



Delegated Report

Full Planning Application

Application No:	20230266
Location:	53 Coldharbour Road, Northfleet, Gravesend, Kent, DA11 8AF
Description:	Erection of detached 3 bedroom house in the side garden and associated alterations to front garden and parking
Applicant:	Mr S Mann
Site Visit:	N/A Desktop Assessment

Submitted Documents/Plans

- Application Form - dated 17/03/2023;
- Design and Access Statement;
- Drawing no. D-01 - Rev. A - Site Location Plan and Existing Block Plan;
- Drawing no. D-02 - Rev. A - Plans and Elevations as Existing;
- Drawing no. D-03 - Rev. B - Proposed Block Plan;
- Drawing no. D-04 - Rev. B - Plans and Elevations as Proposed.

Relevant Planning History

Reference	Description	Decision	Decision Date
20020102	Erection of a detached two storey three bedroom dwelling in the side garden.	PERMITTED	03.04.2002
20010762	Outline application for the erection of a detached dwelling in the side garden.	PERMITTED	19.12.2001
19810112	Erection of single storey side extension to form double garage enlarged kitchen utility room and wc single storey front extension to form enlarged lounge and porch and formation of new vehicular access	PERMITTED	01.04.1981

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

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 5 - Delivering a sufficient supply of homes
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020
- Technical Housing Standards - Nationally Described Space Standard (2015)
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

External Consultees

KCC Heritage - The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that these proposals, immediately adjacent to the existing dwelling, would have a significant below-ground archaeological impact and have no further comments to make in this case.

Internal Consultees

GBC Environmental Protection (Regulatory Services) - No objection to this application. 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 in order to minimise the impact on the surrounding houses due to the groundworks and construction.
- *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.

GBC Highways Officer - I have no objections, there will be two car parking spaces per property and cycles can be stored in the sheds. Any new paving to the front of the property should be constructed from suitable bound porous materials.

Local Ward Councillors - No comment received.

Neighbouring properties

A notice was displayed on site.

In addition, eight surrounding properties were consulted and one representation was received. The representation registered objection to the development, raising the following considerations:

It is important to note that only material planning considerations are relevant to the decision and will be assessed in this report.

Material Planning Considerations

- Loss of Light / Overshadowing
- Loss of Biodiversity

Non-Material Planning Considerations

- Noise arising from Building Works

The overall consultation period expired 05 May 2023.

Preliminary Matters

An application was granted permission for a detached two storey, three bedroom dwelling in 2002 (ref. 20020102). Although this application was determined under a historic planning policy context and has now expired, it is a material consideration.

Officer's Analysis

Site Description

53 Coldharbour Road is a semi-detached property located on the northern side of the highway. The property benefits from a large curtilage with a sizeable side garden, adjacent to an open area of amenity land. The side garden is hard-paved and utilised for vehicular parking.



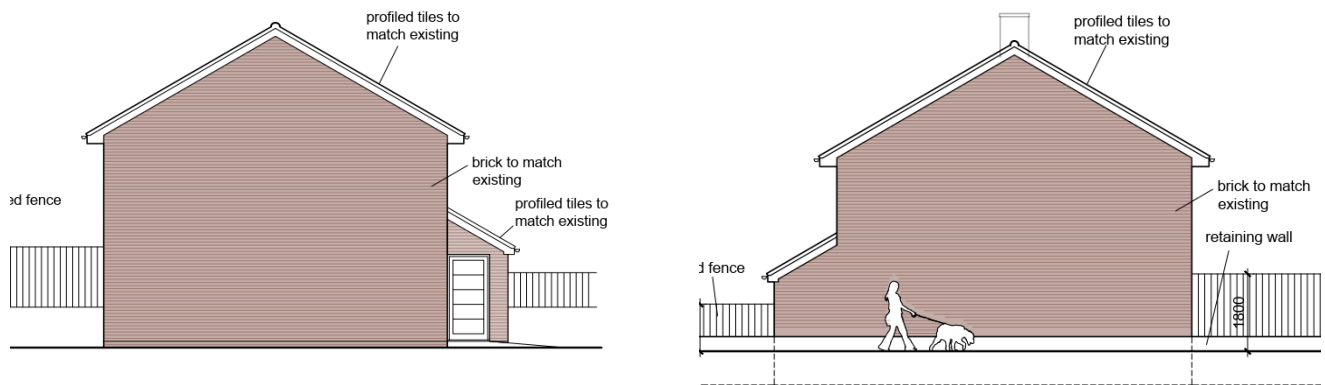
Proposed Development

This application proposes the erection of a detached two storey, three bedroom dwelling, constructed in the side garden of no.53 Coldharbour Road. It would have a footprint of 55.3m² and a driveway with space for two vehicles. The garden will be subdivided with the host property (no.53 Coldharbour Road) retaining a garden area of 111.65m².

The new dwelling would have a similar design to the existing property and other dwellings in the vicinity, with a simple pitched roof, front porch and similar fenestration. It would have an internal floor area of 85.2m² and will have the following dimensions:

- Depth - 9.75m
- Width - 6.15m
- Height (max) - 8m
- Height (eave) - 5.4m





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

Room	Area
Living Room	13.2m ²
Kitchen/Diner	19.1m ²
WC	1.55m ²
Bedroom 1	11.85m ²
Bedroom 2	10.8m ²
Bedroom 3	7.35m ²
Bathroom	5.2m ²
Garden	103.6m ²

Principle of the 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
- Density of Development
- Design, Character and Appearance
- 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), 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.

Density of the Development

Development on this site should meet the requirements of Policy CS14 (LPCS), where the Council expects new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area. Policy CS15 (LPCS) requires that all new housing will be developed at a density, which is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. These policies will be considered and assessed against the proposal later in this report.

Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive, fit for purpose and locally distinctive. It also seeks to conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area, whilst ensuring that the design, layout and form of new development will be derived from a robust analysis of local context and character and make a positive contribution to the street scene, the quality of the public realm and the character of the area.

The application property forms one of two pairs of semi-detached properties on Coldharbour Road, some of these properties have been extended but they are uniform in terms of materials (facing brickwork) and roof styles. To the west there are a pair of detached properties, which are similar constructed using matching facing bricks.

The proposed dwelling has been designed to match the host property and other semis by virtue of its simple pitched roof and similar window layout, with the porch matching the extension to the host dwelling. The new dwelling will be constructed using matching brickwork and tiles. As such, the new dwelling will have no impact on the street scene and is well designed.

Overall, the new dwelling is considered to be well-designed with features that match other properties on the terrace and will therefore not impact the street scene. Therefore, the proposed is in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2021) in terms of design.

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, three bedroom dwelling.

Bedroom(s) /Person(s)	National Housing Standard Guidance	Unit Floor space
3 (4 person)	84m ²	85.2m ²

The table above demonstrates that the dwelling will comply with the minimum floor space for a three bedroom property for both four persons, and would provide acceptable living standards. However, 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	13.2m ²
Kitchen/Diner	12m ²	19.1m ²
WC	1.3m ²	1.55m ²
Double Bedroom	11.5m ²	11.85m ²
Single Bedroom	7.5m ²	10.8m ²
		7.35m ²
Bathroom	3.6m ²	5.2m ²

Table 2 has been colour coded (green complies) to show which rooms within the dwelling meet the guidance within the RLG. The table demonstrates that most rooms within the new dwelling meet the requirements set out in the RLG, with the exception of the third bedroom. The third bedroom is a single bedroom and is only marginally below the minimum guidance, as such it is not considered to create a poor living environment for future occupiers with the other rooms in the dwelling being good sizes.

In terms of amenity space, the proposed dwelling will have a garden area of 103.6m² and a maximum depth of 16.25m. The RLG states that the garden area for a three bedroom dwelling should have a minimum area of 60m² and a minimum depth of 7.6m. Therefore, the proposed garden exceeds the requirement set out in the RLG and would provide a good sized private amenity space for future occupiers.

Overall, the development safeguards the amenity of occupiers by providing acceptable living conditions that comply with local and national residential layout guidance. Therefore, the new dwelling is in accordance 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 be detached from the application property, by a minimum distance of 1m and is adjacent to a piece of amenity land to the east. It would not project beyond the rear wall of the application property and the flank window facing the new dwelling serves the landing, with the existing side projection to be removed to facilitate the new dwelling. Therefore, it is not considered to result in any unacceptable overshadowing, overlooking, loss of outlook or sense of enclosure for future occupiers of the application property.



The new dwelling is located 17.5m from the adjoining property at the rear, which is set-back from the building line of the new dwelling. As such, the rear windows of the new dwelling would not overlook the private amenity space of this neighbour and is sufficient distance from the neighbour to not result in any loss of light or overshadowing. As such, it is considered that the amenity of the adjoining property will be safeguarded as part of this development.



A representation was received from a surrounding resident who expressed concern with the development having an impact in terms of loss of light and biodiversity. As assessed above, the development is not considered to result in any overshadowing or loss of light for any surrounding property. The impact on

biodiversity will be assessed in a later section of this report.

Overall, the proposal is considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Parking and Highways

Gravesham's adopted parking standards (SPG 4) (2006) require a new dwelling to provide off-street parking and seeks to ensure that a maximum of two parking space is provided for a three bedroom property. This proposal provide a driveway with space for off-street parking of two vehicles in accordance with SPG 4. Furthermore, there is space available for the secure storage of cycles within the shed in the rear garden to comply with SPG 4.

The Highways Officer has raised no objection to the proposal, but commented that the driveway should be constructed using bound porous materials. The plans indicate that the driveway will be constructed using permeable paving which would ensure no surface water run-off onto the highway.

As such, the proposal accords with highway policy and is acceptable subject to conditions.

Any Other Material Planning Considerations

Refuse - Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.

The plans do not indicate the location of the bin store, nor the quantity of bins to be provided. However, the proposed dwelling will have space in the frontage for refuse storage similar to the other properties on the terrace. The bins would then be moved onto the footway on collection days, which is the same strategy used by other properties in the surrounding area. Therefore, subject to conditions relating to refuse and bin provision, the proposal would accord with Policy CS19 (LPCS).

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 £314.05 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 £314.05 per new dwelling unit.

The applicant has paid the SAMMS Mitigation Contribution Agreement tariff and therefore complies 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 - The NPPF (Section 15) seeks to ensure that any development result in a biodiversity net gain. This application proposes the erection of a new dwelling on the hardstanding and small section of lawn to the side of the host dwelling, which offers little biodiversity opportunity. The development would involve the subdivision of the garden and some landscaping improvement, however it is not clear what the proposed landscaping schedule would be. Moreover, the plan indicates that the entire frontage of the new dwelling would be hardstanding which should include some planting. Therefore, a condition will be attached to the decision notice to ensure that suitable hard and soft landscaping schedules are submitted to, and approved in, writing by the Local Planning Authority.

Conclusion

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

The proposed dwelling has been designed with similar features to the existing properties fronting Coldharbour Road and would have no impact on the street scene. It provides acceptable living conditions for future occupiers, safeguards the amenity of surrounding residents, is acceptable in highway terms and will mitigate against the impact on the RAMSAR site.

Therefore it is recommended that planning permission is granted, subject to conditions.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	18 th May 2023	Dated:	18 May 2023