



# Delegated Report

## Planning Application

**Planning Application No:** 20240949

**Location:** 12 Campbell Road Gravesend Kent DA11 0JY

**Description:** Erection of a two-storey side extension and change of use from a 3 person HMO to a 7 person HMO.

**Applicant:** Mr James Marsh

**Site Visit Date:** 14/11/24

### Submitted Documents/Plans

Application Form

2027.E.01 Rev A – Existing Plans and Elevations

22027.P.01 Rev C – HMO Extension Plans and Elevations

Design and Access Statement

Superseded Documents

~~22027.P.01 Rev A – HMO Extension Plans and Elevations~~

### Relevant Planning History

| Reference | Description                                                                                                       | Decision  | Decision Date |
|-----------|-------------------------------------------------------------------------------------------------------------------|-----------|---------------|
| 19940506  | Erection of two storey side extension to form garage with bedroom over and canopy to part of front elevation.     | Permitted | 18.11.1994    |
| 19930663  | Erection of two storey side extension to form garage and enlarged kitchen with two bedrooms at first floor level. | Refused   | 23.12.1993    |
| 19880296  | Erection of two storey side extension to form garage with bedroom over and erection of front porch.               | Refused   | 28.06.1988    |

### Development Plan

#### Gravesham Local Plan Core Strategy (2014)

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

#### Gravesham Local Plan: First Review (1994)

- H5 – Increasing the Housing Stock by the Conversion of Existing Buildings
- H6 (iii) – Provision to Meet Special Housing Needs

- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

#### National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places

#### 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);
- Landscape Character Assessment (2009)
- Design for Gravesham: Design Code (2024)

### **Consultations, Publicity and Representations**

#### Consultees

##### *Ward Councillors*

No comments received.

##### *KCC Biodiversity Officer*

Dated 20<sup>th</sup> December 2024 (Final Comments)

We are providing updated information following receipt of photos from the planning officer.

No ecological information has been submitted with this application. As a result of reviewing the data we have available to us, the information submitted with the planning application and photos provided by the planning officer we advise that the proposed development has limited potential to result in significant ecological impacts.

We have taken this view as the photos demonstrate that the aspect of the building to be impacted by the works appear to be in good condition limiting the opportunities for roosting bats to be present. As such we are satisfied that no ecological surveys are required.

Under section 40 of the NERC Act 2006 and paragraphs 187 and 193 of the NPPF 2024 biodiversity should be maintained and enhanced through the planning system. Therefore, if planning permission is granted we recommend that an ecological enhancement condition is included:

Within 3 months of works commencing within the site an ecological enhancement plan must be submitted to the LPA for written approval. The plan must demonstrate how the site will enhance biodiversity through

the inclusion of ecological enhancement features within the buildings and site. The plan must be implemented as approved.

#### Biodiversity Net Gain

Under the Environment Act 2021, all planning applications for major development (unless exempt<sup>1,2</sup>) submitted on or after 12th February 2024 in England, will have to deliver at least a 10% biodiversity net gain. It is a requirement for minor applications, unless exempt, submitted on or after the 2nd April 2024.

The applicant has indicated within the application form that they do not consider the general Biodiversity Gain Condition applies to this application. The applicant has indicated that this is because the development is subject to the de minimis exemption. The de minimis exemption applies where:

- The development will not impact any onsite priority habitat; AND
- The development will not impact more than 25 square metres of onsite habitat with a biodiversity value greater than zero; AND
- The development will not impact more than 5 metres of onsite linear habitat.

From reviewing satellite photos we agree with the conclusion that the site meets the de-minimis exemption. The aerial photos do suggest that prior to 2024 there was vegetation adjacent to the site but it appears it was not within the redline boundary and therefore we are satisfied that it does not need to be considered.

Dated 27<sup>th</sup> November 2024 (First Comment)

We provided the following comments in July 2024 for application PRE20240146 and we advise that they are still valid for this application.

No ecological information has been submitted with this planning application. As a result of reviewing the data we have available to us, and the information submitted with the planning application, we advise that further information is sought from the applicant with regards to the potential for ecological impacts to arise.

As the site is located within an area adjacent to areas of vegetation and residential gardens there is potential for bats to be present within the area. The building may provide suitable features to support roosting bats and as such an Ecological Impact Assessment (EclA) should be undertaken by a suitably qualified ecologist<sup>1</sup>, in accordance with good practice guidelines.

*GBC Environmental Protection Officer*

Dated 25<sup>th</sup> November 2024

There is no objection to this application. The following is recommended.

#### **Code of Practice on Construction and Demolition**

Please apply as appropriate to minimise any impact during the construction of the extension on nearby houses.

#### **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](mailto: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.

*KCC Heritage*

Dated 20<sup>th</sup> November 2024

The site lies within an area of multi-period background archaeological potential. However, based on existing Historic Environment Record data for the area and the past development of the site, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

*KCC Highways Officer*

Dated 14<sup>th</sup> November 2024

I refer to the above planning application and confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority:-

☐ Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with



those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

*GBC Waste and Refuse*  
Dated 8<sup>th</sup> November 2024

I have reviewed the amended planning application and have the following comments on refuse collection arrangements.

The property is a 6 bedroom HMO so the property requires space for a minimum of 2 x 240ltr bins for each material type (refuse and recycling), so 4 bins in total. To allow for food waste there needs to be space for 3 x 23ltr food caddies

I have detailed below the measurements of each type of bin.

| Capacity | 240ltr Recycling Bin | 23ltr Food Caddy |
|----------|----------------------|------------------|
| Length   | 585mm                | 380mm            |
| Width    | 740mm                | 290mm            |
| Height   | 1100mm               | 405mm            |

I hope this assists with the planning application.

*GBC Housing Service Manager*  
Dated 8<sup>th</sup> November 2024

Thank you for your recent consultation request in regard to the above-mentioned proposal.

Thank you for the opportunity to comment on the above-mentioned application. Having reviewed Drawing No 2027.PA.01 our observations as follows:

**In relation to HMO licencing and the required amenities, the proposal would comfortably accommodate 6 (Six) occupants, 6 (Six) households.**

**The self-contained unit to be classified as fully self-contained must not share any utilities within the neighbouring HMO. Where utilities are shared, the unit will be considered part of the HMO and require licencing.**

Where the HMO is the applicants preferred option, the team welcomes a conversation or site visit to the premises to discuss licencing requirements.

*Natural England*  
Dated 20<sup>th</sup> November 2024:

SUMMARY OF NATURAL ENGLAND'S ADVICE  
FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES

The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas

(SPAs) or Ramsar sites that they underpin.

Natural England's statutory advice on these potential impacts is set out below.

#### Designated sites

Further information required - recreational pressure impacts to European Sites (habitats sites)

This development site is within the zone of influence (Zol) for recreational pressure impacts to one or more European Sites (habitats sites).

Within this Zol, proposals for any net increase in residential units will have a likely significant effect on the qualifying features of the European Site(s) (habitats site(s)) through increased recreational pressure when considered either alone or in combination with other plans and projects.

Your authority has measures in place to manage these potential impacts through a strategic solution which Natural England considers will be effective in preventing adverse impacts on the integrity of the site(s).

Notwithstanding this, Natural England advises that these measures should be formally checked and confirmed by your authority, as the competent authority, via an appropriate assessment in view of the Natural England Access to Evidence - Conservation Objectives for European Sites and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Providing the appropriate assessment concludes that the measures can be secured, it is likely that Natural England will be satisfied that there will be no adverse effect on the integrity of the European Site(s) (habitats site(s)) in relation to recreational disturbance.

Where the proposal includes bespoke mitigation that falls outside of the strategic solution, Natural England should be consulted.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the strategic approach, should also be subject to the requirements of the Conservation of Habitats & Species Regulations 2017 (as amended) and our advice above applies.

#### *Kent Police Designing Out Crime Team*

Dated 8<sup>th</sup> November 2024

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. Perimeter, boundary and divisional treatments must be a minimum of 1.8m high. Any alleyways must have secure side gates, which are lockable from both sides, located flush to the front building line.
2. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an "active" window e.g. lounge or

kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.

3. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than “round shaped” trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.

4. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states: “18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.”

Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.

5. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.

6. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.

7. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.

8. We recommend “A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019” for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.

9. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.

10. Cycle and Bin Stores must be well lit and lockable, with controlled access for the residents within the flats.

11. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.

12. CCTV is advised for all communal entry points and to cover the mail delivery area.

If approved, site security is required for the construction phase. There is a duty for the principle contractor “to take reasonable steps to prevent access by unauthorised persons to the construction site” under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

### Neighbouring properties

8no. surrounding properties were consulted, and a site notice was placed near the site on 14<sup>th</sup> November 2024. 1 comment was received, neither objecting to nor supporting the scheme.

## Summary of comment:

- The design and access statement expresses that the land to the rear of number 12 is disused garages. For clarity, this land is no longer disused garages, there is existing planning consent for 5 three-bedroom houses with 2 parking spaces for each unit and includes three visitors parking bays.
- The garages have already been demolished and the work already in place for the erection of 5 houses.

## Officer's Analysis

### Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

*"It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than "guidance" and as such a "material consideration" for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme."*

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in March 2023, it demonstrates that based on data up for the period 2022-2027, the Council can only demonstrate a land supply of 2.9 years.

Given the Council's current inability to demonstrate a 5-year housing land supply, 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) (2024). 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 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 combination.

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 189)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- National Landscape
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 75)

- 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 130(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.

A HMO would only contribute towards the local housing need if the HMO is created by change of use from a non-residential building. As such the application does not affect the five-year housing supply.

### Site Description

The existing site contains a two-storey dwellinghouse with single storey side and rear, flat roof projections. It contains three bedrooms. The agent has noted that the building is being used as a HMO. However, no planning history is available which indicated the use as a HMO. However, if the HMO was being used for 6 people or less, planning permission may not have been required.

It should also be noted that the initial submission included a self-contained flat at ground level. This was not considered acceptable and removed from the scheme, increasing the HMO from 6 to 7 persons.

### Design, Character and Appearance

Policy CS19 (LPCS) states that the design, layout and form of new sustainable development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. The NPPF (2024) sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make developments acceptable to communities (NPPF paragraph 131). The quality and character of the built environment is also important in making the Borough an attractive place in which to invest. Therefore, a balance is required between achieving an effective use of a site within a sustainable location, whilst safeguarding and improving the environment and protecting local amenity.

In this instance, the proposed two-storey extension would be located to the side and would be visible from the streetscene. As such, its impact on the character of the Area would be heightened. However, its impact on the character of the area will be dependent on the quality of the design. The scale and design of the addition should be visually subservient, and visually reflective of the mixed rural/residential character of the site, built to a high quality.

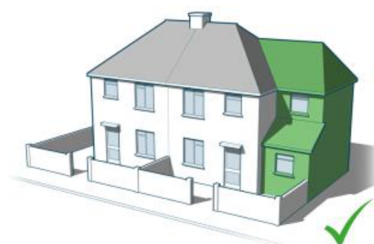
The proposed extension would be 4.8m wide and 8.3m deep. It would be 8.3m high with an eave height of 5.5m. The eave height would be reflective of the main dwellinghouse. There would be a small set down and ridge height, demonstrating a degree of subservience. The front elevation of the proposed extension would be set in by 0.2m of the existing two-storey elements of the building. The width of the extension would be over half of that of the existing dwellinghouse.

The guidance at paragraph **10.5** and **10.6** of the Extensions/Alterations Design Guide is relevant and is included below for information:

## Two Storey Side

10.5 Two storey extensions can have a more significant impact on the appearance of the street. Care is also needed when considering the relationship between any proposed extension and the boundary with neighbouring properties as the separation between properties can provide access routes to the rear of the property and in some locations are part of the character of the area. Depending on the orientation of the neighbouring property, side extensions also have the potential to impact their amenity. To ensure these potential issues are resolved, two storey side extensions should be designed in accordance with the guidance below.

- **Footprint:** Extensions should generally aim to appear subservient to the host building by lying behind the main front building line, though where designed well or having regard to positive local character, other approaches can be supported. See advice of extensions to corner properties in the following section.
- **Height:** Extensions should not exceed the eaves height of the host building.
- **Width:** Extensions should generally be no greater than half the width of the host building. The existing rhythm of the street, including for example characteristic gaps between properties, the symmetry of pairs of semi-detached homes or groups of terraced houses, should not be unreasonably interrupted. A minimum gap of 1 metre should be retained between the extension and the flank boundary.
- **Design:** Extensions are of greater visibility, and should incorporate roof designs to reflect and generally be subservient to the main property's roof. The use of flat or false pitched roofs visible from the street should be avoided. Patterns of windows should reflect the host building and local character. Walls to extensions should not form the site boundary with the public highway, as these can be oppressive and encourage antisocial activities.
- **Materials:** Matching external materials and window / door frames should be used.
- **Overlooking:** Extensions should avoid inserting any flank windows where they would allow new, or significantly increased overlooking views into neighbouring gardens / properties.
- **Light / Outlook:** The 45 / 25 degree rule will be used to assess the impact of the extension on neighbouring light / outlook.



Ground floor set back 0.5m



Unacceptable flat roof

Two storey side extensions should be subordinate in scale to the original house.



Side extensions should be set back and set in to avoid the 'terrace effect'.

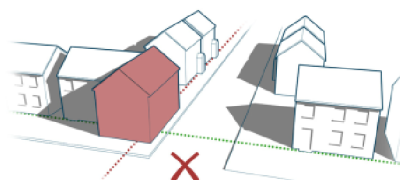
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- **Garden Space:** Adequate garden area for the enlarged house should be retained following development
- **Bin Storage:** Adequate provision for discreet storage of waste bins in the front garden

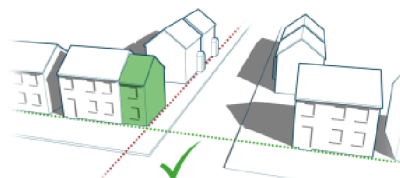
## Extensions to houses on Corner Plots

10.6 Corner plots may provide opportunities to create large extensions that face onto the return road and in some cases can create a landmark building feature. Their location makes them highly visible from two streets and can provide an opportunity to improve the appearance of an area. Houses on corner plots may have capacity for two-storey extensions that extend to the side or rear. Extensions should follow the relevant advice given in preceding sections and ensure:

- **Building Line:** Development should generally reflect the surrounding building lines where they are a key and clear part of the local character. Any projection forward of the building line on the return street must be very carefully considered as this will be highly visible. This may be resolved through the massing (such as stepping), fenestration or material treatment of the proposal. Views along the return street to the proposed building should be understood and taken into account.
- **Roof Form:** The relationship between the roof of the existing property and an extension on a corner is carefully considered.
- **End Walls:** Extensions that result in overbearing end walls, including blank, uncharacteristic gables, or flank walls, will generally not be acceptable. Walls to extensions should not form the site boundary with the public highway, as these can be oppressive and encourage antisocial activities.



Development should not dominate the street corner.



Development should generally reflect the surrounding building lines

In this case the proposed development does set down and sets back the extension, which does provide some level of subservience. The distinctive front and rear pitch would be retained, with similar window position and design, providing a somewhat symmetrical appearance and creating a cohesive appearance. The image below was taken on site and shows the existing building at the end of the terrace.





The below image is taken from the proposed streetscene, provided with this planning application (Not to Scale).



Design Principle 5.10 of the Design for Gravesham – Design Code (2024), states that following:



### Design principle 5.10

#### Height

- a. Where a development proposes variations in height, that is not consistent with the existing context, applicants **must** assess and evidence the height of existing buildings in the immediate vicinity and the local context (prevailing height). This evidence **must** be used to inform the development proposal and to demonstrate its impact on the local surroundings and the skyline.
  - b. For small scale infill development where the height of existing buildings along the street is consistent or of minimal variation, new developments **must not** exceed the existing building height level of the adjacent plots along the street.
  - c. Development **must not** overshadow or compromise the quality of neighbouring buildings.
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- d. Applicants **should** clearly explain the rationale behind their approach to height and how this responds to the existing context height.
  - e. Building height **should** not negatively impact air flow and natural light at street level.

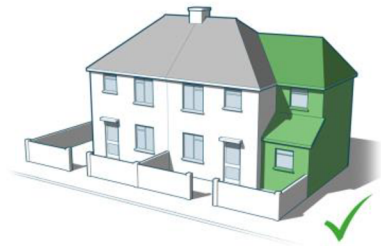
In this instance, it is noted that there is some variation in roof height in the row of terraces, which would be reflected in the setdown of the ridge proposed. The scheme would not exceed the building height level of the adjacent plots, and so the roof height would not be uncharacteristic of the wider setting.

In any case, the Householder Extensions/Alterations Design Guide is clear. The nature and position of two-storey extensions means that such development can have a more significant impact on the appearance of the street than other development to a dwellinghouse. Paragraph 10.5 of that document is included again below for information.

## Two Storey Side

10.5 Two storey extensions can have a more significant impact on the appearance of the street. Care is also needed when considering the relationship between any proposed extension and the boundary with neighbouring properties as the separation between properties can provide access routes to the rear of the property and in some locations are part of the character of the area. Depending on the orientation of the neighbouring property, side extensions also have the potential to impact their amenity. To ensure these potential issues are resolved, two storey side extensions should be designed in accordance with the guidance below.

- **Footprint:** Extensions should generally aim to appear subservient to the host building by lying behind the main front building line, though where designed well or having regard to positive local character, other approaches can be supported. See advice of extensions to corner properties in the following section.
  - **Height:** Extensions should not exceed the eaves height of the host building.
  - **Width:** Extensions should generally be no greater than half the width of the host building. The existing rhythm of the street, including for example characteristic gaps between properties, the symmetry of pairs of semi-detached homes or groups of terraced houses, should not be unreasonably interrupted. A minimum gap of 1 metre should be retained between the extension and the flank boundary.
  - **Design:** Extensions are of greater visibility, and should incorporate roof designs to reflect and generally be subservient to the main property's roof. The use of flat or false pitched roofs visible from the street should be avoided. Patterns of windows should reflect the host building and local character. Walls to extensions should not form the site boundary with the public highway, as these can be oppressive and encourage antisocial activities.
  - **Materials:** Matching external materials and window / door frames should be used.
  - **Overlooking:** Extensions should avoid inserting any flank windows where they would allow new, or significantly increased overlooking views into neighbouring gardens / properties.
  - **Light / Outlook:** The 45 / 25 degree rule will be used to assess the impact of the extension on neighbouring light / outlook.
- **Garden Space:** Adequate garden area for the enlarged house should be retained following development
  - **Bin Storage:** Adequate provision for discreet storage of waste bins in the front garden

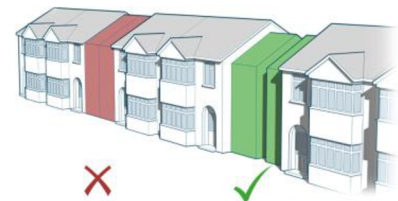


Ground floor set back 0.5m



Unacceptable flat roof

Two storey side extensions should be subordinate in scale to the original house.



Side extensions should be set back and set in to avoid the 'terrace effect'.

It is clearly stated that side should be set back and set in to avoid a 'terracing effect'. They should be no greater than half the width of the host building with the roof set down.

Planning reference 19940506 approved a very similar two-storey side extension, which was never built. It had a similar design but it was set in from the side and so had a smaller width. Whilst it is unfortunate that the width proposed now is greater than half the width of the existing dwellinghouse, given the spacing to the side of the plot, the set down and set back of the extension and its cohesive appearance, on balance, the addition would have an appropriately subservient appearance. It is also noted that the side extension now proposed has an unusual form as it curves inwards towards the rear of the site. This corresponds with the curved nature of the plot. Visually this curved feature would not be visible immediately to the front of the building. Whilst unusual, it would be mostly visible to the rear and actually represents a smaller increase in massing than might otherwise be apparent and would retain a single storey element at the rearmost part of the building and so this impact of this unusual design is further limited.

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2024) in terms of design, character and appearance.

## Amenity of Future Occupiers

The NPPF (2024) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those

of neighbouring properties and land. The impact on neighbours will be assessed in the next section of the report.

## HMO

The Council's own adopted 'Guidance for HMO Amenity Standards' (2023) includes more appropriate minimum room size requirements for this application type. For a one person unit there should be a minimum bedroom floor area of 6.51m<sup>2</sup> and for a two person unit there should be a minimum bedroom floor area of 10.22m<sup>2</sup>. The planning statement states that the HMO would serve 7 people only and so the bedrooms are all single occupancy and all exceed the minimum bedroom area of 6.51m<sup>2</sup>.

There would be one kitchen and a dining room located on the ground floor of the HMO. The HMO Amenity Standards (2023) provides minimum requirements for communal kitchens/dining areas:

| Where a kitchen is shared by (communal) | 1 – 3 occupants            | 4 occupants                | 5 occupants                | 6 occupants                | 7 – 10 occupants           |
|-----------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Kitchen (minimum)                       | 5m <sup>2</sup>            | 6m <sup>2</sup>            | 7m <sup>2</sup>            | 9m <sup>2</sup>            | 11m <sup>2</sup>           |
| Dining area                             | 2m <sup>2</sup> per person | 2m <sup>2</sup> per person | 2m <sup>2</sup> per person | 2m <sup>2</sup> per person | 2m <sup>2</sup> per person |

The kitchen would be 8.3m<sup>2</sup> and would be below the minimum kitchen size and the Dining area would be 12.58m<sup>2</sup>, which would be above the minimum size for the dining area. The kitchen proposed is below standard but given the larger dining room space, there would be capability to provide a larger kitchen with a reduced dining room. It is considered that there is capability of providing appropriate kitchen and dining room spaces despite the lack of appropriate kitchen space shown, and that as HMO Licensing will also cover this matter separately, that this is not a matter for refusal in this instance.

A 6-10 person HMO, would also require the following:

- 2 x bath or shower "wash facility"
- 2 x WCs
- 2 x wash hand basin in each WC
- Important; where WCs are both contained within full bathrooms, a separate WC and wash hand basin will be required Where only one bathing facility is provided in the premises, it must be a bath with a suitable seal and a fixed overhead shower. A fixed shower rail and curtain must be installed.

All bedrooms would be served by ensuite with a shower, basin and WC.

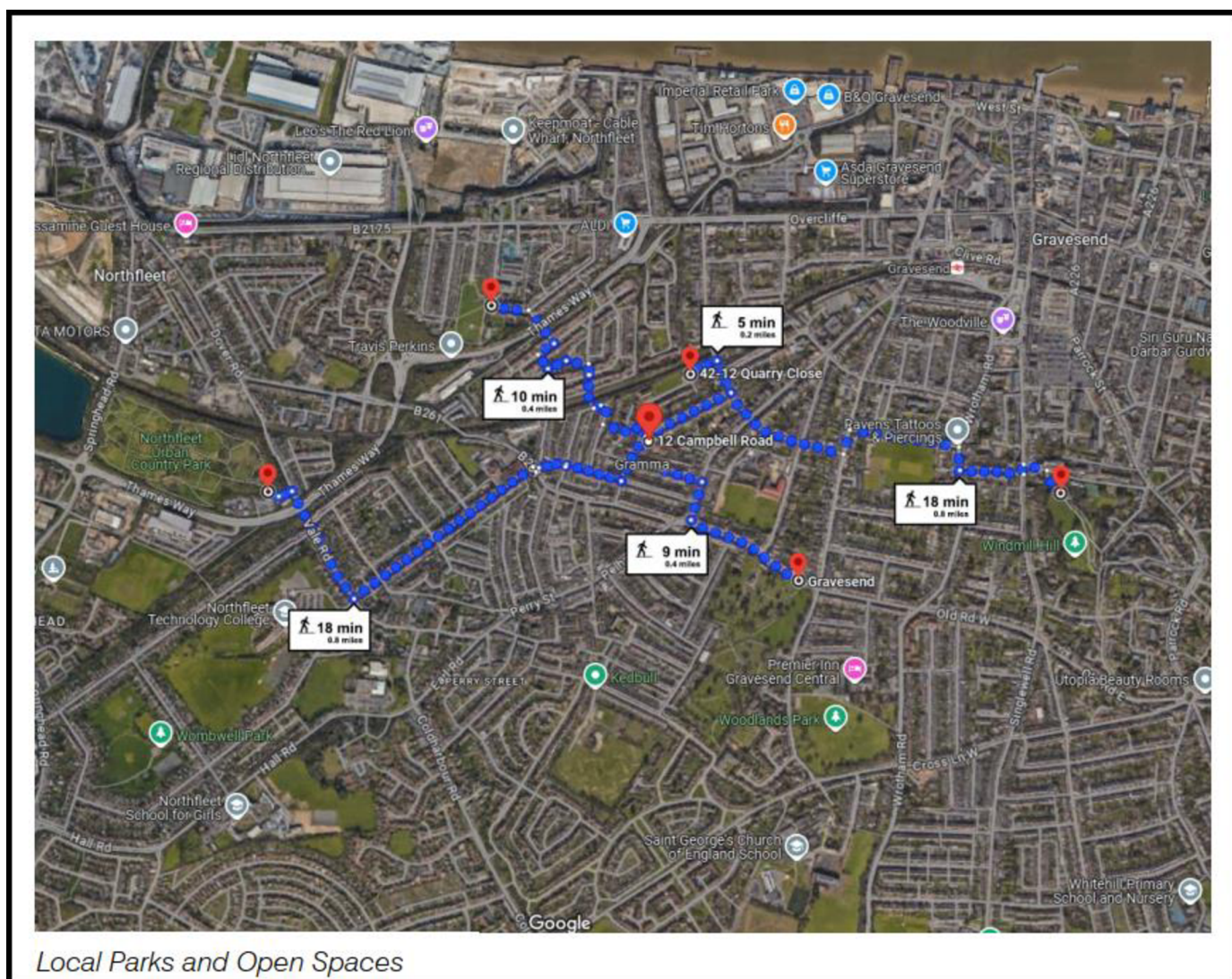
## External Amenity

The proposed garden area would be retained for the use of the occupiers of the bedroom to the ground floor rear and has an area of 25m<sup>2</sup>. However, the garden area would not be accessible to all users of the HMO.

At Section 7.0 of the Design and Access Statement, provided with the application, justification is provided for the reduced level of external amenity space.

The below image is taken from that Statement:





As can be seen there are at least 5 areas of public open space within a 5-18 minute walking distance from the property. Given the close proximity and number of these spaces available, it is considered in this instance that the reduced level of external amenity space would be acceptable. It would be preferable to have the space more widely accessible, it is contrived on nature and poor quality. Therefore on balance, the proposal is acceptable.

#### Neighbouring Amenity

As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, no objection to the proposal was received.

#### *8 Campbell Road*

This neighbour is located to the south, with the entrance to the land to the rear, located between the plots. This results in an existing distance of 8.8m between the properties. The proposed development would result in a two-storey side extension, extending closest to this neighbour's property. However, the 8.8m distance would be retained.



*Image taken by case officer on 01/08/24*

As the above image shows, there are no first-floor windows to the side elevation of this neighbouring property. As such there would be no windows overshadowed or overlooked as a result of the development. Given the distance between the properties, it is unlikely that the proposed development would result in any significant impact on this neighbouring property and its occupiers.

#### *14 Campbell Road*

This neighbour is located to the north-east of the plot and adjoins the existing property. The proposed extensions would be located to the South elevation. It would not result in any raised roof heights and would not extend further to the front or rear elevations. As such from the position and perspective of this neighbouring property, there would be little change. The property would not be impacted by additional bulk, windows or potential overshadowing.

#### *Land to the rear*

It is noted that the design and access statement identifies the land to the rear as disused garage land. But there is planning permission on this site for the erection of 5 dwellinghouses, with associated parking provision. This permission was recently amended under planning reference 20240611. The approved layout from this application is shown below for reference:





The existing dwellinghouse is 11.6m from the approved dwellinghouses. This distance would not be altered by the proposed extension. Given the distance, and indirect positional relationship between the buildings as proposed, there would be a limited impact on the residential amenity of those who would occupy the dwellinghouses approved, in relation to bulk, overshadowing and overlooking.

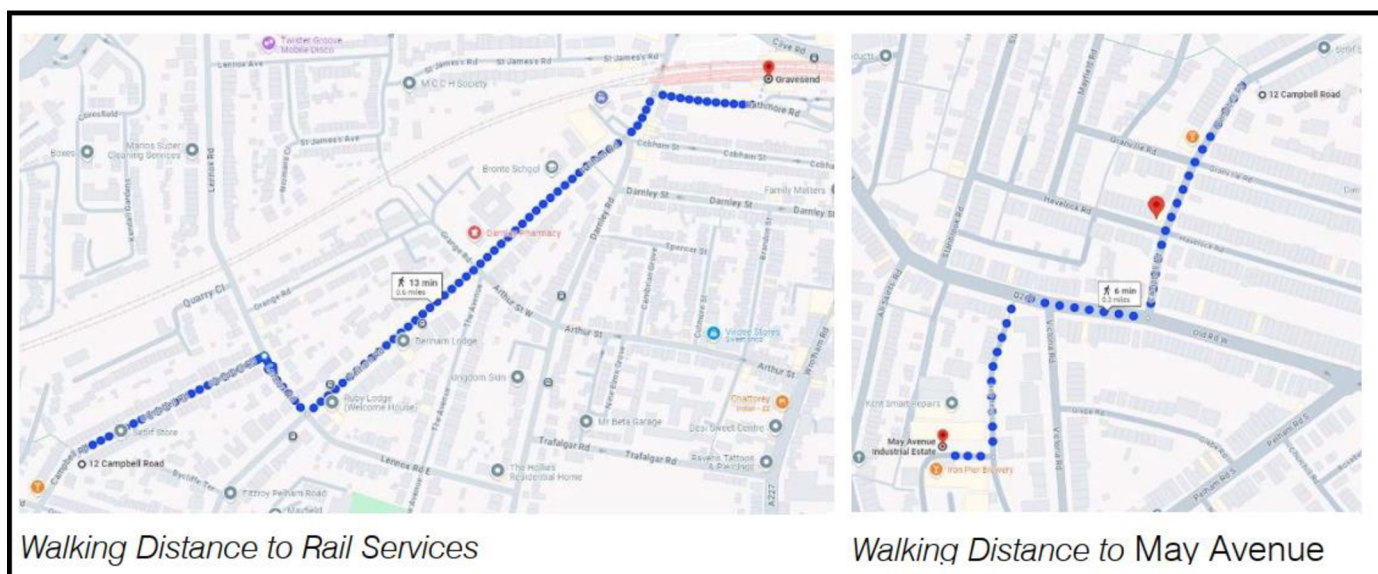
The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

### Parking and Highways

The proposed development does not provide any car parking facilities. It would provide provision of cycle storage for 3 cycles. There is no scope for parking provision to be provided within the red line plan. As such the HMO would be reliant on the unrestricted on-street parking provision, on-site cycle parking provision, the accessibility to public transport and taxi and private hire vehicles.

To demonstrate the impact this would have on the area, a parking survey was undertaken. The Design and Access Statement details that the survey was undertaken at 7PM on a Tuesday evening and along a 2 minute walking distance along Campbell Road and Mayfield Road. It details that 6 spaces were available on Campbell Road and 10+ spaces were available on Mayfield Road.

The statement also details that the site is in a sustainable area, with good access to local transport services and a flat walking terrain. The bus service is 0.2 miles away, which links to rail services. The transport hub at Gravesend is 0.6 miles away (a 13 minute walk). Trains from and to London run every hour and buses to Bluewater Shopping Centre run every 37 minutes from Pelham Road. The statement also states that there is good retail services on Pelham Road (0.2miles, New Road and St Georges Shopping centre (0.6miles). The site is also located near May Avenue Industrial Estate (0.3 miles).



*Images included in the provided Design and Access Statement*

The KCC Highways Officer has not objected to the scheme subject to condition which would ensure the provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.

It is noted that planning approval for a two-storey side extension was given under planning ref 19940506, in 1994. This was never built but this approval incorporated a garage on site. The application previous to this for a similar scheme (Ref: 19930663), had been refused as there would have been insufficient provision for the parking of cars within the site. However, public transport has improved significantly since 1994 and the site as shown above is close to public transport options, including the new Gravesend Transport hub. It is also noted that 12 Campbell Road, is one of the only properties in this area, with off-street parking provision and so the predominant character of the area, is for on-street parking.

It is considered that single occupiers of the HMO are unlikely to require use of a car for travel. Given the availability of local services, retail options and sustainable transport options, the site is considered to be in a sustainable location, which on balance, would not require parking provision, which is consistent with the approach taken for other similar schemes, in similar sustainable locations close to the town centre.

Subject to conditions, adequate vehicle and cycle parking provision would be available in accordance with paragraphs 115 to 118 of the National Planning Policy Framework (2024), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014 subject to further details of cycle parking provision.

## Biodiversity

### *Enhancement*

Under the Environment Act 2021 and supporting Statutory Instruments Biodiversity Net Gain (BNG) is now mandatory for most development. The legislation requires a minimum 10% gain in biodiversity from applicable development either onsite, offsite or a combination of both.

BNG provided under the mandatory requirements offsite and significant BNG onsite must be secured by a legal agreement for 30 years under an approved Habitat Management and Monitoring Plan (HMMP)

There are strict legal requirements in terms of what an application must contain in relation to BNG before it can be accepted as valid. This is set out in Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and requires the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application and other information.

However, certain applications are exempt from the BNG regulations (the Biodiversity Gain Requirements Exemptions) Regulations 2024) including householder applications and include:

- Householder development as defined within article 2(1) of the Town and Country Planning Development Management Procedure) (England) Order 2015.
- Development granted planning permission by a development order under section 59. This includes permitted development rights.
- Development subject to the de minimis exemption - development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of habitat, or 5 metres of linear habitats such as hedgerows.
- Self-build and custom build development - development which:
  - consists of no more than 9 dwellings, and
  - is carried out on a site which has an area no larger than 0.5 hectares, and
  - consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015

In this instance, the application form indicates that the application is subject to the de minimis exemption and therefore exempt from the requirement for 10% Biodiversity Net Gain. As such no Biodiversity information has been submitted with the application, nor a completed BNG Metric.

However, it is noted that KCC Biodiversity has requested a condition requesting a Biodiversity Enhancement plan, which shall be included where approved.

### *Mitigation*

- *Protected Species*

Initially in their comments, KCC Biodiversity raised concerns regarding the potential impact on roosting bats. However, following their initial comments, the case officer provided photographs of the site to the KCC Biodiversity Officer. Using these photographs, the KCC Biodiversity Officer was able to update their comments and conclude that the proposed development has limited potential to result in significant ecological impacts. This is because the parts of the building which would be impacted by the development are in good condition limiting the opportunities for roosting bats to be present. Due to this, KCC Biodiversity have removed their initial request for provision of a ecological survey.

- *Thames Estuary and Marshes Ramsar Site and Special Protection Area (SPA)*

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 waterbirds 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 £328.27 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.

Where there are no other contributions required for a development applicants generally have chosen to submit the payment of £328.27 per new increase in bedrooms for HMO's by filling in the Strategic Access Management and Monitoring Strategy (SAMMS) Agreement. By filling in this form there are no legal fees to be paid by the applicant and refund mechanisms are in place in the event of a refusal.

The applicant has completed the SAMMS Mitigation Contribution Agreement and made the required payment, addressing this issue.

Therefore, the development would comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 192 and 193) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

## Conclusion

As the proposed development would extend the existing HMO and would not create a new HMO from a non-residential building, it would not contribute towards the local housing need and would not affect the five-year housing supply.

The proposed development would result in a two-storey extension to the building, which would have a subservient appearance and would be considered acceptable in terms of design, character and appearance.

The scheme would also be acceptable in terms of internal and external amenity standards. It is considered that there is capability of providing appropriate kitchen and dining room spaces despite the lack of appropriate kitchen space shown, and that as HMO Licensing will also cover this matter separately, that this is not a matter for refusal in this instance.

Despite the lack of external amenity space, there is good availability of recreational facilities nearby and so a reduced level of external amenity space would be acceptable in this instance.

The proposed development would not result in any significant harm to the residential amenity of neighbouring properties.

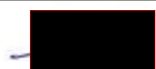
The proposal would be a parking free scheme, with a cycle store for the additional 3 HMO rooms. Given the sustainable location, a parking free scheme is considered acceptable in this instance.

In terms of Biodiversity the scheme is considered to be exempt from the required 10% net gain, as it would be de minimis. In terms of biodiversity mitigation, a SAMMs payment has been made to mitigate impact on roosting birds. No other ecological mitigation is necessary. However, to ensure the site does allow for some biodiversity enhancement, a condition would be included where approved, requiring a Biodiversity Enhancement Plan.

## Recommendation

On balance, the proposed development is compliant with local and national planning policies. The recommendation is therefore to approve.

(For detailed conditions and informatives, see draft Decision)

|                      |                                                                                     |                     |                                                                                       |
|----------------------|-------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Mrs Lisa Fisher                                                                     | <b>Team Leader:</b> | Mrs Faye Walsh                                                                        |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |



|               |                               |               |                 |
|---------------|-------------------------------|---------------|-----------------|
| <b>Dated:</b> | 28 <sup>th</sup> January 2025 | <b>Dated:</b> | 31 January 2025 |
|---------------|-------------------------------|---------------|-----------------|