

Delegated Report

Planning Application

Planning Application No: 20231326

Location: 53 Villa Road Higham Rochester Kent

Description: Demolition of existing structures and erection of 3 bungalows.

Applicant: Mr Arif Rana

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form
A100 Rev 1 – Site Location
A101 Rev A – Block Plans
A102 – Comparison Block Plan
A103 – Existing Floor Plans
A104 – Unit 1 Floor Plan
A105 – Unit 1 Roof Plan
A106 – Unit 1 Elevations
A107 – Unit 1 Elevations 2
A108 – Unit 1 Sections
A109 – Existing Elevation
A109.1 – Existing Elevation 2
A110 – Unit 2 and 3 Floor Plan
A111 – Unit 2 and 3 Roof Plan
A112 Rev 1 – Unit 2 and 3 Elevations 1
A113 Rev 1 – Unit 2 and 3 Elevations 2
A114 – Unit 2 Sections
A116 – Street Scene
A117 – Unit 1 Solar Panels
A118 – Unit 2 Solar Panels
Preliminary Ecology Appraisal and Roost Assessment
Transport Statement
Design and Access Statement

Relevant Planning History

No relevant planning history.

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)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Ward Councillors

Cllr Pearton –

Thank you very much for our discussions regarding this application. As you are aware, I believe that this application is totally unsuitable for the amount of land that would be available if the current dwelling were to be demolished and an over-development. Also, Villa Road is not a suitable road to have the extra amount of vehicles that this application would bring, nor suitable for access of vehicles entering or exiting the site. It also would not be visibly amenable to the other current residents in neighbouring dwellings. For these reasons, I would not approve of this application in succeeding.

Parish Council

Comments received on 06.05.24:

As a Parish Council, we feel it is in the best interest of our parishioners to provide comments to the planning application submitted for the above property for the “Demolition of existing structures and erection of 3 bungalows.”

Our councillors feel that by erecting 3 bungalows in the village, this will generate additional traffic to an, already busy, village. Villa Road already struggles with numerous cars parking on one side of the road, which narrows and restricts vehicle access and we feel with these proposed properties, this would only exasperate the problem.

Furthermore, councillors feel the proposed new bungalows would be an overdevelopment of the existing structures and existing properties would be overlooked.

Further concerns include the two new streetlights and who would have the responsibility of maintaining these going forward.

Moreover, these three new properties are to be rented and parish councillors would like to understand who would be the landlord and if there would be any qualifying criteria.

Please consider our comments carefully when reviewing this planning application.

GBC Environmental Protection

Updated comments received on 15.05.25:

There are no further comments to make to those in the earlier response dated 18/01/24.

Comments received on 18.01.24:

There is no objection to this application, but the following is recommended.

Code of Practice on Construction and Demolition: Please apply as appropriate to minimise the impact of the demolition and construction on the neighbouring residential premises.

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).

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 Housing Development and Strategy Manager

No comment received.

GBC Highways

Received on 24.01.24:

All the pre-application advice seems to have been taken from Medway Council, which is neither the planning or highway authority for the area and as such may have been misguided.

Residential car and cycle parking guidance is split between two documents.

1. Kent and Medway Structure Plan 2006 Mapping out the future, Supplementary Planning Guidance SPG4, Kent Vehicle Parking Standards July 2006 which has been adopted by Gravesham Borough Council. This determines guidance on parking bay sizes and the provision of cycle (not bicycle parking). It is not appropriate for the provision of car parking as it sets maximum vehicle parking standards, which the National Planning Policy Framework does not consider appropriate except in special circumstances,

extracted below.

112. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists

2. Kent Design Guide Review: Interim Guidance Note 3 20 November 2008 Residential Parking. Whilst not adopted by Gravesham Borough Council, it is by the Highway Authority and the parent document is adopted by Gravesham Borough Council, by default, this is the best guidance that can be offered. Although it should be noted that KCC have prepared a draft replacement document. Kent Design Guide Movement & Connectivity Parking Standards.

In terms of cycle parking, there should be one cycle space per bedroom and for properties that are designed to accommodate the mobility impaired this should include provision for adaptive cycles.

In terms of car parking bay sizes, the preferred size in Kent is 2.5 metres wide by 5 metres deep, however the width increases to 2.7 metres when the space is adjacent to an enclosing boundary. However, where the needs of the mobility impaired are to be accommodated, the size of the parking bay changes, see table below taken from SPG4.

B8. The preferred sizes for parking bays in Kent provided as part of development proposals are:

	Length	Width
Parking Bay Size for Powered Two-Wheelers ⁽¹⁾	2.5m	1.5m
Parking Bay Size for Cars ⁽²⁾	5.0m	2.5m
Parking Bay Size for People with a Mobility Handicap	5.5m	3.6m
Parking Bay Size for Light Goods Vehicles	7.5m	3.5m
Parking Bay Size for Minibuses ⁽³⁾	8.0m	4.0m
Parking Bay Size for Coaches ⁽³⁾	14.0m	4.0m
Parking Bay Size for Rigid Heavy Goods Vehicles	12.0m	3.5m
Parking Bay Size for Articulated Heavy Goods Vehicles	16.0m	3.5m
Notes:	1. A minimum space of 1.0m should be allowed between each motorcycle. 2. Where car parking spaces are provided parallel to, and abutting, a carriageway, aisle or drive the preferred bay size should be 6.0m x 2.5m to allow vehicles to manoeuvre into the bay when adjoining bays are occupied. The width of end spaces abutting an enclosed boundary should be increased to 2.7m 3. A width of 4.0m is the minimum necessary to allow passengers to embark and disembark safely.	

Note the last sentence of Note 2

Considering the actual parking provision, Interim guidance note 3 requires 2 independently accessible spaces per 3 bed unit in a suburban edge/village/rural environment.

This proposal, therefore, provides inadequate car parking, both in number and size of parking bay and no cycle parking, and as such in my opinion should be refused.

In terms of the Transport Statement, this appears to have no relevance to the proposal there is no need for a Service Delivery Plan as it should not be necessary for three units and would in my opinion be unenforceable as who would manage it. Also, there is no need for swept paths given the site layout and none seem to have been provided.

For information Villa Road is classified as a 'C' class road so no on site turning is required.

GBC Waste and Refuse

No comment received.

KCC Biodiversity

No comment received.

KCC Highways

Received on 17.04.25:

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 proposals would result in an intensification of use of the existing access on Villa Road, which is a classified 'C' road and visibility splays are therefore required. As the access is located within the 30mph speed limit, visibility splays of 2.4m x 43m are required in both directions, with no obstruction over 1.05m above carriageway level within the splays. In addition, pedestrian visibility splays of 2m x 2m behind the footway on both sides of the access, with no obstructions over 0.6m above footway level, should also be provided. Vehicle and pedestrian visibility splays should be shown on a revised plan.

It is noted that the dropped kerb to the driveway would need to be widened. Should planning approval be granted, the applicant would still need to apply to the Vehicle Crossover Team at KCC, to gain the relevant permissions for any extension/alterations to the dropped kerb.

Parking

The level of vehicle parking provided should be in accordance with KCC new parking standards (2025). Consequently, 2 spaces are required for each 3 bedroom dwelling. The current proposals would therefore require 6 parking spaces. Parking spaces with dimensions should be shown on a revised block plan.

All parking spaces should be a minimum of 5m long x 2.5m wide, increasing to 2.7m if bounded by walls/fences/landscaping on one side.

An electric vehicle charging point should be provided for each dwelling and secure, covered storage is required, at a ratio of one space per bedroom for each dwelling.

Emergency vehicles/refuse collection

Kent Fire and Rescue Service should be consulted on the proposals. I note that refuse collection would take place from the kerbside and it should be noted that the recommended maximum drag distance is 30m for residents and 25m for refuse operatives, however, this is not a highway safety issue.

KCC Heritage

Comments received on 06.05.24:

Thank you for consulting us on this application and my apologies for the delayed response.

The site lies within an area of multi-period 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.

Natural England

Received on: 22.04.25:

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.

Southern Water

The applicant has not provided details of the proposed means of disposal of foul/surface water drainage from the site. Southern Water is unable to comment fully on this Planning Consultation until such time as the relevant information is provided.

Condition: Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Southern Gas

No comment received.

UK Power Networks

Received on 07.04.25:

We note there are overhead cables running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

In the instance of overhead cables within the vicinity, GS6 (Advice on working near overhead powerlines) and a safety visit is required by UK Power Networks.

Information and applications regarding GS6 can be found on our website

<https://www.ukpowernetworks.co.uk/safety-equipment/power-lines/working-near-power-lines/advice-on-working-near-overhead-power-lines-gs6#Apply>

Should any diversion works be necessary because of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

You can also find support and application forms on our website [Moving electricity supplies or equipment](#) | UK Power Networks

Dickens Country Protection Society

Updated comments received on 14.05.25:

The society first wrote to the authority on 14th April 2025 objecting to the application.

- (a) In the Society's view, this proposal constitutes gross over-development, out of character with the area.
- (b) The proposal would result in a cramped form of development with dwellings with inadequate amenity space.
- (c) On site parking would be seriously deficient for 2 No, three bedroom dwellings. There is, in effect, no vehicular access to the two rear properties.
- (d) The proposal is likely to impact adversely on the amenity of the adjoining occupiers.

The Society strongly objects to this application.

Received on 14.04.25

The Society would wish to object to this application on the grounds that the proposal is totally out of character with the area, tripling the density. In the Society's view this is gross over development producing cramped dwellings with very little amenity space. There is no vehicular access to the two rear properties

and there appears to be no on-site parking.

Neighbouring properties

13no. surrounding properties were consulted, and 17 comments were received from members of the public, objecting to the scheme. The final date to submit comments ended on 21.05.25.

Summary of objections:

- Not enough parking spaces proposed in a location with existing parking issues.
- Existing roads are dangerous and this will make things worse.
- Increased traffic and obstructions will cause permanent issues with traffic flow.
- No access for delivery drivers or fire vehicles.
- Demolition and erection of buildings is unreasonable for neighbours nearby.
- The proposed plans do not make desirable dwellings.
- Out of character for the area.
- Overdevelopment.
- No outdoor space for residents
- Harm to neighbouring properties. (Privacy, noise, space, light, outlook)
- Development will impact neighbours access to drive.
- Inadequate infrastructure such as doctors, schools, public transport etc. to accommodate increased residents.
- None of the properties can be considered affordable.

Officer's Analysis

Site Description

The site is located in Higham. It contains a two-bedroom bungalow with a large outbuilding to the rear of the bungalow. There is no planning history for the site and aerial google map views appears to indicate that there has been little change to the site in recent history. The site is accessed via an open fronted drive. The dwellinghouse and part of the front garden site on a raised level comparable to Villa Road fronting the site. Although two-storey dwellings are present in the wider area, this site sits amidst a row of bungalows on either side.



Google maps image dated May 2023

Principle of Development

This application is located in a rural area inset from the Green Belt. Policy CS02 (Scale and Distribution of

Development), identifies second tier settlements such as Higham, as the second most sustainable parts of the borough.

4.2.4 The Council has carried out an assessment of the facilities and services available in the Borough's settlements to identify which are more sustainable. The results are reflected in the settlement hierarchy below.

Table 2: Settlement Hierarchy

First Tier Settlements:	Gravesend/Northfleet/Ebbsfleet, i.e. the urban area
Second Tier Settlements:	Istead Rise, Hook Green Meopham, Higham
Third Tier Settlements:	Culverstone Green, Meopham Green, Vigo
Fourth Tier Settlements:	Cobham, Shorne, Sole Street
Other Settlements:	Harvel, Lower Higham, Luddesdown, Lower Shorne, Shorne Ridgeway, Three Crutches

Source: Settlement Hierarchy Technical Paper December 2009

It is therefore evident that the location proposed for residential development is sustainable in principle, particularly given that the existing site is in residential use. Locationally, the development would be acceptable in principle.

The proposals do, however, propose a subdivision of an existing residential plot. In this respect while there are no specific local planning policies which prohibit back land development in either the Local Plan Core Strategy (September 2014) or those saved policies from the Local Plan First Review, at a national level the NPPF addresses the issue of garden grabbing in paragraph 75 and states 'Local planning authorities 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'.

It is considered that local adopted policies CS14 (Housing Type and Design); 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 NPPF. The proposals shall be assessed against these policies in the following section reviewing the character and appearance of the scheme.

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:

1. 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
2. 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 '3' residential units would offer a minimum 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.

In the Urban Area CS15 (LPCS), requires that housing provides a minimum density of 40 dwellinghouses

per hectare and 30dph in the rural area. The site has an area of 825m² (excluding access to the site). As such, the provision of 3 dwellings on this site, would result in 36.4 dwellinghouses per hectare, which is above the minimum density required in this rural area.

Specifically the policy states:

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. Subject to this overriding consideration:

- *Within the urban area, new residential development will be expected to achieve a minimum density of 40 dwellings per hectare. In suitable locations close to the transport hubs of Gravesend Town Centre and Ebbsfleet, higher densities will be sought;*
- *In the rural area, new residential development will be expected to achieve a minimum density of 30 dwellings per hectare.*

Whilst the scheme does meet the minimum density criteria, the minimum figures do not allow for development of unrestrained density as the alternative. The policy continues to state:

Development proposals that fail to make efficient use of land for housing, having regard to the character and location of the area, may be refused planning permission.

In this case, given the cramped nature of the development, its layout, with limited space between each new dwelling, lack of external amenity area and poor accesses, it is clear to see that visually the scheme would result in a development which would be of an inappropriate density, resulting in a cramped form of development, which is considered to be of poor design quality.

The scheme would NOT provide an appropriate density of housing development as per policy CS14 and CS15 of the Local Plan Core Strategy (2014).

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. The proposal also stands to be assessed in accordance with Paragraph 53 of the National Planning Policy Framework, and Policy CS14 (Housing Type and Design) and Policy CS15 (Housing Density) which both require 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.

As the below aerial view shows, the site has an unusually elongated plot, which is surrounded by other properties on Villa Road, Brice Avenue and Peggotty Close. There is a consistent street pattern in the area, with Villa Road and Brice Road branching off into a number of 'Closes' and 'Drives'. These Cul de Sac's have a standard layout of buildings on either side served by a road, with standards spacing and similarly sized plots.



As per the existing and proposed block plan shown below (Not to Scale), the proposal would alter the layout of the space to incorporate 3 dwellinghouses in a tandem formation set one behind the other on the existing plot. Whilst cul de sac's are common in the area, this are more spaced out, served by a road with turning area and the plots for each dwellinghouse are larger than the existing character.



The National Design Guide, Planning practice guidance for beautiful, enduring and successful places (2021) states;

‘Considering the layout, grain and scale of buildings and spaces in different situations, and drawing inspiration from traditional street patterns, helps to create new developments that fit well into the surrounding context.’

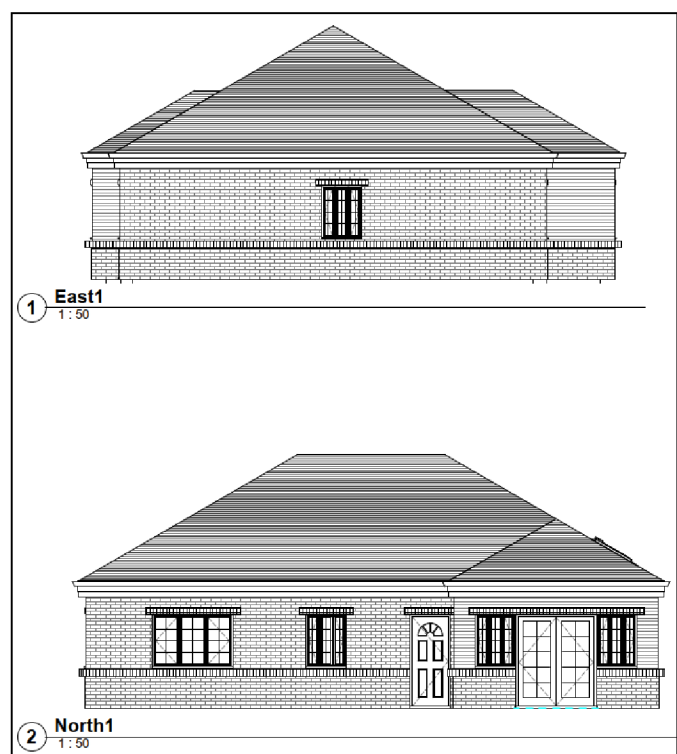
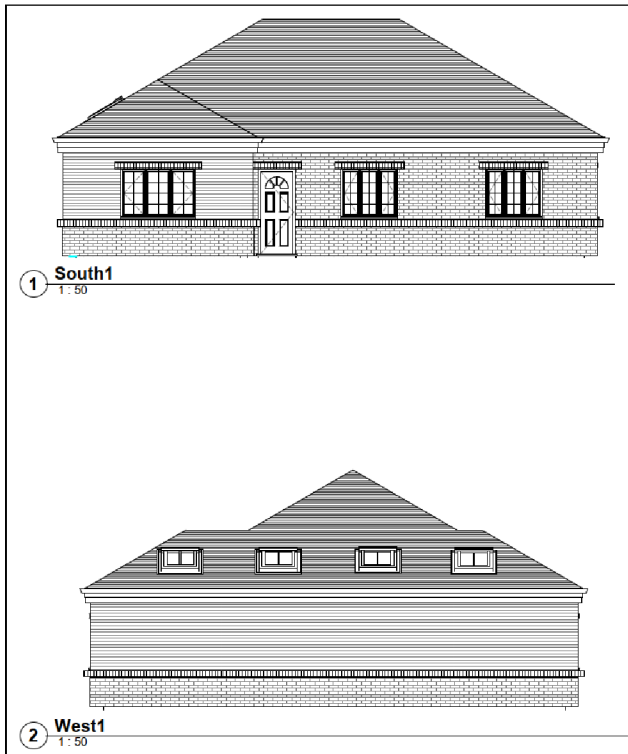
Design principle 5.9 of the Design for Gravesham, Design Code 2024 also refers to expected design principles for Pattern, grain and scale as included below:

Design principle 5.9

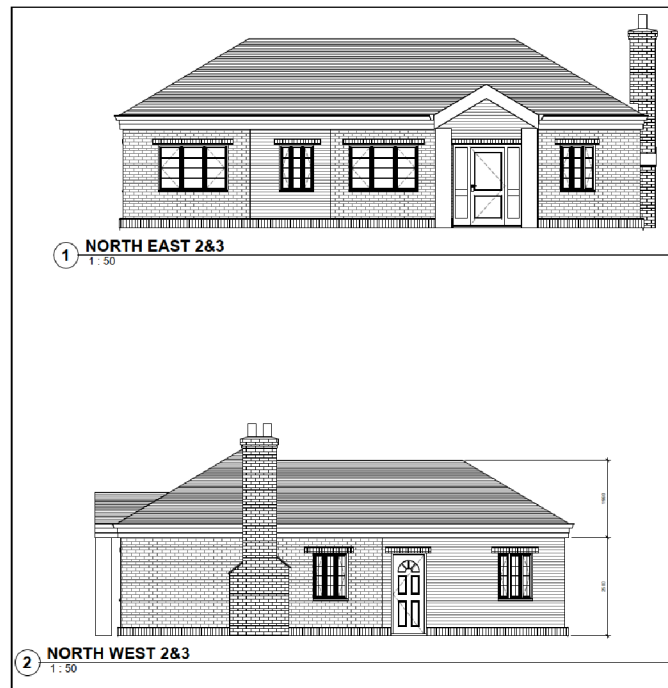
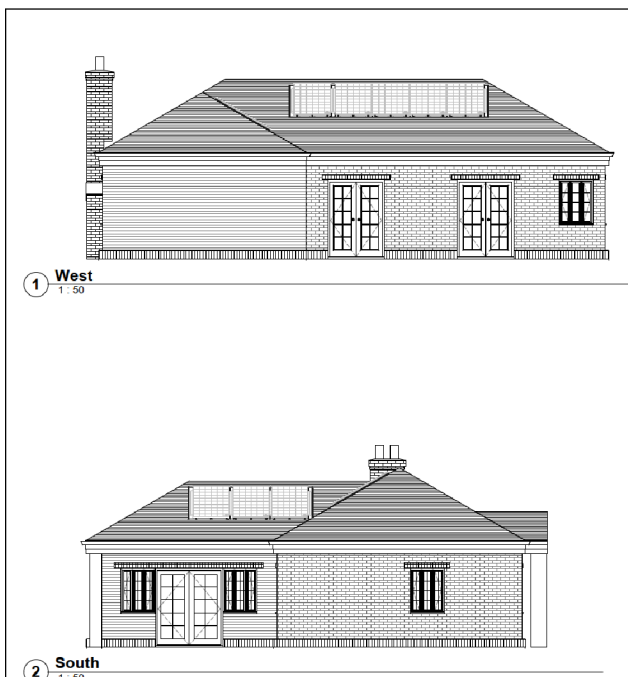
Pattern, grain and scale

- a. New development **must** respond sensitively to the prevailing pattern and intervals of existing development to reflect the grain of the existing character area where the building (or larger development) is placed.
- b. A coarse development pattern with large monolithic buildings or uniform development frontages **must** be avoided.
- c. New development **should** reflect the prevailing pattern of the built form in those areas where there is a cohesive scale and grain such as the town centre, local centres and rural villages.
- d. On large regeneration sites along the Gravesham Riverside there will be potential to introduce new development form and massing. Nevertheless, massing **should** create a rhythm of vertically proportioned bays or individual buildings.
- e. When a larger developments is proposed, the massing **should** be broken down into smaller proportionate elements that contextually respond to the character of the area and create a human-scaled street scene.

In terms of building design, it is noted that the use of single storey-built form with pitched roofs is a positive design choice in this particular area. However, the footprint of the buildings is larger than nearby residences, particularly given that the buildings to either side are semi-detached and the footprint of each of the bungalows proposed are larger than the pairs of semi-detached buildings. It is noted however that there would be a blank and featureless west elevation on unit 1, which is an uncharacteristic feature of properties in the area. Unit 1 would also have a steep and unusual roof height and design which would be large and dominating contradicting the existing appearance of the area.



Unit 1



Units 2 and 3

In this case the clear issue of this scheme is that pattern, grain and scale of development does not respond to the prevailing pattern and intervals of existing development of the existing character of the area, and would result in a cramped plot, which would be wholly out of character with the existing area. The proposal would appear as an incongruous and cramped form of development which would constitute an overdevelopment of the plot. The dwellings together with the extensive removal of the existing greenery across the site, with an open fronted drive, and proposed hard surfaced areas would significantly diminish the open and spacious character of this residential garden. 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.

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.

Unit 1

Room Type	Proposed Internal Floor Area (m ²)	Minimum Space Standard (m ²)
Lounge	15	13.2
Kitchen/Diner	29	12
Bathroom and WC	7	3.6
Bedrooms	12, 12 and 15	Single: 6.5 Double: 11.2
Ensuite (WC and Shower)	3	3.6

Garden Measurement	Proposed Garden(m ²)	Minimum Space Standard (m ²)
Area	Approx 8 m ²	60
Depth	Approx 2.5m	10

Units 2 and 3

Room Type	Proposed Internal Floor Area (m ²)	Minimum Space Standard (m ²)
Bedrooms	7, 9 and 10	Single: 6.5 Double: 11.2
Kitchen/Diner	35	12
Lounge	16	13.2
Bathroom and WC	4	3.6
WC	4	1.3
Ensuite (WC and Shower)	2	3.6

Garden Measurement	Proposed Garden (m ²)	Minimum Space Standard (m ²)
Area	Approx 2.7m ²	60
Depth	Approx 2.2m	10

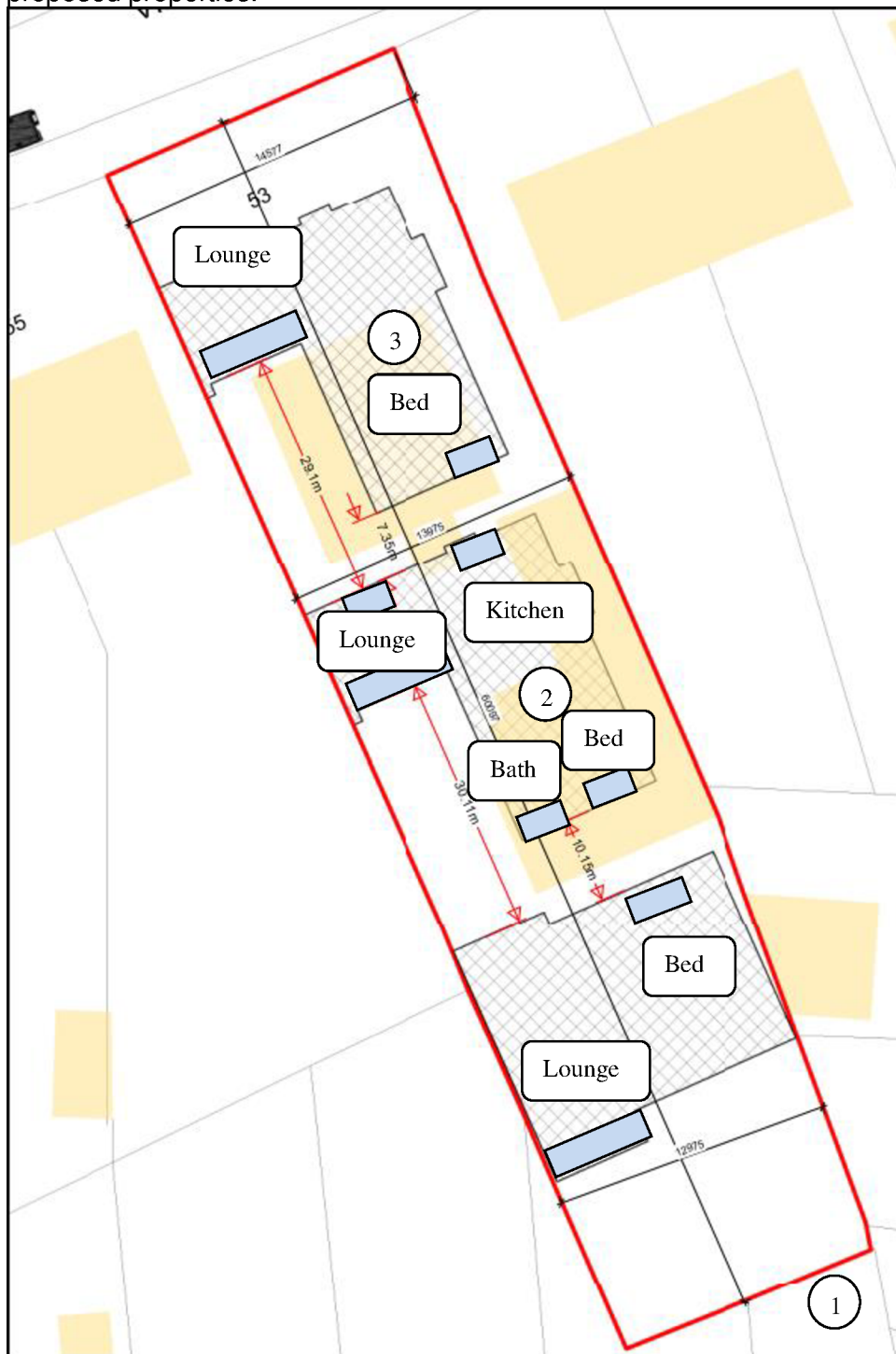
It is difficult to ascertain the exact garden spaces proposed for the bungalows as they are not indicated on the plans provided. However, approximations are made given the usable spaces and lack of distance between the proposed buildings. Based on the approximations and cramped nature of the buildings proposed on this plot, the development as submitted would not be able to provide the minimum external amenity space standards. It is noted also that there is a lack of windows on west elevation of unit 1, which would result in a limited level of light in the property, serving the lounge, diner and kitchen area.

Given that 3 dwellinghouses would be created, the development would need to be assessed in terms of impact of the future occupiers of each property, from the other properties proposed for development.

Windows on the south of unit 3, serving the lounge and bedroom, which would be closest to Villa Road would directly face the north facing windows of unit 2 serving the kitchen and lounge. The south elevation

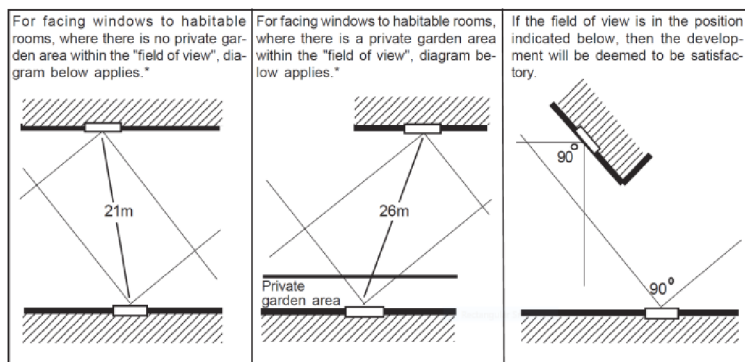
windows of unit 2 in the middle position serving bedroom 2 and the lounge would face the north facing windows of unit 1 which serve a bedroom bathroom and lounge.

The below block plan has been annotated to show the relationship between habitable rooms of the proposed properties.



The extract below is from the residential layout guidelines;

Figure 1



Window to window distances should be no less than 21m and it is clear from the annotated plan that this is not met.

In addition, it is noted that the site provides only a pedestrian access to the 2 rearmost properties, with access gained via a very narrow 0.4m wide access. To put this into comparison, hallways for flats are required to provide 0.9m width internally to meet the residential space standards as a minimum.

Furthermore, although there have been no external lighting details provided, given the length and narrowness of the access, external lighting would need to be provided for the access to be safe. However, given the proximity of this access to the proposed properties, which passes bedroom windows, this would likely result in impacts to the future amenity of the occupiers of these dwellings along with other impacts from elevated footfall past their properties, in close proximity.

The proposal fails to provide high quality amenity space and would result in poor living standards for future occupants by virtue of the siting, orientation and design of the proposed dwellings. As such would be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 which states that new development shall be designed and constructed to safeguard the amenity of its occupants and paragraph 135 of the National Planning Policy Framework (2024) and SPG2 Residential Layout Guidelines (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, 17 objections to the proposal were received.

The proposed development would not cause overshadowing to neighbouring properties due to the position and single storey nature of the development. However, the scheme would result in 3 dwellinghouses which extend across the entire length of neighbouring plots. This would cause an overbearing impact on neighbour's plots with a perceived level of overbearing bulk, from the significant increase in built form along their boundary at such a close proximity.

Based on the privacy distances, unit 1 and unit 2 would not meet the 21m privacy distance with bedrooms directly overlooking each other. The bathroom could be obscure glazed. Unit 2 and 3 would have a kitchen and bedroom window directly facing each other below the 21m privacy distance.

Furthermore, although there have been no external lighting details provided, given the length and narrowness of the access, external lighting would need to be provided for the access to be safe. However, given the proximity of this access to the neighbouring property, this would likely result in impacts to the residential amenity of the neighbour along with other impacts from increased footfall along the entire length of their garden boundary.

The proposed development by virtue of the siting, orientation and design of the proposed dwellings would result in harm to the residential amenity of existing and future occupiers of the neighbouring dwelling as a result of overbearing and unneighbourly form of development harmful to their amenity and privacy being no's, 51 Villa Road and 55 Villa Road. 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 proposal would result in the introduction of 2 dwellinghouses with 3 bedrooms each. KCC Highways were consulted and advised that additional information would be required, to fully appreciate the impacts in terms of parking. In particularly the following aspects are relevant.

The KCC Vehicle Parking Standards (2025) would require 2 spaces per dwelling. The proposed streetscene shows parking for 5 vehicles to the north of the site fronting Villa Road which would not provide adequate parking provision. In addition to these further detail would be needed to ensure the safety of the access, onto the classified road. Visibility splays of 2.4m x 43m are required in both directions, with no obstruction over 1.05m above carriageway level within the splays. In addition, pedestrian visibility splays of 2m x 2m behind the footway on both sides of the access, with no obstructions over 0.6m above footway level, should also be provided. A dropped kerb would also be required to provide appropriate access. An electric vehicle charging point should be provided for each dwelling and secure, covered cycle storage is required, at a ratio of one space per bedroom for each dwelling.

Adequate vehicle and cycle parking provision is therefore not available 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

Where an applicant believes the development would be subject to the biodiversity gain condition, the application must be accompanied by minimum information set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

No details have been submitted with the scheme to address Biodiversity Net Gain. However, a common reason for BNG not applying on residential development is that it would be considered de minimis.

The following extract from Google Maps appears to indicate that the rear part of the site contains vegetation which covers an area in excess of 25 square metres. This would be classed as onsite habitat and as such it is considered that this development would not benefit from the de minimis exemption.

In order for development to benefit from the de minimis exemption, it must meet the following test:

Development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, and 5 metres of linear habitats such as hedgerows.

The following extract from Google Maps appears to indicate that the rear part of the site contains Grass which is surrounded by a large number of trees and soft landscaping to the front garden, which covers an area in excess of 25 square metres. This would be classed as onsite habitat and as such it is considered that this development would not benefit from the de minimis exemption.



The application has not been accompanied by the minimum information set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. In the absence of this information, the Council is not satisfied that the proposal would meet existing statutory requirements relating to Biodiversity Net Gain as well as the tests set out in the National Planning Policy Framework (2024) and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Protected Species and Mitigation

A Preliminary Ecology Appraisal and Roost Assessment was submitted with the application. It concludes that there is potential for roosting bats and evidence of bat droppings. It concludes that the proposed development could result in the damage/modification/destruction of any bat roosts present and could cause disturbance, death or injury to bats. It also notes that tree removal as part of the development could result in the destruction or the disturbance and subsequent abandonment of active bird nests. No details of Biodiversity mitigation have been supplied with the application. The information provided therefore suggests potential presence of protected species, but no details of mitigation have been provided to address this impact. However, details of ecological mitigation could be provided via planning condition, if the scheme were approved.

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 a request could be made to the agent to make the payment. 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 pattern, grain and scale of development does not respond to the prevailing pattern and intervals of existing development of the existing character of the area, and would result in a cramped plot, which would be wholly out of character with the existing area. The proposal would appear as an incongruous and cramped form of development which would constitute an overdevelopment of the plot, of an inappropriate density. The dwellings together with the extensive removal of the existing greenery across the site and proposed hard surfaced areas would significantly diminish the open and spacious character of this residential garden. 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 proposal fails to provide high quality amenity space and would result in poor living standards for future occupants by virtue of the siting, orientation and design of the proposed dwellings with lack of sufficient spacing between the proposed dwellings, resulting in development harmful to their amenity and privacy. As such would be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 which states that new development shall be designed and constructed to safeguard the amenity of its occupants and paragraph 135 of the National Planning Policy Framework (2024) and SPG2 Residential Layout Guidelines (2020).

The proposed development by virtue of the siting, orientation and design of the proposed dwellings would result in harm to the residential amenity of existing and future occupiers of the neighbouring dwelling as a result of overbearing and unneighbourly form of development harmful to their amenity and privacy. 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 proposed development by reason of its inability to demonstrate adequate levels of on site vehicle and cycle parking provision, would as a result be contrary to 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.

The application has not been accompanied by the minimum information set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. In the absence of this information, the Council is not satisfied that the proposal would meet existing statutory requirements relating to Biodiversity Net Gain as well as the tests set out in the National Planning Policy Framework (2024) and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

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 scheme.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	23 rd May 2025	Dated:	23 May 2025

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