

Planning Statement

**Land rear of 28/30 Sun Lane
Gravesend Kent DA12 5HG**

**Demolition of the existing outbuildings at
the rear of 28/30 Sun Lane and erection of
a detached chalet bungalow**



RTPI

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1 Introduction

- 1.1 This Planning Statement has been submitted in support of an application for the following development at Land rear of 28/30 Sun Lane Gravesend Kent DA12 5HG (hereafter referred to as 'the Site'):

Demolition of the existing outbuildings at the rear of 28/30 Sun Lane and erection of a detached chalet bungalow

- 1.2 The application is accompanied by the following plans and documents:

- Application Form
- Planning Statement
- BNG Metric
- Drawing nos.
 - 4427.01 Site Location Plan
 - 4427.02 Existing Block Plan
 - 4427.03 Existing Floor Plans
 - 4427.04 Existing Elevations
 - 4427.05 Proposed Block Plan
 - 4427.06 Proposed Floor Plans
 - 4427.07 Proposed Elevations

2 Site Context

- 2.1 This Site is located in the urban area of Gravesend. It is in a predominantly residential area comprising a mixture of terraced, semi-detached and a few detached properties of varying sizes and styles..
- 2.2 It comprises a pair of semi-detached two-storey dwellings which due to the fact they are under the ownership of family members currently have a shared rear amenity space, the dividing fence having been removed. At the rear of the site is a range of outbuildings which are used for storage and garaging for each property. They are not linked to each other but are adjoined. The rear of the properties is 100% covered by buildings and hard surfaces, apart from three palm trees that are situated to the rear of no.28 adjacent to the boundary with Ferndale Road.
- 2.3 This Site is the subject of the following planning constraints and characteristics:
- Properties lie within 6km of the Thames Estuary and Marshes Ramsar site or Special Protection Area which are internationally important for their bird populations. There have been declines in bird populations and studies

show that new dwellings could lead to further declines. The Council will impose a tariff of **£328.27** for every new dwelling within this area to pay for schemes to avoid the adverse impacts of new housing development on the birds.

- Flood Zone One

3 Relevant History

3.1 The following records are understood to be relevant to the Site:

28 Sun Lane

- Ref. No: 20050498: [Erection of part two storey and part single storey side and rear extension to form a lounge and kitchen/dining room at ground floor level with three bedrooms and ensuite bathroom/wc at first floor level.](#): Status: Application Permitted
- Ref. No: 20060678: [Retention of the front entrance porch and canopy supported by two columns, retention of the block paved parking area at the front and retention of the front and side boundary walls.](#): Status: Application Refused
- Ref. No: 20130771: [Erection of first floor rear extension to form an enlarged bedroom.](#): Status: Application Permitted

30 Sun Lane

- Ref. No: 20110540: [Erection of a double garage and car port with vehicular access on to Ferndale Road and installation of two metre high electric gate across entrance in Ferndale Road.](#): Status: Application Permitted
- Ref. No: 20120245: [Erection of tandem/double garage at the rear with vehicular access on to Ferndale Road.](#): Status: Application Permitted
- Ref. No: 20130772 : [Erection of two storey rear extension to form family room at ground floor level with an enlarged bedroom at first floor level.](#): Status: Application Permitted
- Ref. No: 20131170: [Application for variation of condition 1 attached to planning permission reference number 20120245 for erection of a tandem/double garage at the rear to allow the use of the building as incidental to the enjoyment of the main dwelling.](#): Status: Application Permitted
- Ref. No: 20190628 : [Erection of a single storey rear extension.](#): Status: Application Permitted

Land To Rear Of 28-30 Sun Lane Gravesend Kent DA12 5HG

- Ref. No: 20201259: [Demolition of outbuildings and garage and erection of a three bedroom detached dwelling.](#): Status: Application Refused
- Ref. No: 20240671: [Demolition of outbuildings and garage and erection of a 2 bedroom detached dwelling within the garden curtilage.](#): Status: Application Withdrawn

4 Proposed Development

- 4.1 The application seeks full planning permission for;

Demolition of the existing outbuildings at the rear of 28/30 Sun Lane and erection of a detached chalet bungalow.

- 4.2 It is proposed to demolish all of the existing outbuildings to the rear of 28/30 Sun Lane.
- 4.3 In their place a detached chalet bungalow would be erected. It would be provided with two car parking spaces to an open front garden. Private amenity space would be at located the rear of the building.
- 4.4 The proposed dwelling would be 2-bedroom with a GIA of approximately 100m². The first floor would be largely contained within the roofspace and three dormers set into the eaves and lower roof would face towards Ferndale Road. The first floor rear elevation would be lit by rooflights set at no lower than 1.7m above floor level to avoid unacceptable overlooking to the properties to the south. The dwelling would be some 7.4m to the ridge.
- 4.5 The building would be rendered externally (white or cream coloured) under a clay tile roof

5 Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed

planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.

- 5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates what is said in Section 38(6), whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 39 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 It is understood that the Development Plan for the area within which the Site is located comprises the following documents:
- Core Strategy 2014
 - Local Plan First Review 1994 (Saved Policies)
- 5.6 In the Development Plan, the following policies are considered most relevant in connection with the proposed development:

Core Strategy

- CS01 Sustainable Development
- CS02 Scale and location of New Development
- CS12 Green Infrastructure
- CS14 Housing Size and Type
- CS15 Housing Density
- CS18 Climate Change
- CS19 Development and Design Principles

Gravesham Local Plan First Review (Saved Policies)

- T1 Impact of development on the highway network
- P3 Vehicle Parking Standards

Other Material Considerations

The Framework NPPF 2024

- 5.7 The National Planning Policy Framework (NPPF) December 2024 is a relevant material consideration. Paragraph 7 advises that the fundamental basis of the planning system is to achieve sustainable development and paragraph 8 outlines the three integral and intertwined overarching objectives in pursuit of sustainable development (economic, environmental and social). Paragraphs 10 and 11 set out a presumption in favour of sustainable development. Paragraph 11 advises that when decisions are made on applications (taking into account the footnotes 7 & 8 and 9 in the NPPF which are reproduced below):

*'For **decision-taking** this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date¹, granting permission unless:

i the application of policies in this Framework that protect areas or assets of particular importance² 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 combination³.'

- 5.8 Gravesham Borough Council cannot currently demonstrate a five-year supply of deliverable housing sites. As of 1 April 2024 as updated/published in February 2025 to take into account the December 2024 NPPF, the Council's 5-year Housing land supply was calculated to be 3 years.

¹ 8 This includes, for applications involving the provision of housing, situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. See also paragraph 232.

² 7 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change

³ 9 The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter

- 5.9 The Council has also continued to un-deliver in terms of the Housing Delivery Test (HDT). The latest published HDT measurement issued on 12 December 2024 advises that Gravesham have delivered 1056 units as opposed to a requirement of 1789 units. This represents just 59% of the required number of dwellings albeit it is a small improvement from the 53% outlined in the previous year's results. As such permission should be granted for applications if they accord with an up-to-date development plan unless the site is protected under the National Planning Policy Framework or the adverse impacts of development significantly and demonstrably outweigh the benefits.
- 5.10 Section 5 of the NPPF sets out policy in relation to the supply of homes. At paragraph 61, it continues to confirm the Government's objective to significantly boosting supply and that it is important to ensure that a sufficient amount and variety of land can come forward where it is needed. Paragraph 73 acknowledges that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst others) support the development of windfall sites through their policies and decisions.
- 5.11 Section 11 sets out policy in respect of making effective use of land. Paragraph 124 states that decision should promote an effective use of land in meeting the need for homes. Paragraph 125 expands on this point by promoting and supporting the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing. Paragraph 129 adds that decisions should support development that makes efficient use of land, taking into account (amongst others) the desirability of maintaining an area's prevailing character and setting.
- 5.12 It is noted that the application of paragraphs 61, 73, 124-125 and 129 all do not depend on whether an authority has a five-year housing land supply (5YHLS).
- 5.13 Section 12 of the NPPF provides guidance and policy on achieving well designed places. Paragraph 131 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. A bespoke design solution has been provided for this site; the resultant development will be of a high quality and will not detract from the character of the surrounding area.

GRAVESHAM Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted February 1996 - amended June 2020 (SPD)

- 5.14 The SPD sets out standards which new residential development across the District will be expected to meet. As indicated earlier the proposed dwelling meets Nationally Described Space Standards a requirement of the SPD. The SPD stipulates also stipulates minimum garden sizes and lengths. For 1-2 bedroom units these are as follows;

Accommodation with :	Minimum garden area (sq. metres)	Minimum depth from rear wall of house (metres)
1-2 bedrooms	37.2	7.6

6 Planning Assessment

Key Issues

6.1 The following are considered to be the key issues in the assessment of this enquiry:

- The principle of development
- Impact on the character and amenity of the area and occupiers of adjacent residential properties
- Highways impact
- Ecology/Biodiversity

Principle

6.2 The site is located within the urban area of Gravesend.

6.3 The location is considered to be sustainable. Sun Lane is served by Arriva bus route 482 to and from the Town Centre which has a frequency of three journeys per hour Mondays to Saturdays and a half hourly/forty-five minute frequency on Sundays. The nearest bus stops are within 100m of the site.

6.4 Local shops and services including a local convenience store are located at Echo Square some 240m north of the site.

6.5 In assessing the principle of the development and in drawing-up the current application proposals regard has also been had to the recent planning history including application 20201259 which was refused on 2 February 2021 on the following five grounds

1. The proposed dwelling will result in a cramped over-development of the site that would be out of keeping with the character and appearance of the layout of the residential properties in the surrounding area. The proposal is therefore considered to be contrary to the requirements of Policies CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy 2014, and paragraphs 117, 122, 124, and 127 of the National Planning Policy Framework 2019.

2. The proposed dwelling will result in an unacceptable and cramped amenity space for future occupiers, who would also be likely to experience unacceptable levels of overlooking and dominance from the close presence of Nos. 28 and 30 Sun Lane. The proposal would therefore fail to provide a high standard of amenity for future users, which would conflict with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 127f of the National Planning Policy Framework 2019.

3. The proposed dwelling will result in an unacceptable loss of light and overshadowing to the existing properties at Nos. 28 and 30 Sun Lane due to the lack of space between the properties, and would have an unacceptable and overbearing impact that would also result in overlooking and loss of privacy to neighbouring gardens. The proposal would therefore fail to provide a high standard of amenity for existing users, which would conflict with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 127f of the National Planning Policy Framework 2019.

4. The proposed dwelling will result in the removal of the rear car parking provision for Nos. 28 and 30 Sun Lane, and in the absence of information to demonstrate that adequate parking provision will remain, the development will result in a shortfall in parking space for the existing properties, which is likely to have an adverse impact on on-street parking in the area. The proposal is therefore considered to be contrary to the requirements of Saved Policy P3 of the Gravesham Local Plan 1994 and Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

5. The proposal fails to secure a contribution towards strategic mitigation measures within the Thames Estuary and Marshes SPA/Ramsar Sites to resolve disturbance issues to wintering birds, and in the absence of this contribution or any evidence to inform an appropriate assessment, the development fails to comply with the requirements of the Habitat Regulations and paragraphs 170 and 175 of the National Planning Policy Framework 2019 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

6.6 Land supply within Gravesham's District is subject to a significant degree of constraint through the impact of Green Belt (77% of the Borough's area), the Kent Downs National Landscape (24% of the Council Area) as well as the Thames Estuary and Marshes SPA and Ramsar sites. Paragraph 125 (and in particular criterion (d)) of the NPPF, advises inter-alia, that planning policies and decisions should;

'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively...'

6.7 The application proposals assist in achieving this aspiration. It remains the case that the Development Plan is out-of-date and that housing supply and delivery in the Borough is significantly below requirements, to the point that the tilted balance set-out in NPPF paragraph 11 and a presumption in favour of sustainable development applies.

6.8 Subject to the details of the application being acceptable and having addressed the earlier application's reasons for refusal no objection is raised to the principle of the development as proposed

Impact on the character & amenity of the area & adjacent residential properties.

- 6.9 The proposed dwelling is of a bespoke design that has specifically sought to address grounds of refusal 1 to 3 of the earlier application.
- 6.10 The proposed dwelling has taken the form of a 2-bedroom chalet bungalow. It is orientated to face towards the street and has been sited to allow two car parking spaces to the front and a garden area. This more closely reflects the general form of development along the street. An amenity area to the rear and side of the dwelling that exceeds the Council SPD guidance is also shown. The house is designed to ensure that the amenity space is not directly overlooked by 28 or 30 Sun Lane and vice-versa.
- 6.11 The new dwelling meets Nationally Described Space Standards and at 100m² GIA comfortably exceeds the 70 sqm set out in the NDSS for a 3 Person 2-bedroom house.
- 6.12 The proposed ridge height at 7.4m is also considerably less than the 9.1m of the refused application. Outlook from the front of no. 107 Ferndale Road will also be improved through the removal of the existing garages and outbuildings that are currently situated on the common boundary and the more open frontage to the street that will result.
- 6.13 In terms of privacy and overlooking, principal windows face toward the street at ground and first floor level and include 3no. north facing dormer windows. There is adequate separation across the street to ensure no adverse impact on privacy. The rear, south elevation of the building has no first floor windows except for rooflights that are set at 1.7m above floor level.
- 6.14 The revised east-west orientation of the dwelling and the significantly reduced ridge height are such that previous concerns about the overshadowing of 28 and 30 Sun Lane have also been addressed.
- 6.15 It is considered that the revised design has overcome the Council's previous concerns.

Highways

- 6.16 The submitted plans show the parking provision that is and will remain available for 28 and 30 Sun Lane. It is considered that previous RfR 4 has also been addressed. It is noted that both Sun Lane and Ferndale Avenue are not subject to any on-street parking restrictions or controls in any event. Two car parking spaces are shown which is acceptable and the site is close to local services and served by public transport.

Ecology/Biodiversity.

- 6.17 The applicant will make the appropriate SAMMS payment shortly after the application has been registered. This will address previous RfR 5 and ensure that appropriate mitigation against increased recreational pressure on the Thames Estuary and Marshes SPA and Ramsar Site alone or in combination has been secured.
- 6.18 Given that the current site is 100% covered by built development the provision of the vegetated garden proposed in the application is sufficient to achieve the 10% Biodiversity Net Gain now required.

7 Conclusions

- 7.1 The site is in a sustainable urban location and this revised proposal has addressed the reasons for refusal of the earlier refused application. The dwelling is of an appropriate design and appearance and will not result in an adverse impact on the street or the character of the area. The amenities of adjacent and future residents will also be safeguarded.
- 7.2 Given the on-going lack of a sufficient housing supply and poor housing delivery rates as sustainably located development the proposals will make a contribution albeit minor to the clear need that exists.
- 7.3 In consideration of all relevant development plan policies and material considerations, this application should be viewed positively by the authority and it is respectfully requested that this submission is approved.