



Delegated Report

Full Planning Application

Application No:	20221360
Location:	3 Park Cottages, Tanyard Hill, Shorne, Gravesend, Kent, DA12 3LF
Description:	Erection of two-storey dwellinghouse adjoining south side of existing terrace
Applicant:	Mr M Northover
Site Visit:	15 th February 2023

Submitted Documents/Plans

- Application Form - dated 21/12/2022;
- Planning and Heritage Statement (RS/0802);
- Drawing no. PCS3/20/01A - Existing Plans, Elevations and Section;
- Drawing no. PCS3/20/02 - Existing Street Elevation, Section B-B and Site Plan;
- Drawing no. PCS3/20/06 - Proposed Plans and Elevations;
- Drawing no. PCS3/20/07 - Proposed Street Elevation, Site Plan and Roof Plan.

Relevant Planning History

No relevant planning history

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS12 - Green Infrastructure
- CS18 - Climate Change
- CS19 - Development & Design Principles
- CS20 - Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 - Vehicle Parking Standards
- TC2 - Development Affecting the Setting of a Listed Building
- TC3 - Development Affecting Conservation Areas

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 5 - Delivering a sufficient supply of homes
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)
- Technical Housing Standards - Nationally Described Space Standard (2015)
- Gravesham Landscape Character Assessment (2009)
- Chestnut Green Conservation Area Appraisal (2017)
- Gravesham Rural Conservation Area Management Plan (2016)

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant planning permission.

Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Consultations, Publicity and Representations

External Consultees

Natural England - With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on coastal European Sites from increased recreational pressure should be applied to this proposed development at appropriate assessment.

Historic England - On the basis of the information provided, we do not consider that it is necessary for this application to be notified to Historic England under the relevant statutory provisions, details of which are attached.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request. If we do not hear from you within five working days we will assume this application should not have been sent to us.

KCC - Heritage - The site of the proposed development lies on the site of a post-medieval tanning industrial site. It was operated by a George Startup in the late 17th century but was disused by the end of the 18th century. Remains associated with this 17th century tanning site may survive below ground and be impacted by the development. As such I recommend the following condition is placed on any forthcoming consent:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological watching brief to be undertaken by an

archaeologist approved by the Local Planning Authority so that groundworks are observed and items of interest and finds are recorded. The watching brief shall be in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

Shorne Parish Council - Park Cottages is a row of 3 dwellings located within the Chestnut Green Conservation Area, where they contribute strongly to the local street scene. The buildings have an unusual external style but are not listed despite their age. There is/was side garden space at both ends of the row, of greater width on the north side.

For context, No 1 at the northern end was granted permission to build a chalet bungalow in the side garden, it is set back behind the original building line and adjoins Racefield Close. Subsequently, No 1 was successfully extended in period style while still leaving a good gap to the new boundary. No 3 does not have the same situation as it is adjacent to the Grade II listed buildings of Homewood Cottages, so affects their setting, and the existing gap is smaller at approximately 8m wide.

The proposal is to extend No 3 Park Cottages in matching style (although the brickwork patterning becomes asymmetrical) but to include creation of an additional infill, end-of-terrace dwelling. Only a narrow gap would be left to the flank wall of No 12 Homewood Cottages.

The Parish Council has no objection in principle to No 3 also being extended in matching style and materials, subject to there not being any significant valid objections from neighbours, but has the following comments and concerns about the proposed design and layout, including the addition of another dwelling:

- No 3 is very small, with only 1 bedroom. The proposal extends it by 1.7m in width and creates a better staircase and a small second bedroom. Two rear rooflights are introduced.
- No 3 has a large outbuilding in the rear garden, the purpose and use of this is not clear.
- The proposed No 4 will have two bedrooms. It will have a side window on the ground floor but the adjacent rendered side wall of No 12 Homewood Cottages is blank.
- In our opinion, the overall width of the combined additional new building is too wide, and the side wall comes too close to the neighbouring dwelling. A larger gap should be left, and overall it might be preferable to simply extend No 3 as a mirror image of what has been achieved at No 1 as otherwise the proposals risk overdevelopment of the site.
- On-site parking should be adequate, however in view of the proposed alteration to existing layout and the proposed future sharing, a parking plan should be submitted as part of the application.
- We note that there are rainwater and sewer drains from other properties that drain into communal soakaways and sewers located within the curtilage of No 3. These must be preserved in the proposals and retained and/or replaced in any building works.
- The proposed garden arrangements for No 4 are slightly unusual with a rim left acting as a passageway to the rear of No 3. The minimum width of this passageway needs to be clarified and maintained throughout its course. Its narrowness impacts on the setting and ambience of No 12 Homewood Cottages.
- Conditions should be attached regarding the outbuilding of No 3, that it is only an annexe to No 3, is not residential and cannot be used as a separate dwelling.
- Conditions should be attached requiring that materials to be used externally should be identical in appearance and materials as for the remainder of the row, the advice and input of the Conservation Architect would be welcomed.

There is additionally a difficult situation in the area regarding access to a piece of land that belongs to No 7 Homewood Cottages but is locked in with access only through other residential gardens. We believe that it could however be better and more properly accessed from the new passageway to No 3 if the gate to No 3's garden was set further back and access via a new gate into the landlocked garden permitted – we would like to see access granted and the situation regularised as part of Conditions attached to this application.

Dickens Protection Society - The Society note the proposal adjoins a group of listed building in the Shorne Ridgeway Conversation Area. The Society does not object to the concept of extending No.3 Park Cottages in principle, but objects to the current proposal which it considers brings development to close to no.12 Homewood Cottages and adversely impacts on the setting of the listed buildings.

In the Society's view, as a minimum, the full width of the existing track running beside no.12 Homewood Cottages, including the grass margins on each side (giving vehicular access to the rear of the properties) should be maintained free from any development.

Internal Consultees

GBC - Conservation Officer - Having reviewed the proposals it is considered that the impact on the adjacent listed building will result in harm to its setting due to the scale of the extension proposed. The space between the cottages is also an important character of this part of the conservation area, which will also be lost.

The comments from the parish council and Dicken Protection Society regarding the loss of space between the terraces and the impact on the setting of the adjacent listed building are therefore supported.

The proposals are therefore contrary to both local and national policy and cannot be supported.

GBC - Environmental Protection (Regulatory Services) - No objection to this application, however the following conditions and informatives are recommended:

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

- Code of Practice on Construction and Demolition: Please apply as appropriate to minimise any impact on neighbouring properties during the groundworks and construction stages.
- 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. 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 - Highways Officer - The proposal will change a four bedroom property into five bedroom one. So, to comply with SPG4 one secure cycle parking spaces should be provided.

Otherwise, there is more than adequate car parking to meet vehicle parking standards.

Local Ward Councillors - No comment received.

Neighbouring properties

A site notice was displayed on site 12th January 2023 and a press notice undertaken.

In addition, nineteen surrounding properties were consulted and six representations were received. One representation registered support, without any comment. The other five representations registered objection to the development. For the purpose of this report the material and non-material planning considerations have been separated, as listed below (with only the material planning considerations being relevant to the decision):

Material Planning Considerations

- Detrimental to the character and appearance of the Conservation Area
- Overdevelopment
- Crowded and cramped appearance close to Listed Buildings (lack of separation)
- Not in-keeping with historic character
- Increased pressure on on-street parking
- Loss of privacy
- Loss of light
- Sense of enclosure
- Loss of biodiversity (hardstanding and loss of mature tree)

Non-Material Planning Considerations

- Set a precedent
- Private issues between neighbours (maintenance works)

The majority of objectors would not object to a modest extension to no.3 Park Cottages.

The consultation period expired 3rd February 2023.

Officer's Analysis

Site Description

Park Cottages is a terrace of three two-storey cottages, located on the western side of the highway. The terrace is located within the Chestnut Green Conservation Area and is within the rural settlement inset from the Green Belt. To the south of the application property is Homewood Cottages, which are Grade II Listed Buildings.



The cottages are red brick, with yellow brick dressings and cast-iron diamond pattern casement windows.

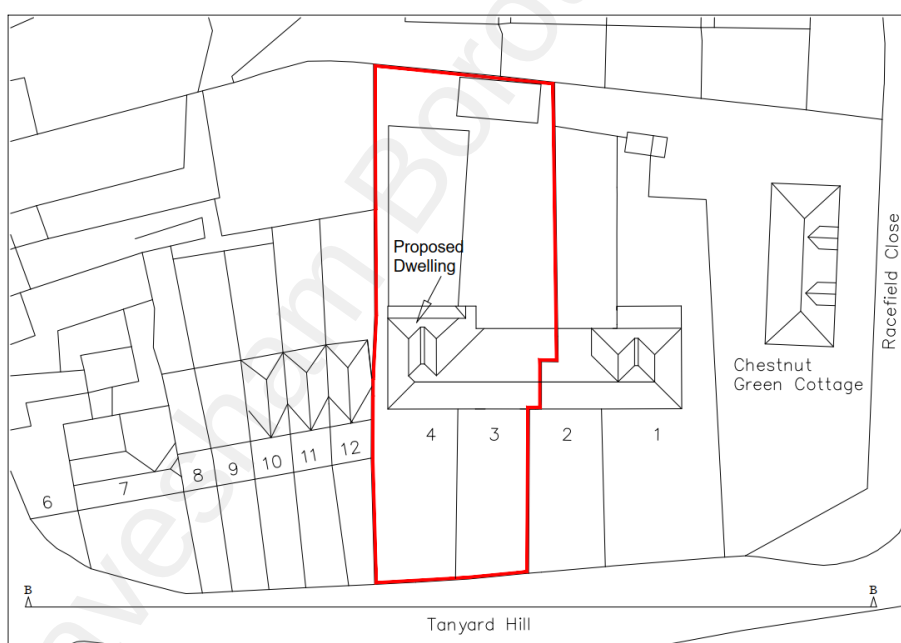
The terrace is hip-ended, with peg-tiled roofs and two brick chimney stacks. The application property (no.3) is on a generous plot with a substantial side garden and an open gap on the street scene, separating the terrace from the Listed Buildings (Homewood Cottages).



Proposed Development

This application proposes the erection of an attached two storey, two bedroom dwelling to the side of no. 3 Park Cottages. The development would also extend the existing property (no.3).

The proposed dwelling will have a footprint of 50.35m², with a garden of 92.3m². The garden will be subdivided with the host property (no.3 Park Cottages) retaining a garden area of approximately 220.5m² (including the outbuilding and wc).



The new dwelling will replicate the properties on the terrace with similar features such as windows, window placement and chimney breasts. The new dwelling will be constructed using materials that match the existing properties within the terrace. There would be a two storey M shaped roof projection to the rear of the new dwelling.

The screenshots below demonstrate the proposed dwelling (red) and allow for a comparison with the existing property.



It will have an internal floor area of 82.75m² and will have the following dimensions:

- Depth - 8.75m
- Width - 5.8m
- Height (max) - 6.35m
- Height (eave) - 3.8m

The proposed dwelling will have a living room, kitchen/diner and w.c. on ground floor, with two bedrooms and a family bathroom at first floor. The sizes of each room and the proposed garden area are as follows:

Room	Area
Living	13.7m ²
Kitchen/Diner	19.5m ²
WC	1.38m ²
Bedroom 1	12.85m ²
Bedroom 2	11.75m ²
Bathroom	5.8m ²
Garden	92.3m ²

Table 1 – Room Sizes

The extension to no.3 Park Cottages is highlighted in blue in the screenshots above. It would have a width of 1.63m and create space for an enlarged living/dining room and kitchen at ground floor, and a second bedroom at first floor. As part of the development a single storey rear projection would be erected at the rear of the new extension to no.3.

Principle of Development

The site is defined on the Policies Map of the Gravesham Local Plan Core Strategy (the Core Strategy) as lying within the urban area. Policy CS02 of the Core Strategy prioritises development in the urban area as a sustainable location for development. As such, there is no objection to the broad principle of residential development within this location subject to it meeting the detailed requirements of government and development plan policy.

The principle considerations in the assessment of this application are:

- Housing Need
- Design and Impact on Listed Buildings and Conservation Area
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Any Other Material Planning Considerations

Housing Need

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published here), 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) (2021). 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 clear 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.

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 182)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68)
- 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 125(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 NPPF (2021) which requires new development to contribute positively to the overall

quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Design and Impact on Listed Buildings and Conservation Area

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 130 of the NPPF (2021) seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 (LPCS) reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The NPPF (2021) also places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 197). This is echoed in Policy CS20 (LPCS), which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC2 of the Local Plan 1994 sets out that for development affecting the setting of listed buildings, the primary consideration is the maintenance of the integrity of the original listed building, and whether the character or appearance of the listed building will suffer as a result. Proposals must be sympathetic in terms of their appearance and materials.

Saved Policy TC3 of the Local Plan 1994 also states that development is expected to make a positive contribution to the conservation area. As the application site lies within the Chestnut Green Conservation Area, in close proximity to Listed Buildings, these policies are all relevant to the consideration of this application.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 119 of the NPPF (2021)), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF (2021). Relevant to this proposal, paragraph 124 of the NPPF (2021) which states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

From a historic building/conservation point of view, the application site forms one of three properties within a terrace of early 19th century buildings, formerly used as workers dwellings. Although the extension and new dwelling would replicate the existing terrace, Gravesham's Conservation Officer objects to the proposal for the following reasons:

"Having reviewed the proposals it is considered that the impact on the adjacent listed building will result in harm to its setting due to the scale of the extension proposed. The space between the cottages is also an important character of this part of the conservation area, which will also be lost.

The comments from the parish council and Dicken Protection Society regarding the loss of space between the terraces and the impact on the setting of the adjacent listed building are therefore supported.

The proposals are therefore contrary to both local and national policy and cannot be supported."

The comments that the Conservation Officer refers to are the closing of an established gap between Park Cottages and Homewood Cottages, which would constitute overdevelopment of the site. The neighbouring Homewood terrace are listed buildings and the proposed dwelling would be within 1.4m of the flank wall of no.12 Homewood Cottage. This proximity and closure of the established gap between the terraces is considered to impact the setting of the listed terrace, to the detriment of their historic quality and harms to overall character and appearance of the Conservation Area.

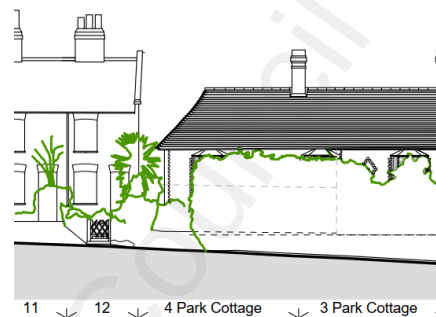
There were similar concerns raised by neighbouring residents, relating to the closure of the gap between properties, overdevelopment and the impact on the listed buildings and conservation area.

The impact on the setting of the listed Homewood Cottages is demonstrated in the comparative images below, which also demonstrate how the development would erode the open character and is considered cramped overdevelopment of the site.

Existing Street Scene



Proposed Street Scene



It is acknowledged that no.1 Park Cottages has been extended to the side (Ref: 20130679), this is materially different in terms of scale to the development hereby proposed. The extension did not enclose an established gap in built form within the street scene or have any impact on the setting of listed buildings. Therefore, the extension to no.1 is not considered to add any weight to the development hereby proposed.

In weighing the impact of harm, the NPPF (2021) requires great weight to be given to the conservation of designated heritage assets, which include Listed Buildings and Conservation Areas. It states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. It draws distinction between substantial harm and less than substantial harm to such an asset. In this case it is considered that substantial harm would be caused. The NPPF (2021) states that in such a case, the harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. The creation of 1 residential unit could be said to be a public benefit, due to the housing need within the borough, however great weight is to be given to the conservation area and the conservation of the neighbouring designated heritage assets, and it is considered there would be insufficient public benefit arising from the proposal to offset the identified harm or outweigh the special regard to be had to its preservation under the statute.

Overall, therefore, taking into account all the issues it is considered that the works would fail to preserve the special architectural and historic interest of the adjoining Grade II Listed Buildings and would fail to preserve the character and appearance of the Chestnut Green Conservation Area. The proposal does not therefore meet the statutory tests of Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and would be contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) (LPCS), saved Policies TC2 (Listed Buildings) and TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review (1994) and Section 16 (Conserving and enhancing the historic environment) NPPF (2021).

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines' (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These standards came into effect on 1 October 2015.

The Nationally Described Space Standards (2015) sets out minimum gross floor areas for a two storey, two bedroom dwelling. These figures vary depending on the number of persons occupying the dwelling. In this case the plans demonstrate two bedrooms. The property would be a single family dwelling and as such can be considered a two bedroom, three person dwelling.

Bedroom(s) /Person(s)	National Housing Standard Guidance	Unit Floor space
2 (3 person)	70m ²	82.75m ²

Table 2 – Floor Area Breakdown

The table above demonstrates that the dwelling will comply with the minimum floor space for a two bedroom, three person property. Notwithstanding this, Gravesham's RLG breaks down the measurements further, recommending minimum floor areas for specific rooms as shown in the table below. These recommended minimum floor areas have been compared to the proposed room sizes within the property for comparison.

	RLG (minimum floor area)	Proposed Room Size
Living	13.2m ²	13.7m ²
Kitchen/Diner	12m ²	19.55m ²
WC	1.3m ²	1.35m ²
Double Bedroom	11.5m ²	12.85m ²
Bathroom & WC	3.6m ²	11.75m ²
		5.8m ²

Table 3 – Room Size Breakdown

Table 3 demonstrates that all rooms within the dwelling meet the guidance within the RLG, and therefore the development would provide a good quality living environment for future occupiers. In terms of amenity space, the proposed dwelling will have a garden area of 92.3m² and a maximum depth of 15.65m. The RLG states that the garden area for a two bedroom dwelling should have a minimum area of 37.2m² and a minimum depth of 7.6m and therefore the amenity space provided is in accordance with the RLG.

The host dwelling (no.3) will be enlarged as part of the development through a two storey side extension. The garden space retained exceeds the minimum requirements set out in the RLG for a two bedroom property, and the ground floor rooms also comply with the guidance. However, rooms on the first floor are undersized, with the single bedroom (6.5m²) and the shower room (2.4m²). The RLG states that a single bedroom should comply with the nationally described space standard minimum of 7.5m² and is therefore undersized. The RLG does not provide a figure for a shower room, but a bathroom/wc should be 3.6m², and while it is acknowledged that a shower basin requires less room, the floor area is below the minimum area required for a wc only (2.8m²) and therefore is considered to be undersized. As such, the proposed development fails to safeguard the amenity of future occupiers of no.3 Park Cottages by virtue of providing undersized rooms and is a cramped development that provides a poor quality living environment.

Overall, the development fails safeguards the amenity of future occupiers by providing poor living conditions that fail to comply with local and national residential layout guidance. Therefore, the alterations to the existing property are contrary to with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Neighbouring Amenity

Policy CS19 (LPCS) seeks to protect amenity and ensure acceptable future living conditions. Section 16 of the NPPF (2021) also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to "secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings".

The new dwelling will not impact on the amenity of future occupiers of no.3 Park Cottages. The new dwelling will not extend beyond either the front or rear elevations of the host dwelling. There are no rear windows at first floor level on the existing property (no.3) and therefore the two storey rear projection is not

considered to cause any overshadowing. At ground floor the kitchen is located at the rear of no.3 and may be overshadowed by the two storey projection, which is to the south, however a kitchen is not a habitable room and will not materially harm the amenity of future occupiers in relation to loss of light. Therefore, the extension and new dwelling are considered to safeguard the amenity of future occupiers of no.3 Park Cottages.

A number of concerns were raised by neighbouring properties relating to impact on their amenity as a result of the proposed development. These concerns included loss of light, loss of privacy and sense of enclosure. The closest neighbouring property (12 Homewood Cottages), has no flank windows, is located to the south of the proposed dwelling and is set forward of the rear wall of the proposed dwelling, as such there will be no impact in terms of loss of light, overlooking or sense of enclosure. It is noted that the rear projection on the new dwelling would be visible from the rear windows, however this will not be to the detriment of amenity.

The properties to the rear of the application site (Racefield Close), are approximately 24m from the rear projection of the proposed dwelling. Gravesham's RLG states that the minimum window-window distance, over private amenity space, should be 26m. The properties on Racefield Close are bungalows and are at a lower ground level than Park Cottages, as such the first floor bedroom window of the new dwelling would directly overlook the neighbours to the rear within the minimum privacy distance set out in the RLG. The new dwelling is not considered to result in any loss of light or sense of enclosure for the properties on Racefield Close.

Overall, the proposal is not considered to safeguard the amenity of neighbouring properties, by virtue of direct and perceived overlooking, contrary to Policy CS19 (LPCS) and Section 12 NPPF (2021).

Parking and Highways

The development should an acceptable amount of parking, not be detrimental to the highway network and promote sustainable transport methods, to accord with saved policy T1 and P3 of Gravesham Local Plan First Review (1994), Policy CS11 of Gravesham Core Strategy and Section 4 of the NPPF (2021).

The Highways Officer has raised no objection to the development, as there is adequate space to the front of the site for parking. However, the drawing do not include a parking plan to clearly demonstrate the parking arrangements for either property post-development. The planning statement highlights that there would be a shared parking at the front, with both properties utilising the existing dropped kerb. Gravesham's adopted parking standards (SPG 4) (2006) requires a maximum of two off-street parking spaces for a two bedroom property. In this case the extension and new dwelling would create 2x two bedroom properties and four parking spaces should be provided.

There were concerns raised by neighbours in relation to increased parking pressures as a result of the new dwelling. The Local Planning Authority consider there to be sufficient space on the frontage to accommodate vehicles in accordance with SPG 4, however if the application were to be acceptable parking plans would have been requested to clearly define the proposed parking layout. Nevertheless, given that there is adequate space on the frontage, and the planning statement confirms that the existing hedgerow would remain in place, there is not sufficient grounds to refuse the application on parking or highways issues.

Any Other Material Planning Considerations

Archaeology – The site lies on the site of a post-medieval tanning industrial site, which was operated by a George Startup in the late 17th century but was disused by the end of the 18th century. Remains associated with this 17th century tanning site may survive below ground and could be impacted by the development. Kent County Council heritage have requested that if permission were forthcoming a watching brief condition is attached.

Refuse – Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage

and recycling of waste.

The plans do not demonstrate any bin stores or define the quantity of bins proposed. However, there is adequate space in the front gardens to accommodate bins, which would be dragged by occupiers to the edge of the highway on collection days. Therefore, if permission were forthcoming, planning conditions could address any concerns with refuse or bins.

Drainage/Sewerage – Gravesham's Environmental Protection Team (Regulatory Services) requested that in the event of planning permission being granted, that informative are attached in relation to the drainage and foul sewage systems. The proposed informative would be the following:

"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."

Ecology and Biodiversity (Bird Mitigation) – The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering water birds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites, which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £275.88 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

In this instance, the proposed development would result in the creation of an additional residential property and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £275.88 per new dwelling unit.

The applicant has not paid the SAMMS Mitigation Contribution Agreement tariff and therefore fails to comply with the requirements of the Habitat Regulations, as well as Section 15 (specifically paragraphs 180 and 181) of the NPPF (2021) and Policy CS12 (LPCS).

Impact on Biodiversity – any development should result in a net gain of biodiversity to accord with Section 15 of the NPPF (2021). There were concerns raised by neighbouring residents relating to the increased hardstanding, loss of soft landscaping and removal of mature trees. It is unclear from the plans what surface treatments are being proposed to the front of the property, however if permission were forthcoming conditions would be attached to ensure details of hard/soft landscaping is submitted to, and approved in writing by the Local Planning Authority. The condition would enable control over the extent of biodiversity retained on site in accordance with Section 15 of the NPPF (2021).

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The proposed development would fail to preserve or enhance the character and appearance of the Chestnut Green Conservation Area, and would have a harmful impact on the setting of the adjacent Listed Buildings, by virtue of eroding an established gap in the street scene and being cramped against Homewood Cottages. Moreover, the development fails to safeguard the amenity of future occupiers by providing a poor quality living environment through undersized rooms and impact on the amenity of neighbouring properties through direct and indirect overlooking. In addition, the development has failed to safeguard biodiversity or mitigate harm caused to the Special Protection Areas.

Recommendation

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	17 th February 2023	Dated:	17th February 2023