



Delegated Report

Full Planning Application

Planning Application No: 20240775

Location: Westside, Wrotham Road Meopham Gravesend

Description: Demolition of the existing two-storey three-bedroom dwelling and the erection of a two-storey four-bedroom detached self-build dwelling, associated hard and soft landscaping, and car parking.

Applicant: Mr and Mrs S. Phagura

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Custom and Self-Build Form;
Drawing No. 1000 – Site Location Plan;
Drawing No. 1001 Rev A – Existing Site Block Plan;
Drawing No. 1010 – Existing Ground Floor Plan;
Drawing No. 1011 – Existing First Floor Plan;
Drawing No. 1012 – Existing Loft Plan;
Drawing No. 1013 – Existing Roof Plan;
Drawing No. 1030 Rev A – Existing North and South Elevations;
Drawing No. 1031 Rev A – Existing East and West Elevations;
Drawing No. 1101 Rev E – Proposed Site Block Plan;
Drawing No. 1110 Rev E – Proposed Ground Floor Plan;
Drawing No. 1111 Rev E – Proposed First Floor Plan;
Drawing No. 1112 Rev E – Proposed Loft Plan;
Drawing No. 1113 Rev E – Proposed Roof Plan;
Drawing No. 1120 Rev E – Proposed Sections AA and BB;
Drawing No. 1130 Rev E – Proposed North and South Elevations;
Drawing No. 1131 Rev E – Proposed East and West Elevations;
Supporting Information – Small Sites Metric;
Supporting Information – Planning Statement; and
Supporting Information – Schedule of External Finish.

~~Drawing No. 1101 Rev D – Proposed Site Block Plan;~~
~~Drawing No. 1111 Rev D – Proposed First Floor Plan;~~
~~Drawing No. 1112 Rev D – Proposed Loft Plan;~~
~~Drawing No. 1113 Rev D – Proposed Roof Plan;~~
~~Drawing No. 1120 Rev D – Proposed Sections AA and BB;~~
~~Drawing No. 1130 Rev D – Proposed North and South Elevations;~~
~~Drawing No. 1131 Rev D – Proposed East and West Elevations~~

Relevant Planning History

Reference	Description	Decision	Decision Date
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20230351	Demolition of the existing two-storey three-bedroom dwelling and the erection of a two-storey four-bedroom detached dwelling with roof storage, and associated hard and soft landscaping, and car parking	Refused Appeal Dismissed	09.06.2023 10.04.2024
20221085	Demolition of existing two-storey three-bedroom dwelling and erection of two-storey with roof accommodation five-bedroom detached dwelling and associated ancillary garden building, hard and soft landscaping, and associated car parking	Refused	05.12.2022
20180279	Erection of ground floor rear extension.	Approved	12.07.2018
20070928	Erection of a detached three bedroom bungalow.	Refused	07.12.2007
19800486	Details pursuant to GR 79 348 for the erection of a two storey dwelling with garage	Approved	08.07.1980
19790348	Outline application for the erection of a dwelling house with garage	Approved	22.05.1979

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places

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);
- Design for Gravesham – Design Code (2024); and
- Gravesham Landscape Character Assessment (2009).

Consultations, Publicity and Representations

Consultees

Meopham Parish Council

Following discussion by our Planning Applications Working Group; the Council wishes to provide the following response:

Due to the scale of the proposed change Meopham Parish Council objects to the application as this appears to be over development of the site.

We therefore object to this proposal.

KCC – Biodiversity

the data we have available to us, and the information submitted with the planning application, we advise that the proposed development has limited potential to result in significant ecological impacts. As such, we are satisfied that there is no requirement for an ecological survey to be carried out at this time¹.

A biodiversity net gain (BNG) small sites metric has been provided. The submitted metric has not recorded any existing trees or hedgerows and therefore we require further information to clarify the baseline information.

- **Revised BNG metric to show all baseline habitats present, including any hedgerows and medium or larger sized trees, or information to justify their omission.**

Biodiversity Net Gain (BNG)

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications received in England (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG) from the 12th February 2024 and all minor applications from the 2nd April 2024.

A baseline habitat map has not been provided in line with the requirements. Photographs show detail of some habitats present and the ongoing management of the garden. The existing block plan shows the vegetation detail, including trees and hedgerows present within the red line boundary. Due to the level of detail provided above, we do not require a baseline habitat map.

The BNG metric provided has stated that the baseline habitats are *modified grassland* and *developed land sealed surface* present. We have noted on the plans provided and on aerial imagery below, that there appears to be trees and boundary hedgerows, within the red line boundary.

These have not been recorded in the metric and therefore the baseline is not representative. As this is a domestic garden the *vegetated garden* habitat should be used in the baseline, rather than *modified grassland*. For reference, only trees that are medium or larger in size need to be recorded, see table below.

Size class	Diameter at breast height (cm)	Biodiversity metric area equivalent (ha)
Small	greater than 7.5cm and less than or equal to 30cm	0.0041
Medium	greater than 30cm and less than or equal to 60cm	0.0163
Large	greater than 60cm and less than or equal to 90cm	0.0366
Very large	greater than 90cm	0.0765

We will therefore require a revised metric with all habitats present within the red line boundary prior to determination.

We also note in the metric for post development, that in the habitats created section *urban trees* have been

included. Whilst we agree these are valuable ecological enhancements, unfortunately they do not count within the residential curtilage, and only *vegetated garden* can be used for new vegetated habitats within a garden.

Updated guidance on the use of habitats for private garden BNG calculations has been published by government in the BNG User Guide dated 23/7/24². 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 may result in the site not achieving 10% biodiversity net gain. A revised metric will be required and purchase of off-site units may 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 Register³ available on the Making Space for Nature in Kent and Medway website. Biodiversity Net Gain Guidance for Kent is also available on this website⁴.

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.

Breeding Birds

Vegetation is present within the site could provide suitable breeding bird habitat and some may be impacted by the clearance and construction works. We therefore recommend that an advisory is provided to prevent any impacts to breeding birds and suggested wording can be provided.

Enhancements

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraphs 174 and 180 of the National Planning Policy Framework (NPPF) 2023, 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 proposed site plan. A condition wording can be provided once the further information is submitted.

Appendix 1 provides some generic (non-exhaustive) information regarding the most common enhancements we see proposed. To provide a view regarding the potential ecological benefits of any project, in line with relevant legislation and planning policy, we require sufficient detail to be submitted. Without sufficient detail we are unable to provide an opinion regarding the suitability of any proposed measures. Suitable detail may include the provision of information such as:

- The proposed target species;
- Make and model of any boxes;
- Location information such as height, aspect, surrounding habitat;
- Detailed planting schedules; and
- Relevant management necessary to ensure the habitat is suitable for the target species.

Following the above comments, a Custom and Self -Build Form was submitted in support of the application. This will be assessed in the Biodiversity Net Gain section below.

Neighbouring properties

21 surrounding properties were consulted and the overall date of expiration, the deadline to receive representations on the application, was 16th October 2023.

Two letters of representation have been received, objecting to the proposal for the following summarised reasons;

- Overlooking and loss of privacy from the windows on the north elevation;
- Increase in ridge height is considerable would impact on space and natural light.
- Overdevelopment
- No justification for the loss of the existing dwelling which is in keeping with the character of the area.

Officer's Analysis

Background

This application follows the refusal of application reference 20230351 which was refused for the following reasons;

1. *By virtue of the increase in height, scale/massing and the use of insensitive materials/fenestration, the proposed replacement dwelling would result in an incongruous and unacceptable, in design terms, which would harm the character and appearance of the surrounding area, and would fail to comply with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014, and paragraphs 126, and 130 of the National Planning Policy Framework 2021.*
2. *The overall design of the dwelling, by virtue of the increase height, footprint and flank windows, harms the living environments/privacy of existing and future occupants of neighbouring properties. The ground floor flank windows would also result in direct overlooking into the private amenity space of Riseley. Also, given the massing of where the replacement dwelling would be situated within the plot, the increase in massing, scale and height would create an overbearing impact to the neighbouring properties. The proposal would therefore fail to provide a high standard of amenity for neighbouring's sites which conflicts with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 126 and 130 of the National Planning Policy Framework 2021.*
3. *The proposed 2no. surface parking spaces fall short of the minimum width required due to being enclosed by the front boundary and the front elevation of the proposed dwelling. The parking provision would therefore be insufficient and contrary to Policy CS11 of the Local Plan Core Strategy 2014.*

The application was subsequently appealed and dismissed with the Inspector making the following comments:

1. The proposed dwelling would result in the loss of positive characteristics and would be clearly disproportionate and the additional visual bulk and massing would be unlike other dwellings constructed within the immediate vicinity. Consequently, the proposal would be harmful to the character and appearance and local distinctiveness of the locality and be contrary to CS Policy CS19 and Paragraph 135 of the Framework, as described previously.
2. Whilst I agree that there would be no detrimental loss of privacy from the proposed development, this would not outweigh the harm caused as a result of sense of enclosure from the increased bulk and massing of the proposed development. As such the proposal would be detrimental towards living conditions, and contrary to CS Policy CS19 which seeks to safeguard amenity as a result of development.

The current application seeks to overcome the reasons for refusal.

The following images show the contrast of the previously refused schemes and the current application:

20221085 Refused Application



20230351 Refused Application



Current Scheme



Site Description

The application site is situated on the western side of Wrotham Road and not far from the Railway Tavern Public House slightly north of the application site on the eastern side of Wrotham Road.

The site is situated between the two existing residential properties which are generally characterised by a hipped roof. The properties directly opposite the application site of a slightly different character, with a front facing gable end design. Whilst there is no uniformity within the streetscene in terms of character and

footprint the properties within the immediate area are more traditional design and features with hip roof, bay windows at ground floor and smaller sash style windows at first floor.

Streetscene



Proposal

The proposed development seeks to demolish the existing dwelling with a replacement of two storey detached dwelling. The replacement dwelling would be a 4-bed property, incorporating a single storey flat roof with fake pitch rear addition.

Principle of development

The application site is located inside the Rural Settlement inset from the Greenbelt, within a residential street, the principle of residential development is generally acceptable in principle as acceptable.

Design, Character and Appearance

The existing dwelling is a modest two storey dwelling with 3-beds at first floor and has been extended with single storey extensions to the rear and southern flank wall. The existing dwelling measures approximately 7.35 metres in height. The existing dwelling is also setback from the building line of the adjacent properties, by approximately 3 metres and setback from the adjoining public highway to the east of the site boundary by approximately 6 metres.

The replacement dwelling would stand at 7.99 metres tall, 12.62 metres wide at ground floor and 11.6 metres wide at first floor and with a depth of 16.35 metres in depth at ground floor (including front bay) and

10.6 metres for the two storey element of the proposal.

Looking at the footprint of the existing property, the proposed replacement dwelling does not differ considerably either in plot position or overall footprint. The first floor has a greater depth of only 2.74m which is not considered to be excessive considering the size of the plot and distance between the neighbouring properties.

The replacement dwelling is considered to have been designed to reflect the existing character of the adjacent dwellings and the area as a whole. The additional height and footprint of the proposed dwelling is not excessive and the ridge height is in line with both neighbouring properties and relates well to the streetscene.

The overall design of the dwelling is within keeping with the immediate locality. The windows size, location and design as well as the roof respects the area and has taken features, such as the front bay window from the adjacent and surrounding dwellings.

Materials

The proposed materials of Wienerberger yellow multi gilt stock brickwork on the ground floor and chalk white render at first floor, with natural slate pitched roof tiles are reflective of materials used in the surrounding area. The grey double glazed windows do differ from the neighbouring properties but overall are not considered to be visually intrusive or detrimental are commonly used in modern developments.

Overall, the replacement dwelling is reflective of the size, style and design of the immediate streetscene and the area as a whole. Design features and external materials reflect that of the surrounding area. The increase in height and footprint are not excessive and reflect both adjacent properties. The replacement dwelling would sit mostly within the existing footprint in terms of size and location within the plot.

The proposed development has therefore overcome the previous reason for refusal (1) and would accord with CS19 of the Core Strategy 2014 and also paragraphs 131 and 135 of the NPPF (2023).

Amenity of Future Occupiers / Neighbouring Amenity

Policy CS19 (LPCS) states that new development will be fit for purpose and will be located, designed and constructed to safeguard the amenity of its occupants and those of neighbouring properties and land. Harm to users of the adjacent properties due to roof terrace.

The proposed dwelling would provide ample room for the occupants with all the bedrooms exceeding the minimum standards, and would retain approximately 143 sq.m of private amenity space. For a 4-bed dwelling, the garden space to be retained is in accordance with the Residential Layout Guidelines 2 (2020) and on this basis, it is not considered there would be any additional harms to the amenity or future occupiers of the replacement dwelling.

The replacement dwelling has a greater ridge height than the existing, however this is only 700mm. It is noted that there are additional windows in both side elevations, however these are either at ground floor or high level obscure glazed windows. As such, it is considered that there would be no additional overlooking resulting from these windows and a condition will be added to the decision notice secure this. The first floor element only marginally projects further to the rear (1.71m) and the single storey rear projection has the same depth as the existing rear extensions. This is shown in the following drawing with the red dotted line showing the outline of the existing property:



Proposed Block Plan



In the proposed block plan, the position of the proposed dwelling and its relationship to the adjacent properties is clearly shown. Whilst the property is set further back in its plot than the adjacent dwellings, this is the current situation and the distance between the neighbouring properties is not altering. As such it is considered that the replacement dwelling would not result in an overbearing impact above that is currently experienced.

The rear windows are not either excessive in number or size and would afford the same views that the existing property has.

Overall, it is considered that the current proposal has overcome the previous reason for refusal (2) with the reduction in the amount of glazing, second floor windows and overall overbearing impact. As such, the application accords with Policy CS19 of the Core Strategy and paragraph 135(f) of the NPPF (2023).

Parking and Highways

The proposal utilises the existing access and the proposed parking is in the form of a single integral garage and two surface spaces located to the front.

The garage is suitable for the parking of a car and the storage of some cycles. The remainder of the driveway is suitable for turning a vehicle so it may enter and leave the highway in forward gear.

As such, the proposed parking provision, is sufficient and is in accordance with Policy CS11 of the Core Strategy and KCC Parking Standards (2006).

Any Other Material Considerations

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

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 application seeks to construct a single replacement dwelling on a site of 0.0991 hectares, and the applicant/agent has confirmed that the proposed development will be self-built and has submitted the required self-build form and is therefore exempt from BNG.

As such, it is considered that the construction of the proposed 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.

Conclusion & Recommendation

The proposed replacement dwelling would be acceptable both in terms of position, height, scale, massing and design that would sit well within its setting that would respect the character of the properties within the immediate streetscene and would not result in a detrimental impact on the neighbouring amenity.

It is therefore considered that the revised design has overcome the previous reasons for the refusal 1 and 2 of planning application ref. 20230351 and is therefore recommended for approval subject to conditions.

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

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	21 st November 2024	Dated:	22nd November 2024