



Delegated Report

Planning Application

Planning Application No: 20230067

Location: 104 & 106 Jubilee Crescent Gravesend Kent DA12 4AE

Description: Erection of replacement dwellings to number 104 and 106, Jubilee Crescent following the two existing dwellings being destroyed from fire damage in June 2022.

Applicant: Mr Adrian Cox

Site Visit Date: Desk top

Submitted Documents/Plans

- Application form;
- Drawing no. 22412_01 – Ground Floor Plan;
- Drawing no. 22412_02 – First Floor Plan;
- Drawing no. 22412_03 – Loft Plan;
- Drawing no. 22412_04 – Roof Plan;
- Drawing no. 22412_05 – Elevations;
- Drawing no. 0032A_01 – Site Location Plan;
- Drawing no. 0032A_02 – Existing Block Plan;
- Drawing no. 0032A_05 – Proposed Site Plan;
- Drawing no. 0032A_10 – Proposed Ground and First Floor Plans;
- Drawing no. 0032A_11 – Proposed Second Floor and Roof Plans;
- Drawing no. 0032A_15 – Proposed Front and Rear Elevations;
- Drawing no. 0032A_16 – Proposed Side Elevations;
- Drawing no. 0032A_20 – Proposed Artist's Impression; and
- Design and Access Statement.

Relevant Planning History

Reference	Description	Decision	Decision Date
20080146	Demolition of existing building and erection of a two storey terrace of seven two and three bedroom dwellings; two pairs of two storey semi-detached two and three bedroom dwellings and laying out associated car parking spaces and estate road.	Permitted	19.05.2008
20090301	Application for approval of condition 2, 3, 4, 7, 9, 16 and 19 attached to planning permission reference number 20080146 relating to the external materials, drainage details, contaminated land assessment, soakaways, foundation details, full engineering details and internal highways layout and the slab levels.	Approved	26.06.2009
20090897	Application for approval of condition 15 of planning permission reference number 20080146 relating to the	Approved	20.01.2010

	landscaping scheme.		
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Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-Making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- 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);
- Householder Extensions/Alterations Design Guide (2021).

Consultations, Publicity and Representations

Consultees

KCC Heritage

The site lies within an area of multi-period archaeological potential. However, 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.

GBC Environmental Protection

No objection to this application. The following conditions and informatives are recommended:

Code of Practice on Construction and Demolition: Please apply in order to minimise any impact on the neighbouring residential premises as a result of the demolition, groundworks and construction phases.

Smoke Control Informative: The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative: The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

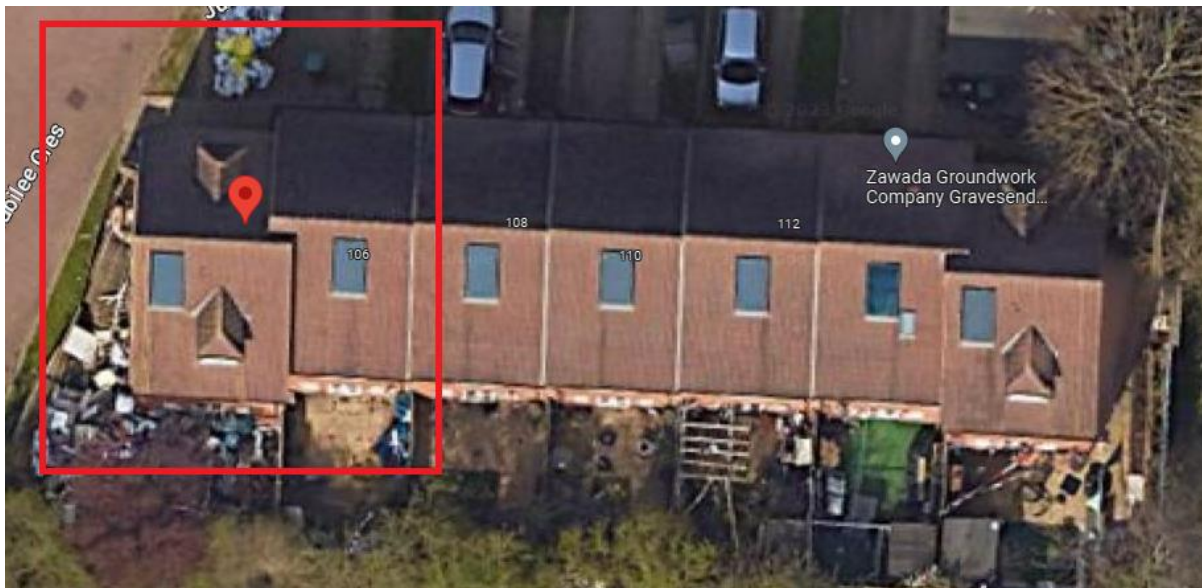
Watching Brief: The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement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

Neighbouring properties

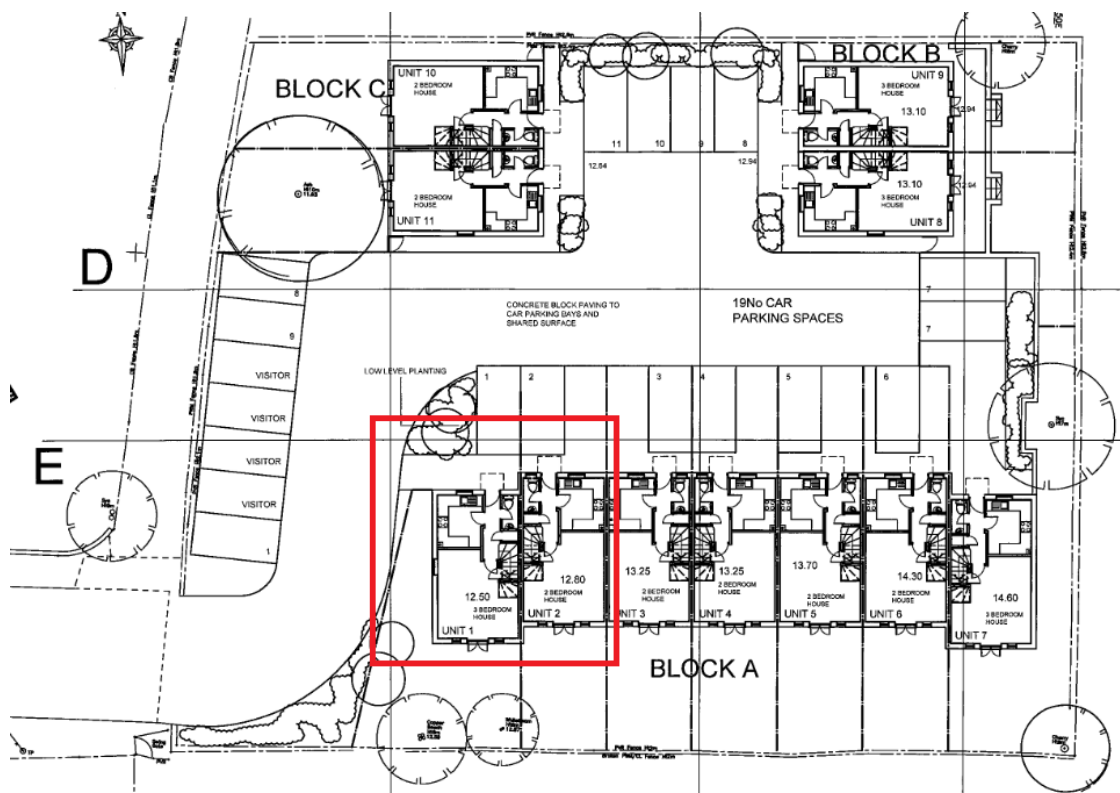
12 surrounding properties were consulted plus site notice – overall consultation expiry date was 3 March 2023 – no responses received.

Officer's Analysis

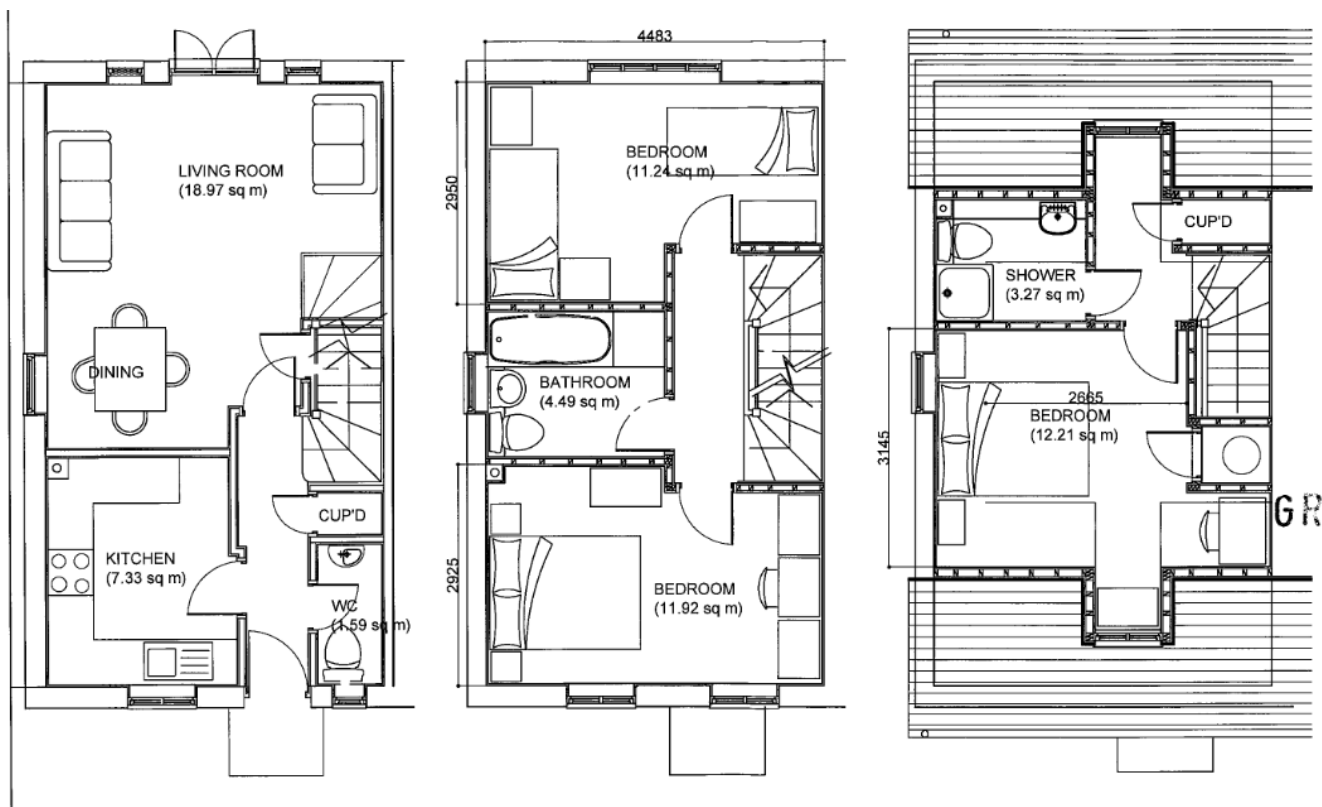
This application is for the erection of two replacement dwellings following their damage from fire making them unrepairable. They are nos. 104 & 106 Jubilee Crescent which are the two end units on a terrace permitted under ref. 20080146 and as per the approved conditions under ref. 20090301 & 20090897. The site is shown in the aerial image below:



Below is the approved block plan, elevations and floor plans from application ref. 20080146:







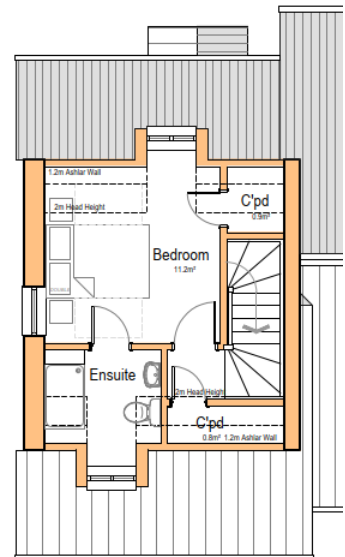
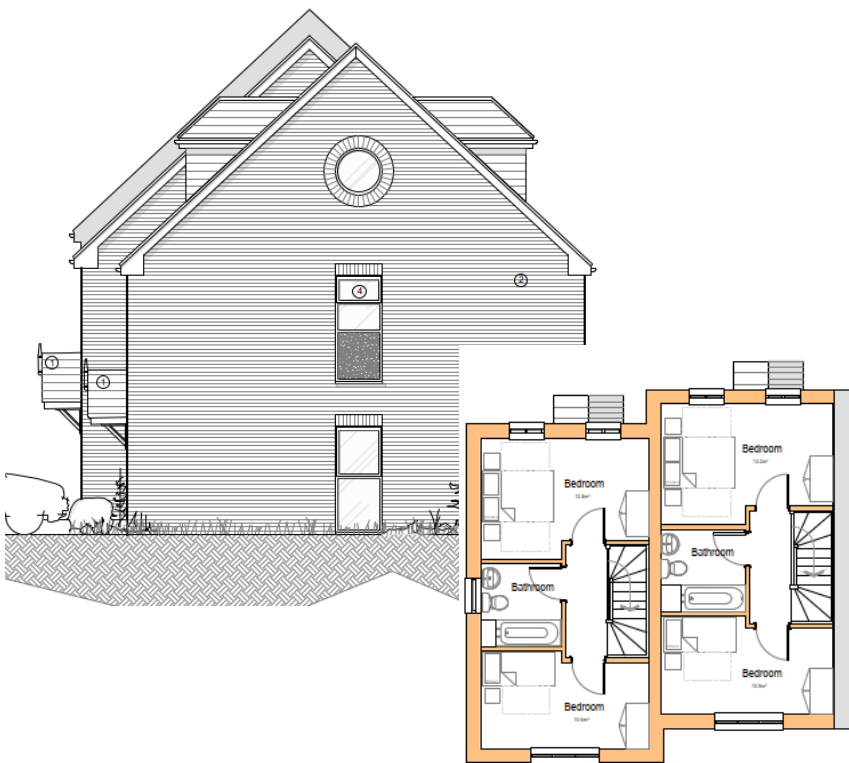
Below are the dwellings as they appeared before the fire damage. (Note although no. 104, the property on the end, was permitted at a greater height than the adjacent property, no. 106, it was not built like this as no. 104 was actually built at a lower height. Also rooflights were not shown in the approved drawings but the dwellings did have a rooflight in the rear roof slope.

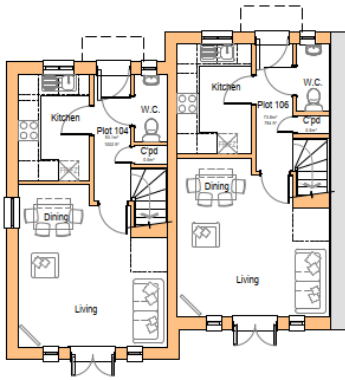


Below are the dwellings as they currently are following the fire damage:



The proposal is for two replacement dwellings which would have the same massing, eaves and ridge heights, window positions and porch features as the original dwellings before the fire damage. The only differences are slight adjustments with the plan and dormer window locations to ensure that the National Space Standards are met and the wall thicknesses are able to be built to the new Building Regulations 2022. The proposed brick and tiles are as per the existing dwellings and those in the rest of the terrace. The proposed elevations and floor plans are:





Design, Character and Appearance

The two replacement dwellings would be the same as the original dwellings constructed before the fire damage in terms of width, depth, height and design with the only differences being that the dormer windows in the front and rear roof slopes would be off-centre rather than centred. The materials are to be the same as the original dwellings and the rest of the terrace. As the dwellings would be practically the same design as the original dwellings and the only difference of the off-centred dormer is considered appropriate in design terms, it is considered the proposed replacement dwellings would be acceptable in respect of the character and appearance of the terrace and the surrounding area. In respect of design, character and appearance the proposal would be compliant with Policy CS19 (LPCS).

Amenity of Future Occupiers

Amenity space

The gardens would be as per existing:

No. 104 (3 bedroom dwelling):

Area – 57.5 sq.

Depth – 5.5m

No. 106 (2 bedroom dwelling):

Area – 31 sq. m

Depth – 6.3m

Both dwellings would be undersized for the minimum areas and depths for two and three bedroom dwellings as set out in SPG2 (2020) however, as they were considered acceptable under the original permission ref. 20080146, no objections are raised.

Bedrooms

The National Space Standards set out that the minimum size for a double bedroom is 11.5 sq. m and a single is 7.5 sq. m.

No. 104

First floor front bedroom (double) – 12.8 sq. m - complies

First floor back bedroom (single) – 10.6 sq. m - complies

Second floor bedroom (double) – 11.2 sq. m (under by 0.3 sq. m)

No. 106

First floor front bedroom (double) – 13.2 sq. m (complies)

First floor rear (single) - 10.9 sq. m (complies)

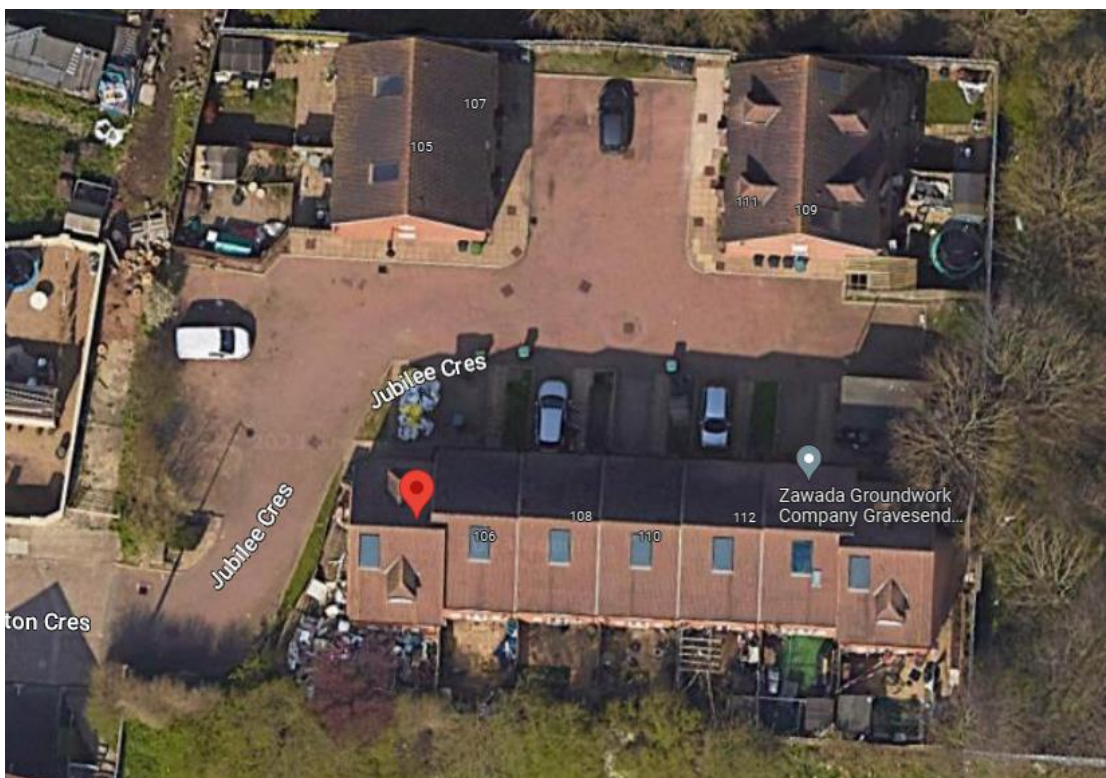
As can be seen one double bedroom would be undersized by 0.3m sq. m but this is not considered a significant amount and again it would be similar to as approved under ref. 20080146. In respect of future occupiers the proposal would be compliant with Policy CS19 (LPCS).

Neighbouring Amenity

As the proposed replacement dwellings would be the same as the existing dwellings on the site before the fire damage in terms of size, design and window openings etc. it is considered there would be no impact on any neighbouring properties with regards overshadowing, loss of outlook or overlooking. The only difference of the off-centred dormer would not impact on any neighbouring amenity. In respect of neighbouring amenity the proposal would be compliant with Policy CS19 (LPCS).

Parking and Highways

The parking arrangement would be the same as existing – each property has parking bays allocated to them in the open communal parking area on the site in front of the building:



The comments from the Delegated Report for ref. 20080146 were:

We consider that the car parking spaces provided on the site are adequate to serve the new development. There are 19 parking spaces and 11 residential units, including four visitors spaces, with one space allocated for each two bedroom dwelling, and two for each three bedroom dwelling. These spaces will be allocated and located adjacent or close to the relevant dwelling. There have been no objections from Kent Highway Services, as the provision of parking spaces reflects the nature of the surrounding area of existing residential development, with relatively low off street parking provision and car ownership. The access is an existing one off Jubilee Crescent and is satisfactory.

Therefore no issues regarding parking and highway safety as it would be the same as existing – in respect of this matter the proposal is therefore considered compliant with saved Policy P3 (LPFR).

Ecology and Biodiversity

The site is located in the Thames Estuary And Marshes Ramsar Buffer Zone. However, as the proposed two dwellings are just replacing the two fire damaged properties on the site there would be no net addition in units and therefore the SAMMS tariff would not be payable. In respect of ecology and biodiversity the proposal is therefore considered compliant with Policy CS12 (LPCS) and paragraphs 180 & 181 of the NPPF (2021).

Waste

No refuse details are shown but as can be seen from the aerial imagery, the dwellings had their refuse bin provision which were stored in the front gardens as many of the other dwellings in the development which is considered acceptable. In respect of waste subject to such a condition the proposal is considered compliant with Policy CS19 (LPCS).

Any Other Material Planning Considerations

Conditions on ref. 20080146

There were a number of conditions on ref. 20080146. However, as this is a straightforward replacement of two existing fire damaged buildings for which the conditions on the original development were already approved and the dwellings had all been built, it is considered the majority of the conditions on ref. 2008 would not need to be re-attached to this proposal (i.e. – pre-construction conditions), should permission be forthcoming. Those that are still relevant and need to be attached again will be.

Condition 11 states there shall be no ground floor sleeping accommodation. The reason given is to reduce risk of life from flooding. The Delegated Report or consultee responses do not give any further detail and the Environment Agency flood risk information on its website shows that the site is at a very low risk of flooding however, it is considered that as it is on the original permission and for the other dwellings in the development, it should be re-attached again for completeness.

Conclusion & Recommendation

The proposal is considered compliant with national and local planning policy.

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	23rd March 2023	Dated:	23 March 2023