
OUR REF: [3449.PN](#)

PLANNING STATEMENT

LAND TO THE REAR OF 68-74 BROOK ROAD, NORTHFLEET, DA11 8DW

NOVEMBER 2021

1.0 INTRODUCTION

- 1.1 This Statement is prepared in support of the following:

Reserved matters application (details relating to appearance and landscaping) pursuant to condition 3 of outline planning permission 20210435 for the demolition of an existing single storey workshop and store and the erection of two detached chalet bungalows, with associated parking and access

2.0 SITE CONTEXT

- 2.1 The application site comprises of a single storey building known as ‘the Workshop’ as well as a store which has historically been in use for mechanical repairs and light engineering work, following its construction in 1987. Initially the buildings were used by the occupant of No.70 Brook Road, in connection with his hobby of renovating and repairing motor cycles and other motor vehicles. Since around 2005, the buildings have only been used occasionally and are now used primarily for storage. The defined site also includes the access road link to the public highway (Brook Road) as well as two minor parts of other access roads that adjoin the site to enable some resurfacing to take place.
- 2.2 The focus of the development will be within a triangular parcel of land that is 0.04 hectares in size and is surrounded by the rear of terraced residential dwellings that front Brook Road to the east, Park Avenue to the north west and Davis Avenue to the south. Access to the site has traditionally been via Brook Road and a smaller access track from the north east which is understood to also be called Davis Avenue. This track links to Park Avenue to the NE and Rosebank Gardens to the SW. There is a total of 14 domestic garages that front on to the access tracks surrounding the site. A further pedestrian only access is available between 66 and 68 Brook Road to the SE and between 67 and 69 Park Avenue to the NE. Most of the site is secured by a 2m high palisade fence with gaps in the fencing filled with scrub, fly-tipped garden waste and other refuse.
- 2.3 The area is predominantly in residential use. The busy commercial area of Perry Street and identified local centre exists some 230m to the south of the site, whilst a local park (Rosebank Gardens) is accessed via Davis Avenue some 150m to the SW. The May Avenue Industrial Estate also exists some 145m to the east.

3.0 PLANNING HISTORY

- 3.1 PRE20180533 – redevelopment of site and erection of 3 No. 2 storey houses.
- 3.2 20191316 - outline application for the demolition of existing single storey workshop and store and erection of 2 chalet bungalows (consideration of access, layout and scale). The application was refused on 11 March 2020 on the following grounds:

- 1. This application stands to be assessed in accordance with paragraph Planning Policy Framework (NPPF) and policies CS15 and CS19 of Local Plan Core*

Strategy 2014. These policies seek to resist the inappropriate development of residential gardens or back land development where such development would cause harm to the local area, local amenity and character or not meet satisfactory levels of amenity. In this instance the proposed dwellings in this location would appear as isolated buildings out of keeping with the pattern of development in the area and at odds with the character of the area. Therefore, the development would be contrary to adopted development plan policy and national planning guidance.

- 2. The proposed development, due to its location within an area surrounded by neighbouring garages and outbuildings, and close proximity to its own boundary treatment will result in poor levels of outlook and oppressive living conditions for future occupiers of the properties contrary to Policy CS19 of the Core Strategy 2014 and para 127 of the National Planning Policy Framework 2019.*
 - 3. The principal means of access for the proposed dwellings for both vehicles and pedestrians would be by narrow unmade route running off Davis Avenue and Brook Road. The route would fail to provide adequate safe and practical access to serve the development, and is therefore contrary to Policy CS19 of Gravesham Local Plan Core Strategy 2014.*
 - 4. The proposal 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, the development fails to comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 170, 175, 176 and 177) of the National Planning Policy Framework and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.*
- 3.3 20200312 – Outline application for the demolition of existing single storey workshop and store and erection of a detached chalet bungalow, with associated parking and access (consideration of access, layout and scale). Approved 18 May 2020.
- 3.4 20200800 - Outline application for the demolition of existing single storey workshop and store and erection of a pair of semi-detached chalet bungalows, with associated parking and access (consideration of access, layout and scale). Approved 8 October 2020.
- 3.5 20210435 - Outline application for the demolition of existing single storey workshop and store and erection two detached chalet bungalows, with associated parking and access (consideration of access, layout and scale). Approved 19 May 2021.
- 4.0 PROPOSED DEVELOPMENT**
- 4.1 Having established the principle of redeveloping this site to provide a pair of detached units with outline planning permission (OPP) being granted under reference 20210435, this reserved matters submission relates to the outstanding details in regard to appearance and landscaping of the two dwellings. Details relating to layout, scale and access were already approved as part of the previous OPP.

5.0 PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.
- 5.2 Paragraph 2 of the National Planning Policy Framework 2018 ('the Framework') reiterates this, whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 38 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 In terms of the adopted Development Plan for Gravesham Borough Council (GBC), this comprises of the following documents that are relevant to this application:
- Gravesham Local Plan Core Strategy (CS) and Policies Map 2014, and;
 - Gravesham Local Plan First Review (LPR) – Saved Policies 1994.
- 5.6 In the adopted CS the following policies are considered relevant:
- CS01: Sustainable Development;
 - CS02: Scale and Distribution of Development;
 - CS11: Transport;
 - CS14: Housing Type and Size;
 - CS15: Housing Density;

- CS19: Development and Design Principles.

5.7 In the saved local plan first review, the following policies are considered relevant:

- T1: Impact of Development on the highway network;
- P3: Vehicle Parking.

Other Material Considerations

5.8 Other material considerations include Gravesham's Residential Layout Guidelines (RLG), which is adopted Supplementary Planning Guidance from July 1996.

6.0 KEY ISSUES

6.1 It is considered that the following are the main issues associated with this proposal:

- (a) Character and appearance;
- (b) Landscaping;
- (c) Other matters.

(a) Character and Appearance

6.2 Policy CS19 requires that new development is visually attractive, fit for purpose and locally distinctive. It adds that new development should also integrate well with the surrounding local area. As previously determined, the current buildings and their use as workshops were considered to be out of character with the residential area.

6.3 Having established the principle, the siting and the layout of two detached dwellings, regarding the appearance, there is intended to be a split in the appearance of the walls of the dwellings to include red facing brickwork at the lower level and grey fibre cement weatherboarding at the higher level. Clay roof tiles will make up the appearance of the pitched roof, whilst there will be a small flat roofed element serving part of the kitchen. Although scale has already been considered and approved, these details confirm that the eaves height will be a modest 4.3m and the ridge height will be 6.2m. This is in compliance with condition 8 of the OPP, which stipulates a maximum height limit of 6.6m.

6.4 In terms of openings, for each dwelling a bedroom window, kitchen window and folding doors serving the open plan living area will open up into the private rear garden at the ground floor level, with a further kitchen window on the NW elevation facing the access track to the rear. To address concerns raised at the outline stage with regards to rear outlook from the ground floor bedroom, this will now be dual aspect and benefit from a second window facing out to the front, ensuring outlook can be obtained by two means. Further ground floor windows on the front elevation will serve a toilet and the shared living and dining area. The main entrance is also on this front SE elevation.

6.5 Above this and facing the rear there will be a modest flat roof dormer window serving a bedroom reflective of the ground floor bedroom window and the indicative details

previously provided, plus a second window serving the stairs both of which will exceed the minimum 26m distance to the upper floors of the nearest residential dwellings. The main bathroom will be served by a roof light, whilst two further roof lights shall serve a study and storage area. Rooflight aside, there are to be no windows or openings at the upper floor level facing east, west or SE in order to avoid any issues relating to overlooking.

- 6.6 These formal plans do not deviate from those previously provided in indicative form at the outline stage that were submitted in order to convince the LPA that satisfactory levels of amenity could be achieved for both the intended residents and the existing residents nearby.

(b) Landscaping

- 6.7 The previously approved triangular area of land that will contain the two dwellings equates to about 380 sqm. Aside from the grassed rear gardens, there is a limited area remaining for soft landscaping. However, given the limited publicly accessible views of the site, this is not considered to be an issue. The plans still show a proposed tree between the dwellings to the front (as shown on the previously approved proposed site plan). This is now identified as being a silver birch. In addition, an evergreen hedge will be planted at the opposite end of each dwelling. Planting will take place in staggered rows at 0.6m apart and spread throughout each triangular area of the site.
- 6.8 Regarding hard landscaping, the proposed site plan shows that this will comprise macadam surfacing for the parking spaces and the access road. This proposed material is considered to be in keeping. The pathways throughout will comprise concrete paving slabs in a natural colour. The proposed site plan also shows that a 1.8m high timber fence will run along the rear boundary of the dwellings and between them.
- 6.9 In conclusion on the issue of landscaping, it is considered that the submitted detail sufficiently responds to the context and views to and from the surrounding area.

(c) Other matters

- 6.10 Condition 6 of the OPP also requires details relating to cycle storage and refuse bin storage. Such secure storage is shown to exist within the rear gardens on the proposed site plan.

7.0 CONCLUSIONS

- 7.1 Although the site is an awkward shape and is surrounded by existing residential development, it is considered that this submission should be regarded as an acceptable form of development and takes into full consideration the previously approved documents relating to the OPP. The detailed design of this backland development will not result in an adverse impact on the character and appearance of this predominantly residential area.

- 7.2 The detailed design will also help to achieve the OPP's original objectives, whilst also maintaining compliance with the LPA's Local Plan policies in relation to housing delivery and high quality design, including landscaping.
- 7.3 In conclusion, the proposal comprises sustainable development that accords with the policies of the Development Plan and relevant material considerations. As such, in accordance with paragraphs 11 and 38 of the Framework, this application should be viewed positively by the authority and it is respectfully requested that this submission is approved.