding Rules (GBRs) under the Environmental Permitting (England & Wales) Regulations 2016, which provide a statutory baseline of good practice. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506. If your proposal cannot meet the GBRs then a permit will likely be required.

Natural England

SUMMARY OF NATURAL ENGLAND'S ADVICE

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Natural England's statutory advice on these potential impacts is set out below.

Neighbouring properties

A site notice was placed near the site on 10th April 2025. 15no. surrounding properties were consulted, and 0 comments were received by members of the public. The final date to submit comments ended on 02.05.25.

Officer's Analysis

Principle of Development

Policy CS02 Local Plan Core Strategy (LPCS) prioritises development in the urban area as a sustainable location for development. Policy CS02 seeks to achieve this by: Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. The site is within a sustainable location within an urban residential area as per Policy CS02.

The National Planning Policy Framework (NPPF) is explicit that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 124 advises that *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.'*

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 March 2023, it demonstrates that based on data up for the period 2022-2027, the Council can only demonstrate a land supply of 2.9 years.

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

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

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

Habitats sites (and those sites listed in 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 increase of '6' residential units would offer a modest contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2024) which requires new development to be high quality, beautiful and create acceptable living conditions for future occupiers.

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 National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.

Density

Development on this site should meet the requirements of Policy CS14 (LPCS), where the Council expects new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area. Policy CS15 (LPCS) requires that all new housing will be developed at a density, which is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. These policies will be considered and assessed against the proposal later in this report.

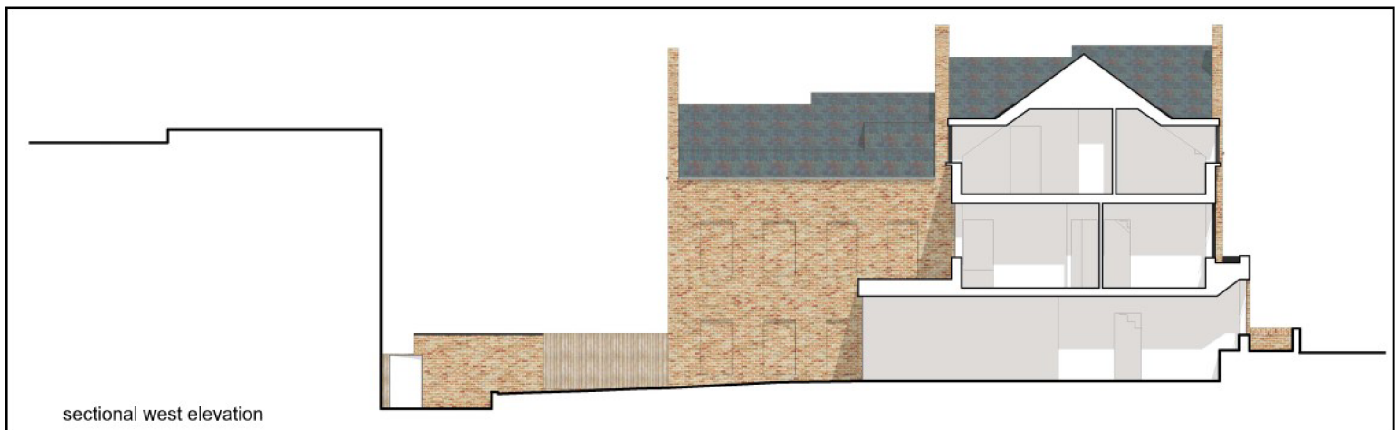
The site has an area of approximately 351.6m². The current density of the site is approx. 28 dwellings per hectare. The density to the west is approx. 66dph. The proposed density is approx. 199dph. Policy CS15 of the Core Strategy 2014 states that all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Within the urban area, new residential development will be expected to achieve a minimum density of 40 dwellings per hectare. Clearly a proposed density of 199dph in an area which is characterised with a density of approx. 66dph is out of character with the area and contrary to this Policy. However, for policy CS15 this density standard is a minimum. In isolation the scheme would provide a density which numerically meets the minimum density of housing development as per policy CS15 of the Local Plan Core Strategy (2014). However, the proposal fails to sufficiently take account of the existing character of the area which is also a key part of density, and therefore fails to comply with the requirements of Policies CS14 and CS15 of the Local Plan Core Strategy (2014). The design impact relating to the significant density of this proposed scheme is further considered in the next section of the report.

Design, Character and Appearance

The proposed development should comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2024) in terms of design, character and appearance. It requires new development to take into account the existing character of the area and to ensure that the density of new housing development does not compromise the distinctive character of the area in which it is situated.

The below images show some of the proposed elevations, for reference (Not to Scale).





This scheme involves the erection of a three-storey building, on a prominent corner location, in a residential area which is distinctively and predominantly characterised by two-storey, medium sized dwellinghouses. Whilst the expanse of the building's footprint would not be significantly different to the existing building, the existing building is a bungalow, which would have lesser impact visually on the street scene and wider character of the area. The proposed footprint does not reflect the footprint of neighbouring buildings, and this existing bungalow appears to be one of a kind in this locality. . The plan extract below shows how there is no step back of the Russell Road elevation to match the set down of the roof, and also shows the building line of Russell Road with the red hatched line;



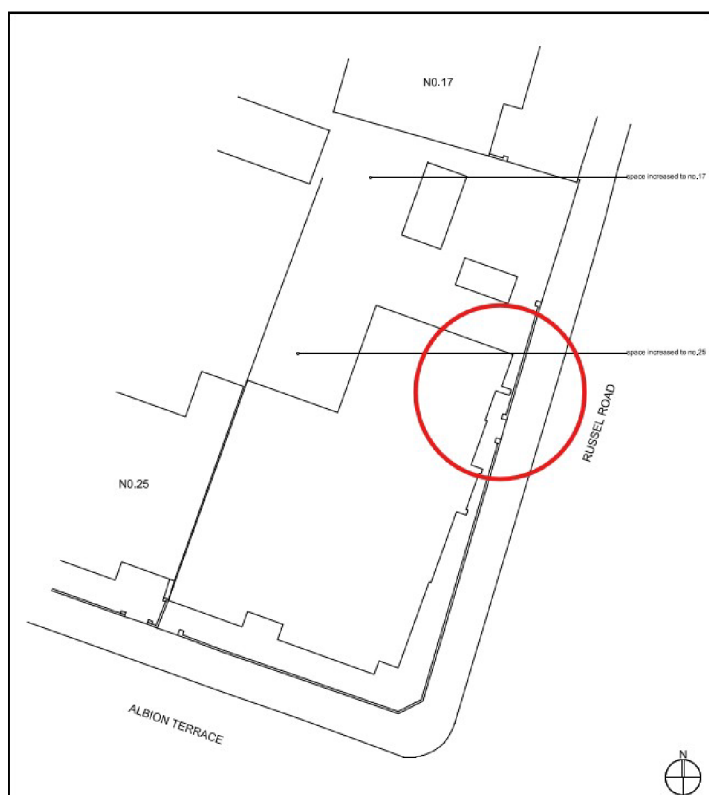
The result would therefore be a building which would be significantly larger than any other property in the vicinity in both footprint, height and proportions. Combined with the significantly high density of the proposed scheme, it is clear that these proposals represent substantial overdevelopment of this site.

In terms of general design, the scheme has attempted to reflect neighbouring properties with a 'stepping down' in height to the east elevation, and retaining the same height and eave height to the north elevation. However, there is a distinct overbearing appearance of the building in this corner location on the residential properties to either side, both due to its three-storey accommodation and its sheer bulk and expanse. Attempt to reflect neighbouring materiality has been made with similar brick to neighbours on the north

elevation but the grey toned roof provides a stark contradiction in this street scene, where brown and red roof tiles dominate. The windows also have used a Georgian style arrangement which does provide some symmetry and a clearly defined arrangement but again the number of openings and proportions contradict the overriding character of fenestration in the area, which is generally a 2 up, 2 down arrangement of openings. However the gable ends facing Albion Terrace and facing onto the row of houses along Russell Road are uncharacteristic and create unnecessary bulk and prominence. These should be removed and replaced with a more appropriate, pitched roof form. It is also felt that there are an excessive number of openings in the north elevation. The dormer roof projection facing onto Russell Road is unnecessary space and in design terms would be a cluttered and non-uniform feature which does not reflect the simple plain pitched roofs of the neighbouring dwellinghouses from which it would extend.

Overall, some of the design issues can be overcome with changes in materials, proportions and design features such as the fenestration. However, the design issues appear to stem from the underlying overdevelopment of the site as proposed. The arrangement of properties in the area is of medium sized, dwellinghouses forming terraces, with simple and consistent frontages.

The proposed building line is shown to be very close to the street on the furthest corner into Russell Road. No other properties in the immediate surroundings extend forward in this manner, and the scheme does not respect the build line and street pattern;





We acknowledge the current bungalow does breach the building line, but the impact of this is minimal due to the very fact it is a bungalow. The proposed development will be closer to the highway than the existing bungalow, and much bulkier in nature;



Overall it is considered that the proposed scheme would result in a large two/three storey building, encompassing almost the entirety of the plot, of a design which would wholly contradict the existing character and appearance of the area. The proposal would appear as an incongruous and cramped form of development which would constitute an overdevelopment of the plot, as well as being unduly prominent and overbearing addition to the area. As such, the proposal is contrary to Policies CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy, September 2014 and paragraphs 135 of the NPPF (2024) in terms of design, character and appearance.

Amenity of Future Occupiers

The NPPF (2024) 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.

This scheme would provide 7 residences. 3 would be single occupancy 1-bedroom units, 3 would be studio apartments, and 1 would be a 3-bedroom dwellinghouse. The flats would be spread across 4 floors, with 2 single bedroom flats each on the ground, first and second floors and 2-bedroom flat with a small terrace on the entirety of the third floor. All units would be accessible from the west side of the building, with additional accesses for the 2 ground floor units at the north elevation (facing the street). A garden space of 53sqm would be provided alongside the communal access to the west with cycle and bin stores.

To ensure that adequate living space is provided for future residents, the units need to meet the national technical standards (Nationally Described Space Standards) and the GBC Residential Layout Guidelines.

Room Type	Flat 1 (m ²)	Flat 2 (m ²)	Flat 3 (m ²)	Flat 4 (m ²)	Flat 5 (m ²)	Flat 6 (m ²)	Dwelling (m ²)	Minimum Space Standards (m ²)
Double Bedroom	N/A	12.3	N/A	12.3	N/A	12.1	12.1 and 13.7	11.2
Single Bedrooms	8.3	N/A	8.1	N/A	8.1	N/A	7.5	6.5
Living Room	22.8 (L/D/K)	32.4 (L/D/K)	23 (L/D/K)	27.9 (L/D/K)	23.1 (L/D/K)	27.9 (L/D/K)	N/A	13.2
Dining Room	22.8 (L/D/K)	32.4 (L/D/K)	23 (L/D/K)	27.9 (L/D/K)	23.1 (L/D/K)	27.9 (L/D/K)	N/A	9.5
Kitchen	22.8 (L/D/K)	32.4 (L/D/K)	23 (L/D/K)	27.9 (L/D/K)	23.1 (L/D/K)	27.9 (L/D/K)	13.3	7.2
Kitchen/Diner	22.8 (L/D/K)	32.4 (L/D/K)	23 (L/D/K)	27.9 (L/D/K)	23.1 (L/D/K)	27.9 (L/D/K)	N/A	12
Lounge/Diner	N/A	N/A	N/A	N/A	N/A	N/A	25	18
Bathroom & WC	3	3.5	3.1	3.6	3	3.6	3.5	3.5 (3.6 for dwellings)
Bathroom Only	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2.8
WC Only	N/A	N/A	N/A	N/A	N/A	N/A	2.5	1.3
Hallway Width	N/A	900mm	N/A	900mm	N/A	900mm	900mm	900mm Width

As the above table shows, the rooms for all flats comply with the Minimum Space Standards with exception of the Living room, dining and Kitchen. As the living and kitchen spaces are open plan and combined, it would be reasonable to the minimum space standards for these rooms, which would result in a space standard of 29.94m². However, if the Kitchen/Diner and Living Room requirements are combined, this would have a lesser minimum requirement of 25.2m². Flat 1, 3 and 4 would be marginally below this space requirement. The proposed dwellinghouse would also have a bathroom which is marginally below the required space standard. Given that all other rooms comply, and the overall internal floor area is satisfactory, and that there is not a substantial shortfall, it would not be reasonable to refuse the scheme based on this shortfall alone.

However it is important to link space standards back to design. Although the proposed units are currently satisfactory in terms of size, in order to address design issues, the development would need to be reduced in terms of bulk and massing, include step downs and set backs. It is likely that these changes would result

in substandard accommodation, and so introducing a need to reduce the overall number of units on the scheme. Reducing the number of units was not looked upon favourably by the Agent, and so no further design amendments have been sought.

The area which extends to the north of the plot which is approximately 65m² with 14m depth would form the garden for the dwellinghouse. The area to the north of the plot from the flatted development, before the bins and parking for the house, would have approximately 28m² amenity space dedicated as communal area for the flats. For a 3-bedroom house, the minimum garden area required is 60m², and 10 metres depth, which would be provided. For flats an area in excess of 10 sq. metres is expected. This should be of sufficient size to accommodate:

- children's play space;
- drying area;
- limited outside storage;
- sitting out;
- general leisure use.

Given that the amenity space provided for the flats would be in excess of 10sq. metres, it would be compliant with the external amenity standards required.

As such the proposal would safeguard the amenity of future occupiers in compliance with Policy CS19 (LPCS) as well as Section 12 of the NPPF.

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, 0 comments from members of the public were received.

The proposed building would be adjacent to 25 Albion Terrace, to the west and 17 Russell Road to the north.

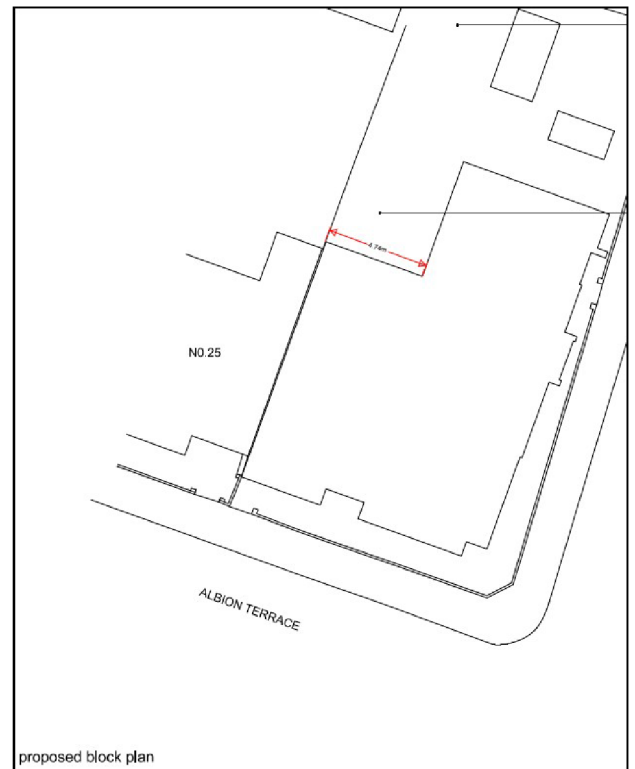
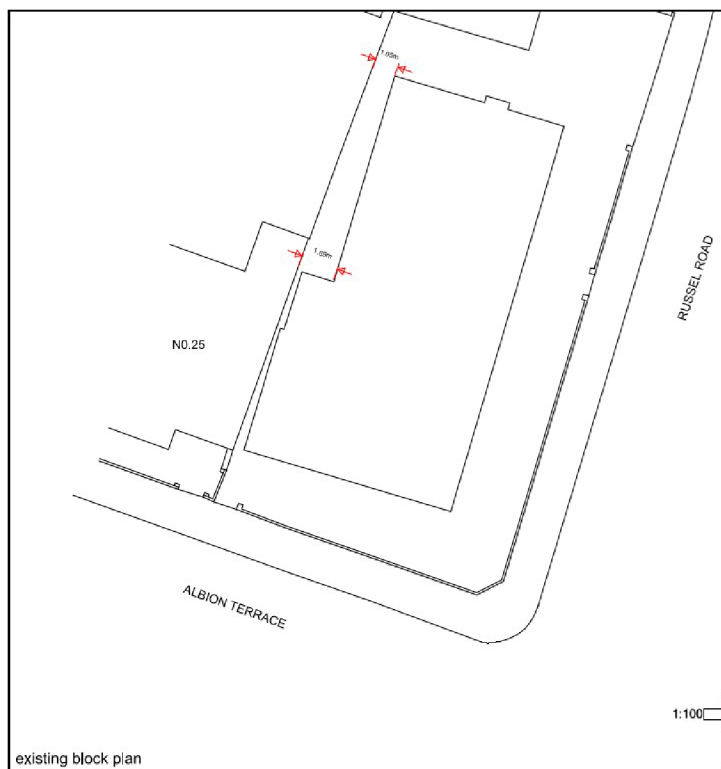
Given the large size and proximity of the development to neighbouring properties, in particular given the increased height, consideration does need to be given to impact on neighbouring properties.

25 Albion Terrace

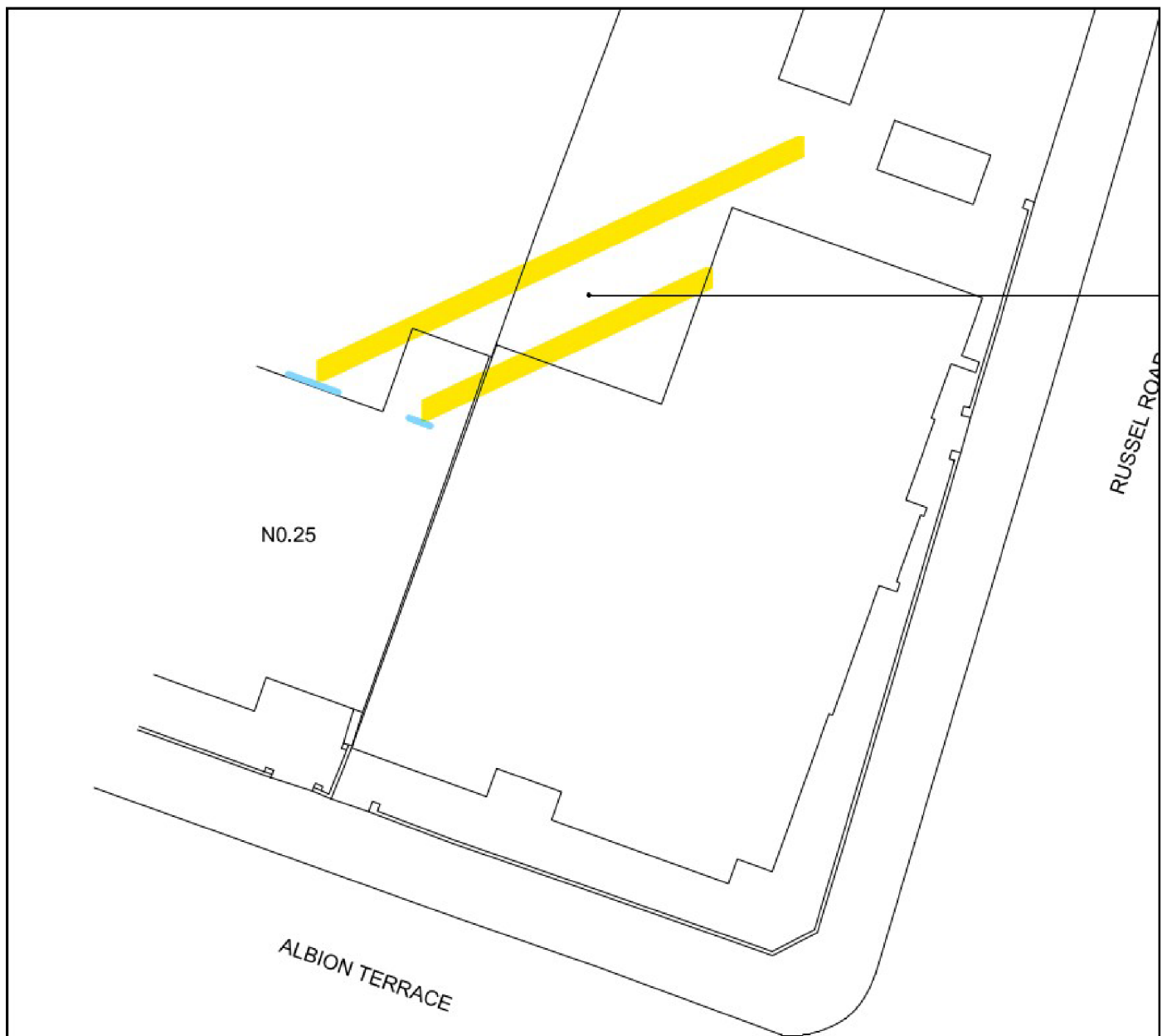
The below images taken from the garden of 25 Albion Terrace show that there is an existing level of overlooking from the subject dwellinghouse to this neighbour and its extent expands significantly across the neighbouring properties garden area. However, given that the existing property is a bungalow the impacts of this would be lesser than a taller building in the same position.



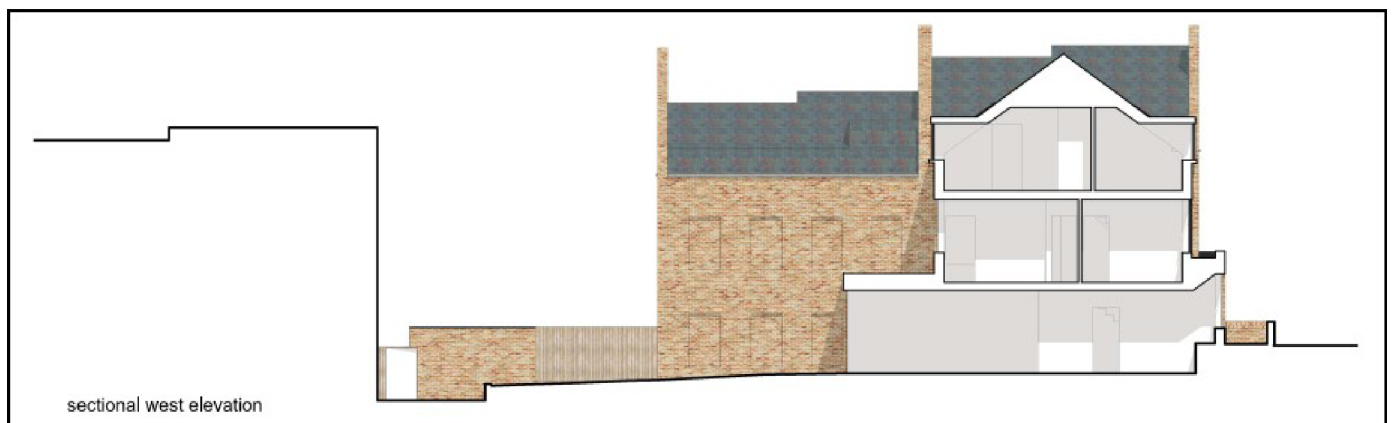
As the below images show, the existing bungalow is between 1.05m – 1.69m from the shared boundary at its rear projection. The proposed three storey building would be 4.74m from the shared boundary.



The below 45 degree test shows that one of the upper floor windows would potentially be overshadowed. However, this serves a bathroom and so would not be considered a habitable room. As such, there would be no overshadowing of habitable rooms.



The below sectional elevation (Not to Scale), shows the perspective of the proposed building from this neighbours garden. As can be seen no windows are proposed in this elevation and so no overlooking issues would arise.



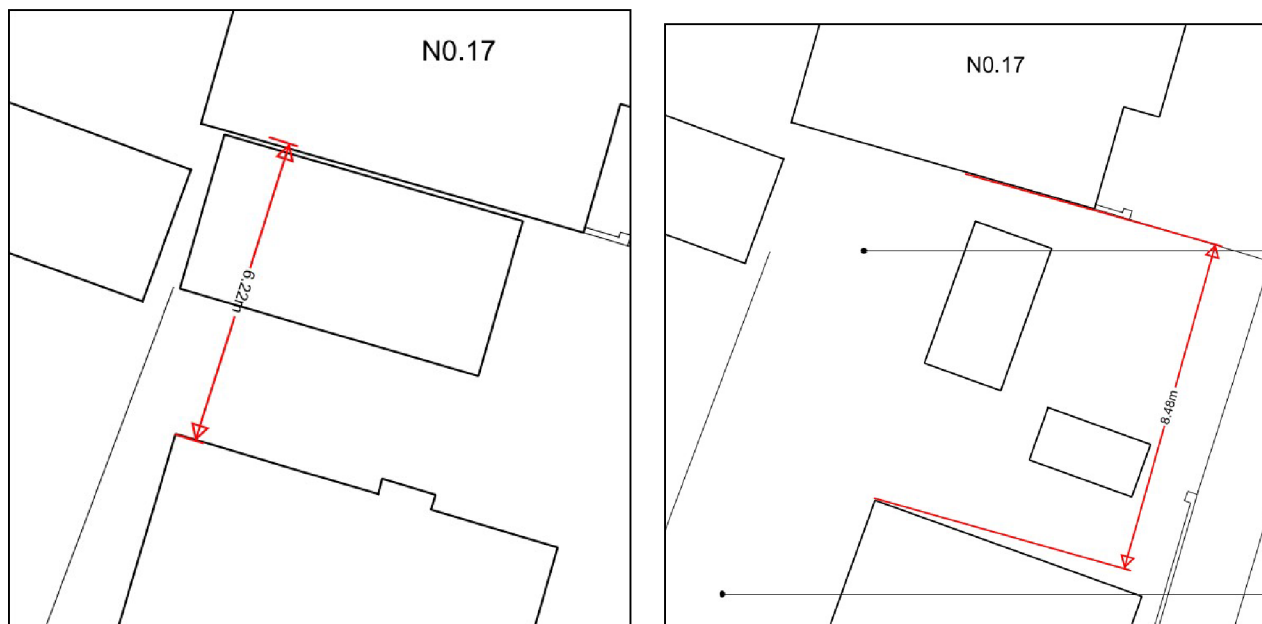
Paragraph 9.7 of the Householder Extensions/Alterations Guidance can also be applied to new dwellinghouses. It states;

‘An extension close to a neighbouring properties window, or a large extension on the boundary, can cause a loss of amenity by appearing overbearing and creating a sense of enclosure and dominance. Careful consideration will therefore need to be given to the relationship to existing neighbouring windows and to the size and design of an extension that may change the outlook from a neighbouring property.’

This is relevant in this case as although the building has been stepped in from the boundary, its 8.54m height, which would extend by 8.35m deep, of this neighbours private garden space would be highly visible, result in a sense of enclosure and dominance and would impact this neighbours enjoyment of their amenity space.

17 Russell Road

The distance of the existing bungalow from the shared boundary with this neighbour is 6.22m. The proposed building would increase this distance to 8.48m



There are no side facing windows on this property and so no direct overlooking would take place as a result of the proposed scheme. Given the distance and relationship between the properties, which would sit side to side, there would be no significant overbearing impact on this neighbour in terms of bulk, proximity, overshadowing or overlooking.

The proposed development by virtue of the siting, orientation and design of the proposed building would result in existing and future occupiers of the neighbouring dwelling no. 25 Albion Terrace having a perceived high level of overbearing bulk and enclosure in such a manner which would significantly impact this neighbour's enjoyment of their existing amenity space and would be an unneighbourly form of development. As such the proposal would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 135(f) of the National Planning Policy Framework (2024).

Parking and Highways

The proposed development does not provide any car parking facilities for the flats. 2 vehicle parking spaces would be provided for the dwellinghouse which would be accessed via Russell Road. The existing garage is accessed from the same area. The garage would be removed as part of this development and the existing drive and crossover widened. The scheme would also provide provision of cycle storage for 6 cycles for the flats.

The site is in a sustainable location, near the Town Centre and so provision of vehicle parking spaces for the proposed flats may not be necessary in this instance. It is the responsibility of the applicant to provide such justification for a car free scheme. Parking surveys would be useful here. However, although in a sustainable location it is noted that there are existing parking issues in the area and the mosque nearby is likely to play a role in this. Any parking survey is therefore expected to show parking levels during times of daily prayers, and in particular during Friday prayers (Jummah). This will enable a full picture of available parking provision and whether there is capacity for the increased residents to park on the street. If it is clear capacity is unavailable then, car free scheme would not be acceptable.

KCC Parking Standards (2025) do provide guidance on car free schemes:

47. KCC Highways are supportive of and will encourage car free development in the right locations. Should a developer wish to promote car free design then the development must already have (or include as part of the development) excellent public transport links. In addition, the standard of amenities within the development must be highly valued and include community wide uses such as shops, schools, medical centres and library/leisure facilities.

However, the standard guidance for 1- and 2-bedroom flats in the City/Town Centre is 1 space per unit and again 1 space per units for 3-bedroom dwellinghouses. Therefore, based on this guidance 7 spaces for parking would be required, 1 space for each property.

The proposed widened drive would result in a parking area of 5m in width and 5m in length, indicating that it would provide 2 spaces.

The Kent Vehicle Parking Standards (2025) sets out the dimensions required for parking cars as a standard.

Table 8: Minimum Car Parking Space Dimensions		
	Length	Width
Cars – Minimum ¹	5.0m (6.0m for parallel spaces ²)	2.5m

At paragraph 95 it also states that the width of the parking space should be increased by a minimum of 0.2m for each restricted side. In this case both sides would be restricted. On the northern side it would be restricted by the neighbours boundary fencing and to the south by the proposed bike store and new boundary fencing proposed. Therefore the total space resuired for 2 vehicles to park would be 5m length by 5.4m width. The proposed parking space would fall short of this width and so would not provide adequate parking provision.

However, KCC Highways were consulted on this application and raise no objection subject to the inclusion of a Construction Management Plan and conditions to ensure retention of the parking and cycle provision. The submitted Highways Technical Note includes a parking survey, carried out on local roads within a 200m walking radius of the site, that demonstrated any additional parking associated with this proposal could be accommodated within available on street parking. It is unlikely that these proposals will result in a significant number of additional trips on the highways and are therefore acceptable.

Adequate vehicle and cycle parking provision is therefore not available, but the sustainable location of the sight weighs in favour of the application. The proposal would be in accordance with paragraphs 109 to 118 of the National Planning Policy Framework (2024), 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.

Biodiversity

Net Gain

Under the Environment Act 2021 and supporting Statutory Instruments Biodiversity Net Gain (BNG) is now mandatory for most development. The legislation requires a minimum 10% gain in biodiversity from applicable development either onsite, offsite or a combination of both.

BNG provided under the mandatory requirements offsite and significant BNG onsite must be secured by a legal agreement for 30 years under an approved Habitat Management and Monitoring Plan (HMMP)

There are strict legal requirements in terms of what an application must contain in relation to BNG before it can be accepted as valid. This is set out in Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and requires the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application and other information.

However, certain applications are exempt from the BNG regulations (the Biodiversity Gain Requirements Exemptions) Regulations 2024) including householder applications and include:

- Householder development as defined within article 2(1) of the Town and Country Planning Development Management Procedure) (England) Order 2015.
- Development granted planning permission by a development order under section 59. This includes permitted development rights.
- Development subject to the de minimis exemption - development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of habitat, or 5 metres of linear habitats such as hedgerows.
- Self-build and custom build development - development which:
 - consists of no more than 9 dwellings, and
 - is carried out on a site which has an area no larger than 0.5 hectares, and
 - consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015

KCC Biodiversity have comments on this application and confirmed that they are satisfied that the site is considered to be *de minimis* and therefore there is no requirement for a statutory biodiversity metric to be carried out in this instance.

Enhancement

No ecological details have been submitted with the application. However, ecological enhancement features must be incorporated into the site. As per KCC Biodiversity's comments on this application, this requirement can be addressed by a condition for an ecological enhancement plan.

Thames Estuary and Marshes Ramsar Site and Special Protection Area (SPA)

Where there are no other contributions required for a development applicants generally have chosen to submit the payment of £337.49 per new dwelling, for HMO's by filling in the Strategic Access Management and Monitoring Strategy (SAMMS) Agreement. By filling in this form there are no legal fees to be paid by the applicant and refund mechanisms are in place in the event of a refusal.

The applicant has NOT completed the SAMMS Mitigation Contribution Agreement and made the required payment, addressing this issue.

It is noted that previous discussions with the agent have made clear that upon request, the payment would be made. However, given the other issues with the application, this would not be considered conducive to a

favourable outcome alone and so the fee has not been requested in this instance and will be included as a refusal reason.

Therefore, the development would NOT comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 192 and 193) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Conclusion

The proposed scheme would result in a large two/three storey building, encompassing almost the entirety of the plot, of a design which would wholly contradict the existing character and appearance of the area. The proposal would appear as an incongruous and cramped form of development which would constitute an overdevelopment of the plot, as well as being unduly prominent and overbearing addition to the area. As such, the proposal is contrary to Policies CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy, September 2014 and paragraphs 135 of the of the NPPF (2024) in terms of design, character and appearance.

The proposed development by virtue of the siting, orientation and design of the proposed building would result in existing and future occupiers of the neighbouring dwelling no. 25 Albion Terrace having a perceived high level of overbearing bulk and enclosure in such a manner which would significantly impact this neighbour's enjoyment of their existing amenity space and would be an unneighbourly form of development. As such the proposal would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 135(f) of the National Planning Policy Framework (2024).

The proposal fails to safeguard biodiversity and fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment. Therefore, the development fails to comply with the requirements of the Habitat Regulations but fails to offset biodiversity loss contrary to Section 15 (specifically paragraphs 192 and 195) of the National Planning Policy Framework (2024) and Policy CS12 of Gravesham's Local Plan Core Strategy (2014).

Recommendation

The recommendation is to refuse the application.

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

Case Officer:	Mr Richard Hart	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	22 nd May 2025	Dated:	11 September 2025