



Delegated Report

Planning Application

Planning Application No: 20240772

Location: Bluebells Willow Walk Meopham Gravesend

Description: Retention, remodelling and extension of the existing property to create two single dwellinghouses.

Applicant: Mr and Mrs M Cantwell

Site Visit Date: 16.01.24

Submitted Documents/Plans

Application Form
Self Build Form
1000 B – Location Plan
1001 C – Existing Site Block Plan
1010 D – Existing Ground Floor Plan
1013 C – Existing Roof Plan
1020 C – Existing Section AA and BB
1030 C – Existing North and South Elevations
1032 C – Existing East and West Elevations
1101 B – Proposed Site Block Plan
1110 B – Proposed Ground Floor Plan
1111 B – Proposed First Floor Plan
1113 B – Proposed Roof Plan
1120 B – Proposed Section AA and BB
1130 B – Proposed North and South Elevation Plot A
1131 B – Proposed North and South Elevations Plot B
1132 B – Proposed East and West Elevations
PEA Report
Preliminary Ecological Appraisal
Cover Letter

Relevant Planning History

Reference	Description	Decision	Decision Date
20240291	Demolition of conservatory and erection of a single story rear extension. Changes to front elevation fenestration.	Permitted	20.05.2024
20020569	Retention of a conservatory at the rear & erection of a front porch.	Permitted	28.08.2002
19970581	Erection of first floor side extension incorporating conversion of roof space to form bedroom and store room.	Permitted	25.09.1997
19881210	Outline application for erection of single storey dwelling.	Permitted	19.05.1989

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- CS18 – Climate Change
- CS19 – Design and Development Principle

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 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Other Relevant Guidance

- Kent County Council Dropped Kerb Guidance and Self-Assessment (2023)
- Gravesham Driveway Dropped Kerb Guidance (Informal Guidance) (2023)
- Gravesham Front Driveway Design Guidance (Informal Guidance) (2023)

Consultations, Publicity and Representations

Consultees

Meopham Parish Council

No comments received

Ward Councillors

No comments received.

Dickens Country Protection Society

Received on 18/12/24

In this Society's view, this is not remodelling, it is replacing the bungalow with two, four bedroom houses, which the Society considers to be over-development. What is proposed is out of character with the area and would be damaging to the street scene.

GBC Service Manager (Housing Operations)

Received on 03/12/24

We can confirm Private Sector Housing have no comments to relay in relation to our housing legislations and regulations. We believe the proposed scheme is currently out of our remit with Planning requirements and Building Regulations taking precedence.

GBC Housing Development and Strategy Manager

No comments received.

GBC Environmental Protection

Received on 16/12/24

There is no objection to this application. The following to be considered:

Code of Practice on Construction and Demolition

Please apply as appropriate.

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. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access, and hardstanding area shall be maintained to it on site.

GBC Waste and Refuse

No comments received.

Southern Water

Received on 19/12/24

Thank you for your correspondence dated the 3rd of December 2024, please see our comments below regarding the above application.

Tree planting

We have restrictions on the proposed tree planting adjacent to Southern Water sewers, rising mains or water mains and any such proposed assets in the vicinity of existing planting. Reference should be made to Southern Water's publication "A Guide to Tree Planting near water Mains and Sewers" (https://www.southernwater.co.uk/media/pddob0vn/ds-tree-planting-guide-1_nwm.pdf) and the Sewerage Sector Guidance (<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>) with regards to any landscaping proposals and our restrictions and maintenance of tree planting adjacent to sewers, rising mains and water mains.

Condition: In order to protect public apparatus, Southern Water requests that if consent is granted, the following pre commencement condition is attached to the planning permission; The developer must advise the local authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance, prior to the commencement of the development.

Connection to public sewer

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

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk> and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Proposed soakaways

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

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

Southern Gas

No comments received.

KCC Highways

Received on 04/12/24

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

KCC Biodiversity

Received on 18/12/24 We have reviewed the documents provided and we are satisfied that sufficient ecological surveys have been completed.

The site has an ancient woodland to the rear and the required 15m ancient woodland buffer is within the residential garden and goes up to the building boundary. This will require precautionary measures during clearance and construction, for the protection of ancient woodland and associated buffer.

This site qualifies for biodiversity net gain (BNG) and a metric has been provided. The current proposals will not achieve 10% net gain and off-site units will be required.

Ancient Woodland

Ancient woodland covers 2.4% of England's land mass and is a rare and irreplaceable habitat¹.

The proposed development is adjacent to an area of designated ancient woodland. As such, we highlight paragraph 193 of the NPPF which states that "development resulting in the loss or deterioration² of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists".

This site has an existing structure on the site which will be converted into two dwellings. The 15m ancient woodland buffer zone is located within the rear garden of the existing property and has been illustrated on the submitted plans. This buffer zone is shown to be adjacent to existing structure and hardstanding.

The Natural England/Forestry Commission standing advice states that there should be a minimum 15m buffer zone between development and ancient woodland. A larger buffer zone may be needed to account for any direct or indirect adverse effects associated with proposals, as well as to preserve the root protection area of trees within the woodland. Larger buffer zones are more likely to be needed if the surrounding area is less densely wooded, close to residential areas and steeply sloped.

The buffer zone needs to include buffering the development from gardens (so the woodland should be at least 15m away from gardens). The guidance also requires consideration of the potential for additional impacts from proposals even when there is existing development within this minimum buffer.

Further, the existing condition of the affected ancient woodland is not relevant. Standing advice states:

“Where a proposal involves the loss or deterioration of ancient woodland or ancient or veteran trees you should not take account of the existing condition of the ancient woodland or ancient or veteran tree when you assess the merits of the development proposal. Its existing condition is not a reason to give permission for development. A woodland or tree in poor condition can be improved with good management.”

Standing advice states that the following mitigation measures should be considered in any application in or adjacent to ancient woodland:

- putting up screening barriers to protect ancient woodland or ancient and veteran trees from dust and pollution;
- measures to reduce noise or light;
- designing open space to protect ancient or veteran trees; and
- creating buffer zones (typically 15 metres from the boundary of the woodland).

We highlight that it is not best practice to have an ancient woodland buffer zone within a garden, but as this is an existing garden we accept that there could be no change in this case, if measures are in place for the protection of the ancient woodland and associated buffer zone, including the soils. No construction or storage of construction materials should be conducted in this zone, and we require a precautionary mitigation strategy for the ancient woodland and buffer zone to be included within the CEMP, to protect it from impacts from the proposed development.

Protected Species

A preliminary ecological appraisal and preliminary roost assessment for bats has been completed. The follow up survey for bats has found this site is negligible for the presence of bats within the building, but as the site backs onto ancient woodland a sensitive lighting strategy will be required as bats will likely be foraging and commuting within the area.

Vegetation within the site has been identified as suitable breeding bird habitat and some may be impacted. We recommend that any works to vegetation are conducted outside the breeding bird season (1st March to 31st Aug) to avoid risk of impacts or if within the breeding bird season, a survey by a suitably qualified person needs to be conducted to confirm absence, prior to commencing works. This should be included in the construction environmental management plan (CEMP) outlined further below.

Other protected species, such as badgers, dormice, reptiles and amphibians have been considered for this site and their presence has been considered unlikely. Hedgehogs may be sheltering or commuting within the area and precautionary mitigation is suggested. This can be included in the CEMP. We are satisfied that sufficient ecological surveys have been completed and no further surveys are required.

Lighting

Nocturnal animals (including bats) are likely to be using the site and surrounding area for foraging and commuting and any lighting associated with the proposal may have a negative impact, especially any light

spill to hedgerow boundaries and trees on the site. We advise that a condition will be required for the external lighting and will require the following requirements:

- Plan showing location of lighting, light fittings and light spill
- Downward facing
- On a motion sensor (where possible)
- Follow the recommendations within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'

<https://www.bats.org.uk/news/2023/08/bats-and-artificial-lighting-at-night-ilp-guidance-note-update-released>

Construction Environmental Management Plan

We suggest that the below wording is included as a condition for a Construction Environmental Management Plan (CEMP – biodiversity) if planning permission is granted. This will mitigate for impacts to biodiversity, protect the ancient woodland and associated buffer zone and help ensure compliance with relevant legislation. The plan will include mitigation as outlined in the Preliminary Ecological Appraisal, Calumma Ecological Services, Oct 24.

Prior to commencement of works (including site clearance), a construction environmental management plan (CEMP) will be submitted to and approved in writing by the local planning authority. The CEMP will be based on the recommendations in Preliminary Ecological Appraisal, Calumma Ecological Services, Oct 24 and include the following:

- a) Purpose and objectives for proposed mitigation works during construction;
- b) The identification of biodiversity protection zones and the use of protective fences, exclusion barriers and warning signs;
- c) Detailed method statement to protect the ancient woodland (AW), 15m AW buffer zone and retained trees from pollution and adverse impacts
- d) Extent and location of proposed mitigation works shown on appropriate scale maps and plans, with reference to: pollution avoidance measures (noise, dust, lighting and run-off), protection of retained trees and hedgerow
- e) Practical mitigation measures (both physical measures and sensitive working practises) to avoid or reduce impacts during clearance and construction for bats, hedgehogs and breeding birds (may be provided as a set of species or habitat-specific method statements);
- f) The location and timing of sensitive works to avoid harm to biodiversity features;
- g) The times during construction when specialist ecologists need to be present on site to oversee works;
- h) Responsible persons and lines of communication

The approved CEMP will be adhered to and implemented throughout the construction period in accordance with the approved details.

BNG

A small sites metric and photographs have been provided but without a baseline habitat map. However, we can see from the various plans and photographs that the baseline habitats of grassland, developed land and urban trees is broadly representative but highlight that as it is a residential garden the modified grassland should be recorded as vegetated garden habitat. This slightly lowers the baseline habitat value of the site.

The post development habitat has included urban trees and this resulted in 13.01% net gains. Although these are worthwhile additions, they cannot be counted as they are within a vegetated garden, within residential curtilage. With this change to the post development habitats recorded, the site is will result in a net loss and off-site units will be required.

Updated guidance on the use of habitats for private garden BNG calculations has been published by government in the BNG User Guide dated 23/7/243. This provides clarification on how BNG is calculated

for gardens which is relevant for this application. This details that;

The post-development private garden has no public access, and biodiversity net gains cannot be legally secured. As these gains cannot be secured you should only record created private gardens as either:

- 'urban – vegetated garden'; or
- 'urban - unvegetated garden'

You should not:

- record the creation of any other new habitats within private gardens
- record enhancement of any habitat within private gardens habitats

The changes required to the BNG information will result in the site not achieving 10% biodiversity net gain. A revised metric with the changes noted above can be provided when biodiversity gain plan is provided, if planning permission is granted, and purchase of off-site units will be required to meet the 10% net gain requirement.

Where off-site habitat creation is required, we direct the applicant towards the Kent Biodiversity Net Gain Site Register⁴ available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website.

Off-site gains/the purchase of biodiversity units will need to be subject to a deed of conservation covenants or Section 106 (as appropriate). Off-site gains must be registered⁵ after determination. Section 106 agreement templates are available on the Planning Advisory Service website⁶.

If planning permission is granted, local planning authorities are encouraged to use suggested paragraphs for Biodiversity Gain Information on the written decision notice which are available to download here: https://assets.publishing.service.gov.uk/media/663251d969098ded31fca800/BNG_Decision_Notice_Template.pdf. The applicant should submit a biodiversity gain plan form⁷ along with supporting information (e.g., legal agreement and habitat management and monitoring plan) once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

Ecological Enhancements

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 187 and 193 of the National Planning Policy Framework (NPPF) 2024, biodiversity should be maintained and enhanced through the planning system. As such, if planning permission is granted, we advise that a condition is included requiring an ecological enhancement plan to be submitted. We note that some enhancements have been outlined in the PEA and detailed on the proposed site block plan. A condition wording is suggested below.

Condition

Within three months of works commencement, a detailed plan(s) showing how the development will enhance biodiversity, will be submitted to, and approved in writing by, the local planning authority. This will include a detailed landscaping plan using native species, planting plan with management measures, hedgehog highways and integrated wildlife features, including durable bat and bird boxes aimed at species of conservation concern.

The approved measures will be implemented and retained thereafter.

KCC Flood and Water Management

Received on 03/12/24

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.

KCC Fire Safety Officer
Received on 05/07/24

Thank you for your documentation dated 3 December 2024, your reference 20240772, regarding means of access for the Fire and Rescue Service. Whilst I note this is an existing situation, the access road appears to be a dead end access route longer than 20m, and therefore turning facilities should be provided to allow a fire appliance to turn in accordance with B5 of Approved Document B, Volume 1:2019.

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

KCC Heritage
Received on 11/12/24

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the nature of the development, 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.

Kent Police Designing Out Crime Team
 No comments received.

Lower Medway Internal Drainage District
Received on 04/12/24

The submission has been reviewed, and while it falls within a catchment area that flows into our drainage district, the Board has no comments as the proposal does not affect our interests.

Natural England
Received on 12/12/24

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify

ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

You can also use the following inventories in your decision-making:

- the Woodland Trust's ancient tree inventory (ATI)
- Natural England's wood pasture and parkland inventory (includes ancient sites) on the Magic map system.

Priority habitats and Species

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found on Gov.uk.

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Neighbouring properties

6no. surrounding properties were consulted and a site notice was placed on 5th December 2024. 2 comments were received from members of the public, supporting the scheme. A summary of those comments is included below:

- Concerns were raised over track access and degrading of track by any plant machinery accessing the site, and impacting the sewer pipework.
- Road is already in bad state of repair and attempt to reinstate the road should be made.

Officer's Analysis

Site Description

Bluebells, Willow Walk is a detached bungalow located to the Northern side of the highway.





The principle considerations in the assessment of this application are:

- Housing Need
- Location
- Density of Development
- Affordable Housing
- Design and Impact on Listed Buildings
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Biodiversity
- Any other Materials Planning Considerations

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:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

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

- Habitats sites (and those sites listed in NPPF paragraph 189)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- National Landscape
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 75)
- 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 130(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 1 residential units would offer a minimal 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 contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create a high standard of amenity for existing and future occupiers.

Location

This application is located inside the Rural Settlement inset from the Green Belt. Policy CS02 (Scale and Distribution of Development), identifies that in such areas development will be supported. As a Third Tier Settlement, Culverstone Green is on the mid tier of sustainable locations in 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 considered on balance that the location proposed for residential development is sustainable in principle. Particularly given the neighbouring residential development previously undertaken. Locationally, the development would be acceptable in principle. However, all other relevant matters would also need to be considered.

Density of Development

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 Rural Area CS15 (LPCS), requires that housing provides a minimum density of 30 dwellinghouses per hectare. The site has an area of 1227m². As such, the provision of 2 dwellings on this site, would result in 16.3 dwellinghouses per hectare, which is above the minimum density required. The current density with the single dwellinghouse on the site is 8.15 dwellinghouses per hectare. The scheme would provide an appropriate density of housing development as per policy CS14 and CS15 of the Local Plan Core Strategy (2014).

Design, Character and Appearance

This application relates to an existing bungalow. Bungalows are often evident in rural locations, and that is the case in this area, although not exclusively. A number of bungalows are located along this stretch of Willow Walk, including chalet bungalows. However, the area does have some instances of two-storey development and therefore two storey buildings are not unacceptable in principle. However, rural areas such as this have carefully designed two-storey buildings which use simplified roof forms, with low sloping eaves and dormer windows, carefully positioned within the roofline.

The following examples are Google Map images which show examples of the two-storey dwellinghouses in the area.



16 Willow Walk



Little Oak (27 Willow Walk)



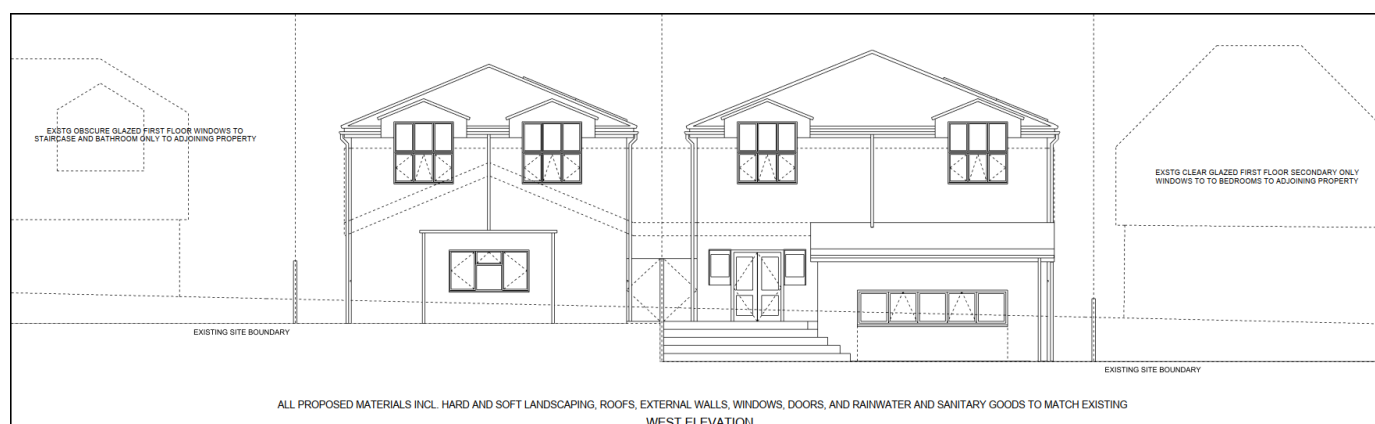
15 Willow Walk



1 Willow Wood Road

As can be seen all except one of the examples have low sloping eave lines, and use dormers to provide windows for the upper floor rooms. At Little Oak, although the roof line does not slope below the window it is overall relatively low form in height and is set back some distance from the road, with land that slopes down from the road to the dwellinghouse and so its prominent is not felt as distinctly as other properties in the area, such as at Bluebells.

The proposed front facing elevation (not to scale) is included below for information.



The proposed development as shown above would result in expansion of the site over 2 dwellinghouses instead of one. However, the final design would result in two storey additions, which would appear incongruent with the existing character and result in an overdeveloped appearance. This proposed development is considered to be poor design with an unusual roof arrangement which results in an excessively bulky design and with proportions which would be uncharacteristic for this residential area, being a rural settlement with a mixed residential and rural appearance. A two-storey dwellinghouse in this location in principle would not be objectionable in itself as there is some character of two-storey dwellinghouses, however the current design is unacceptable.

Design concerns were raised during pre-application discussions, specifically relating to the location of the site between 2 chalet bungalows, and greater need for reference to the surrounding design features such as low, hipped roofs and small dormer windows. These design concerns were not addressed within this application and the extensions and sub-division would result in poor design accentuated by a disproportionately shallow roof. This is a poor attempt to replicate a chalet property with the insertion of token dormers, which appear discordant with both the rest of the dwellinghouse and the predominant character of the area in scale, position and appearance. This unsympathetic design would result in significant harm to the character and appearance of the locality which is predominantly a residential area, with rural character.

On balance, the proposed development would **NOT** 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.

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.

The following tables compare the internal spaces proposed against the minimum space standards applied by the Residential Layout Guidance SPD (2020).

Room Type	Proposed Internal Floor Area (m ²)		Minimum Space Standard (m ²)
	Plot A	Plot B	
<i>Living Room</i>	27.5	26	13.2
<i>Lounge/Diner</i>	18.5	73	18
<i>Kitchen/Dining Room</i>	12.5	73	12
<i>Bathroom and WC</i>	5.75	5	3.6
<i>Double Bedrooms</i>	5 bedroom all above 11.2	4 bedroom all above 11.2	11.2

It should be noted that the kitchen, dining and lounge area are combined at 73m², which would be above the minimum space required for the rooms combined

The following tables compares the external spaces proposed against the minimum space standards applied by the Residential Layout Guidance SPD (2020).

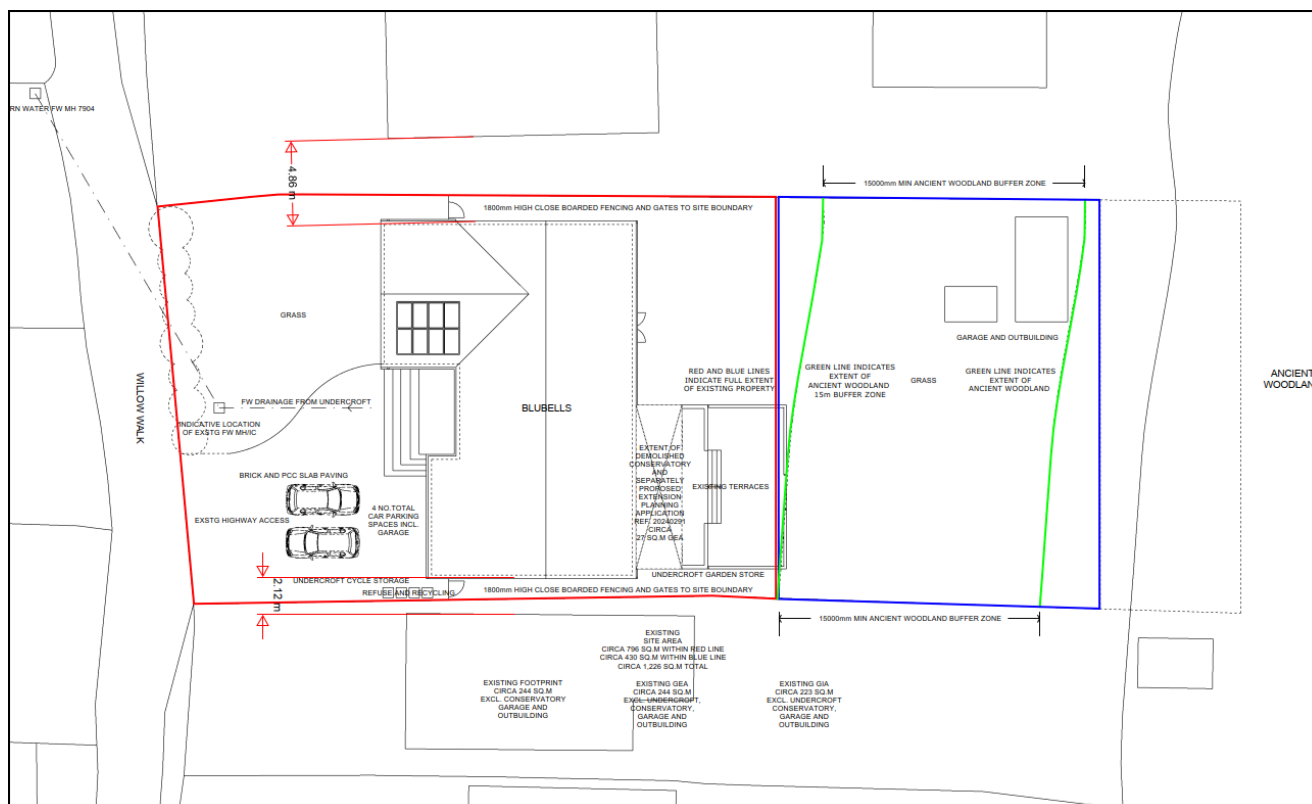
Garden Measurement	Proposed Internal Floor Area (m ²)		Minimum Space Standard (m ²)
	Plot A	Plot B	
Area	193	236	100
Depth	22.4	18.4	10

As the above tables demonstrate, the proposed development would comply with the minimum space standards applied by the Residential Layout Guidance SPD (2020).

Neighbouring Amenity

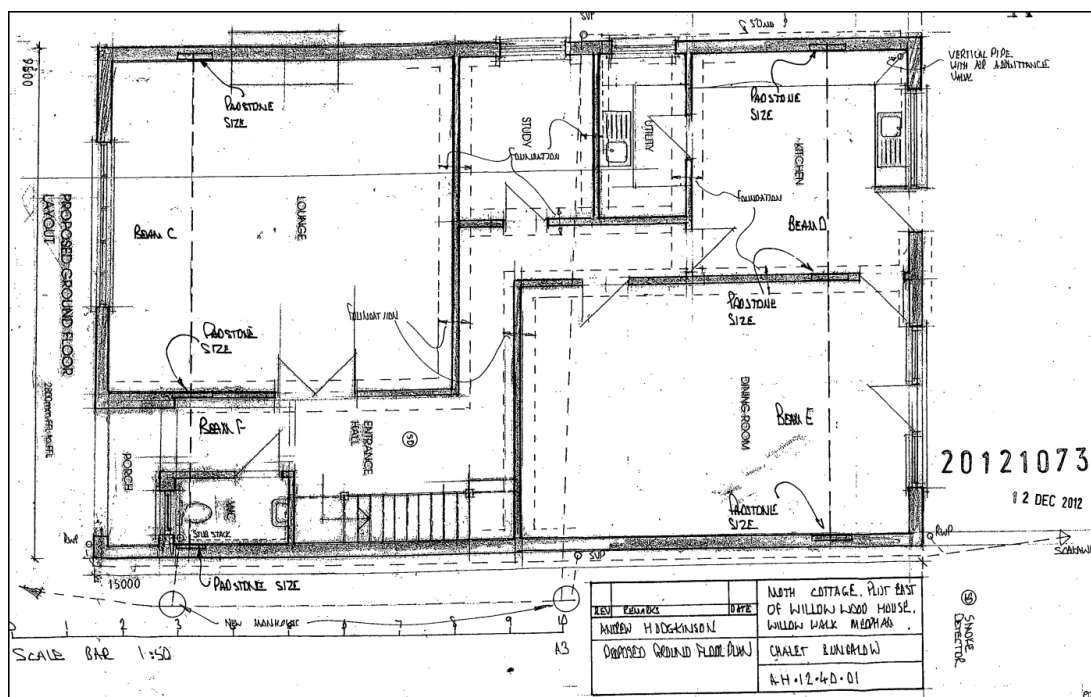
As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, no objection to the proposal was received. However, comments which stated they were in support, raised concerns regarding the impact on the access road from construction vehicles.

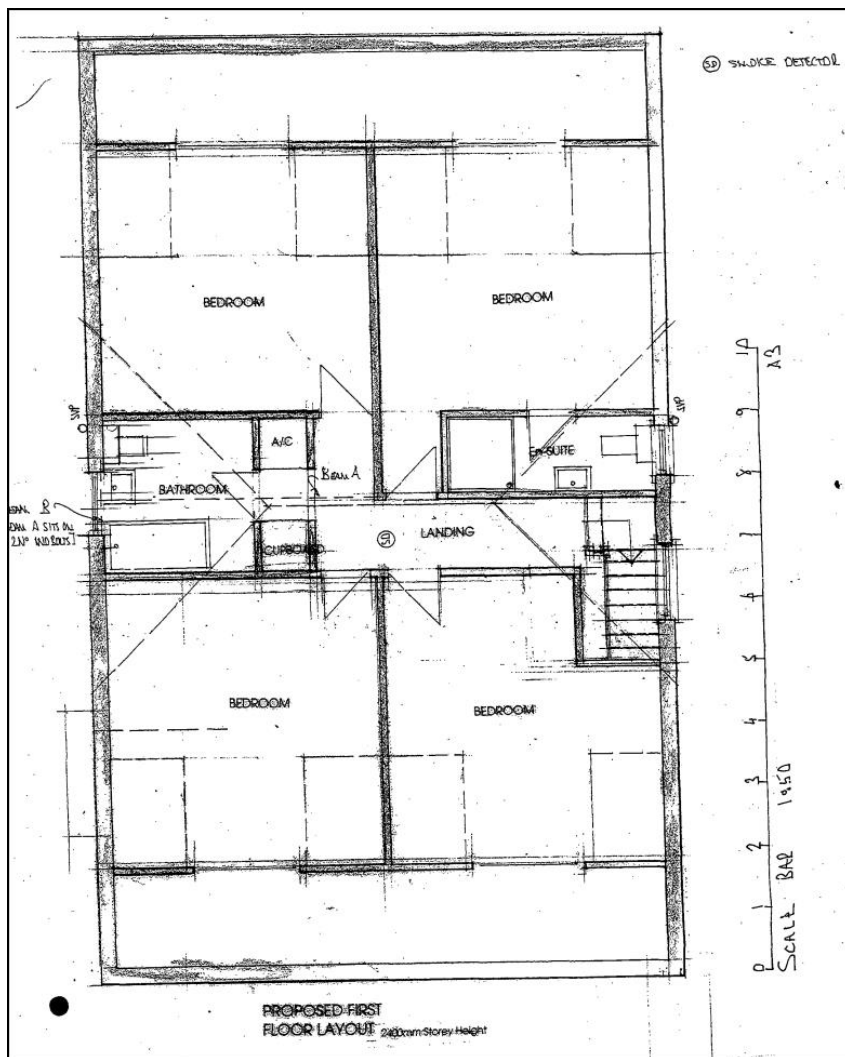
The neighbours most likely to be impacted are the dwellings built on Land East of Willow Wood House, located to the North West of the site and Woodview Cottage located to the South East.



Land East of Willow Wood House

The existing dwellinghouse is 4.86m from this neighbours building. This neighbouring dwellinghouse was approved under planning reference 20121073. As the plans below show, the only windows on this neighbouring dwellinghouse facing the southeast serve a staircase and ensuite bathroom on first floor. The elevations approved indicated that these would use frosted glass, but no condition was applied to ensure that the glass would be maintained as obscured.

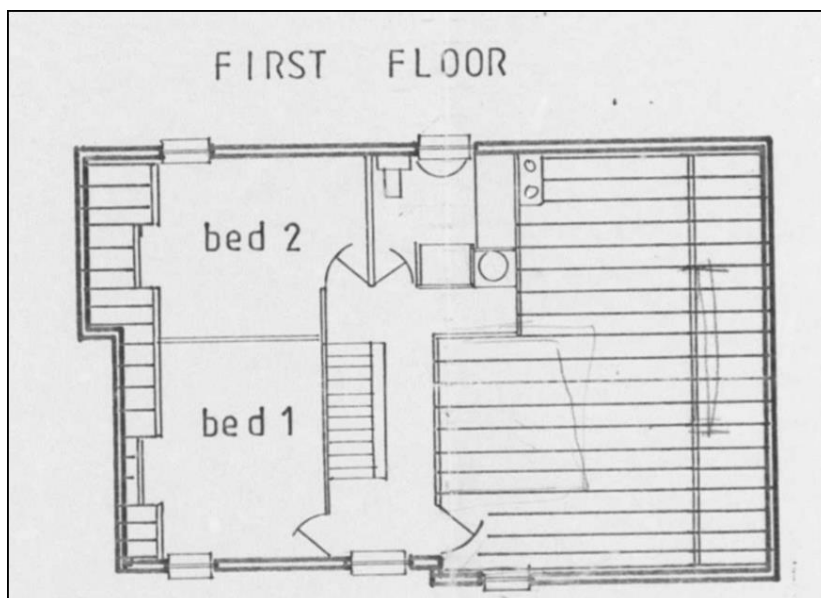
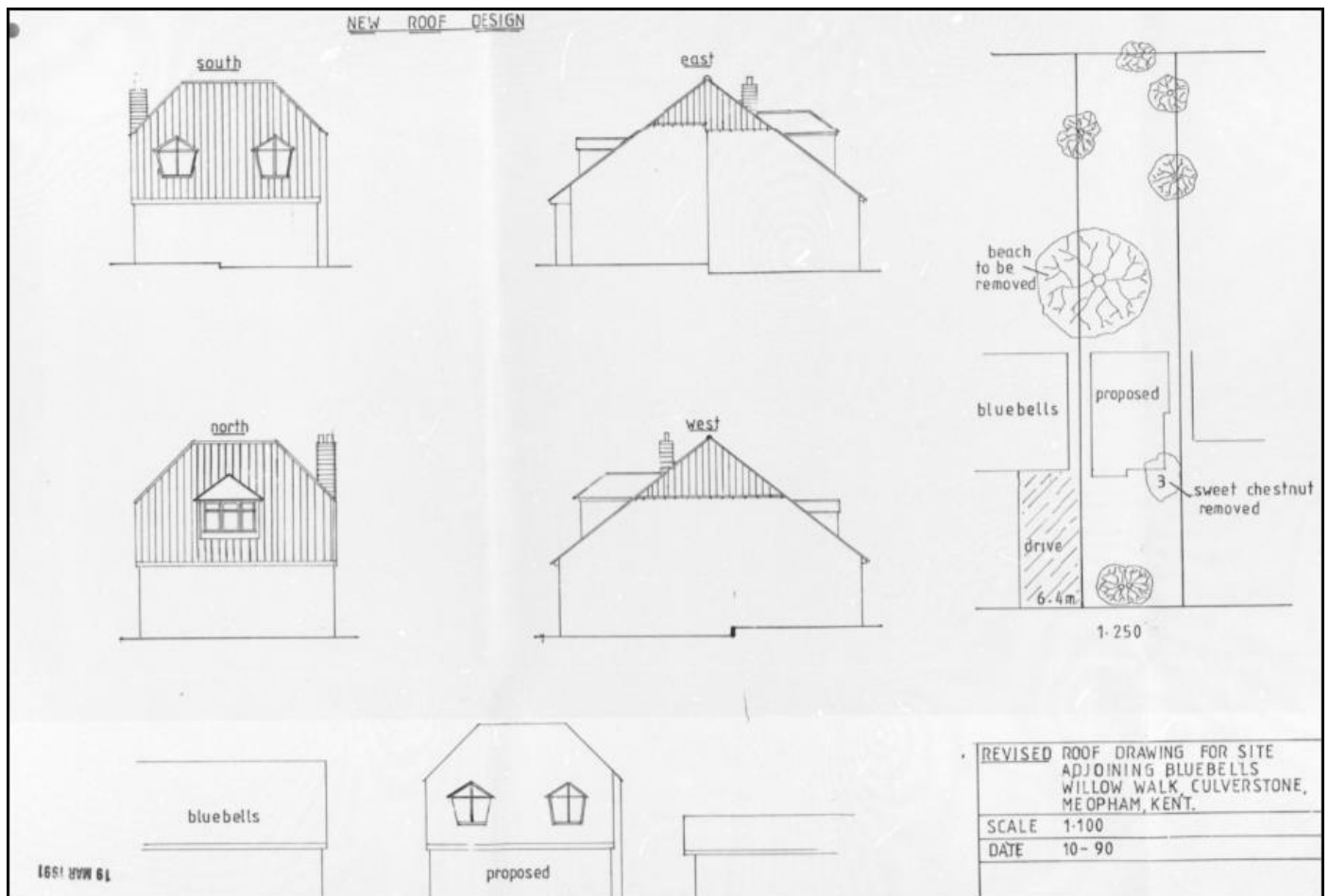




Plot A would have ground floor windows which serve a Living Room and Bedroom, facing this neighbouring property. However, appropriate boundary treatments would limit overlook. On the first floor 2 windows would face this neighbour, which would serve ensuite bathrooms. If approved, these would reasonably be required to be obscure glazed and fixed shut, to prevent overlooking of the neighbouring property and vice versa.

Woodview Cottage

This neighbours dwellinghouse is 2.12m from the existing dwelling. This Chalet Bungalow was approved under planning reference 19900677. The plans below show the approved details.



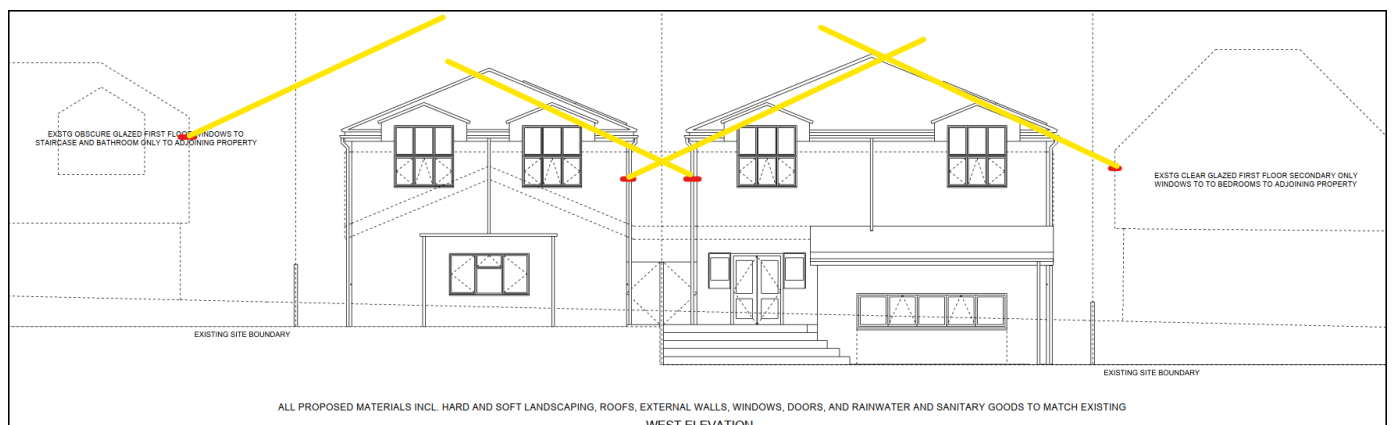
The following image taken on site, show windows in the upper floor side elevation facing the subject property, which serves a bedroom and bathroom.



On the ground floor of the proposed building neighbouring this site, there would be windows serving the TV/Cinema/Snug/Gym/Workshop, Living room and Kitchen/Dining and Living Area of Plot B. Again, these would be reasonably obscured by boundary fencing. On the first floor 1 window would face this neighbour, which would serve an ensuite bathroom. If approved, these would reasonably be required to be obscure glazed and fixed shut, to prevent overlooking of the neighbouring property and vice versa.

Overshadowing

The below image shows the position of upper floor windows in red, with 25 degrees measured in yellow. As can be seen there would be overshadowing of the upper floor windows of Woodview Cottage. Both Plot A and Plot B would overshadow windows facing each other also. The windows serving Plot A and B which face each other would be hallways, with no other windows serving these room. Based on the position of the windows serving Woodview Cottage, at least one appears to serve a bedroom, which would also be served by a front facing window, limiting its impact.



The below 45 degree test shows that the position of the building would allow for overshadowing.

planting at the front boundary would be maintained at a height of 600mm, ensuring that adequate views of the street are available for drivers exiting the drives.

Minimum Cycle Parking Standards	
Individual residential dwellings ⁽¹⁾	1 space per bedroom
Flats & maisonettes ⁽²⁾	1 space per unit
Sheltered accommodation ⁽²⁾	1 space per 5 units
Notes:	1. Cycle parking provision should normally be provided within the curtilage of the residential dwelling. Where a garage is provided it should be of a suitable size to accommodate the required cycle parking provision. 2. Parking provision should be provided as a secure communal facility where a suitable alternative is not available.

A total of 9 spaces for cycle storage also needs to be provided. The block plan indicates secure spacing to the side of each dwellinghouse, which would likely provide adequate space for the cycles. However, given the position of refuse and car parking proposed, it is not clear whether the cycles would easily be transported from this position out of the site.

However, it is noted that the parking requirements are maximum requirements and so 2 parking spaces would likely be sufficient for each property. For further clarification on the parking and cycle layout, a parking plan/soft landscaping plan could be required by planning condition, if approved.

Adequate vehicle and cycle parking provision is therefore available in accordance with paragraphs 109 to 114 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.

KCC Biodiversity

Biodiversity Net Gain

KCC Biodiversity have been consulted on this application. They have identified that; *'this site qualifies for biodiversity net gain (BNG) and a metric has been provided. The current proposals will not achieve 10% net gain and off-site units will be required.'*

As such, a Biodiversity Gain Plan would be required via planning condition and offsite units would need to be purchased to meet the 10% Net Gain Requirement. Off-Site gains would need to be subject to a Section 106 agreement and off-site gains must be registered after determination.

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

Self Build

The application has been submitted with a self-build form, indicating that the applicant would undertake the building works themselves. The self-build of a development consisting of no more than 9 dwellings, on a site that has an area below 0.5 hectares and meets the definition of self-build housebuilding in section 1(A1) of the Self-build and Custom Housebuilding Act 2015, is an exemption to the BNG requirement.

The NPPF (2024) glossary defines Self-build and custom-build housing as follows:

Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

The Self-build and Custom Housebuilding Act 2015 (as amended), which further elaborates that self-build housing is not “*the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person*”.

The application seeks to construct two dwellings on a site of 1227m², and the construction of the dwelling is considered to meet the definition of self-build. Therefore, no additional information is required under Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 for BNG.

Protected Species

A preliminary ecological appraisal and preliminary roost assessment for bats has been completed. As per KCC Biodiversity Officers comments, it is concluded that the site is negligible for the presence of bats. It was also considered that the presence of other protected species would be unlikely. Hedgehogs however may be sheltering or commuting in the area. Precautionary mitigation can be included in a condition for a Construction Environmental Management Plan. However, given the proximity to the Ancient Woodland, a sensitive lighting strategy would be required as a condition.

Ancient Woodland

The proposed development is adjacent to an area of designated ancient woodland.

Paragraph 193 of the NPPF (2024) states:

“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”.

Comments from KCC Biodiversity, details that there is an existing structure on the site and the 15m ancient woodland buffer is located in the existing garden area. They explain that the buffer zone should be 15m from development including garden areas. However, in this case, there is an existing garden area in the 15m buffer. In their comments, they conclude that the existing garden use is not ideal, but could not be changed. Conditions to include prevention of construction materials being stored in this zone and a Construction Environment Management Plan, would assist in limiting the impact to the Ancient Woodland.

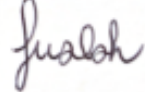
Conclusion

The proposed development would result in dwellinghouses which would be poorly designed, overtopprominent and incongruous to the surrounding setting, in a manner unsympathetic and uncharacteristic of the rural character of this residential settlement which would have significant impact to the areas character and street scene, accentuated by the shallow roof design and non-functional front dormers. This would be contrary to the requirements of the Design for Gravesham - Design Guide (2024), Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2024) in terms of design, character and appearance.

Recommendation

The recommendation is to refuse this application.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	21 st January 2025	Dated:	21 January 2025