



Delegated Report

Full Planning Application

Application No:	20220998
Location:	197 Vale Road, Northfleet, Gravesend, Kent, DA11 8BP
Description:	Erection of a new dwelling
Applicant:	Chris Hammond, Nevo Construction
Site Visit:	2 nd March 2023

Submitted Documents/Plans

- Application Form - dated 09/09/2022;
- Drawing no. 040822/1 - Proposed Ground Floor Plan;
- Drawing no. 040822/2 - Proposed First Floor Plan;
- Drawing no. 040822/3 - Proposed Second Floor Plan;
- Drawing no. 040822/4 - Proposed Roof Plan;
- Drawing no. 040822/5 - Proposed Elevations;
- Drawing no. 040822/6 - Proposed Sections;
- Un-numbered Location Plan - Site Location Plan (scale - 1:1250);
- Un-numbered Location Plan - Existing Block Plan (scale - 1:500);
- Un-numbered Location Plan - Proposed Block Plan (scale - 1:500).

Relevant Planning History

No relevant planning history.

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)

Consultations, Publicity and Representations

Consultees

GBC Highways Officer - This is a proposal to provide a new three bedroom property in a suburban area without any car parking provision.

The National Planning Policy Framework, states except in very specific circumstances the use of maximum vehicle parking standards is not longer relevant. As such the only local guidance is in Interim Guidance Note 3 Residential Parking of the Kent Design Guide. This requires a minimum of an average of 1.5 spaces on average per property, with the possible allocation of one space.

However, given the extent of local on street parking controls, the level of parking stress and the proximity of the local centre and access to public transport it is not a reason to refuse the application providing adequate provision is made for the secure and weatherproof parking of three cycles. Anyone occupying the properties should be aware of the situation prior to moving in and should make their own judgements as appropriate.

Of more concern given the sites location is how it will be built, the delivery of materials and removal of waste will involve partially obstructing Perry Street, so any deliveries etc should be restricted to the period 9:30 to 15:00 to avoid school and peak hours, with traffic controlled by stop/go boards or traffic signals. Ideally a Construction Management Plan should be submitted.

Local Ward Councillors - No comment received.

Neighbouring properties

A notice was displayed on site 12th January 2023.

In addition, three surrounding properties were consulted and no representations were received. The consultation period expired 10th February 2023.

Officer's Analysis

Site Description

197 Vale Road is an end of terrace property located on northern side of the highway, on the corner of Vale Road and Perry St. The property forms part of a terrace of six properties, with an adjoining terrace of five properties on Perry St, separated by the side garden of no.197.

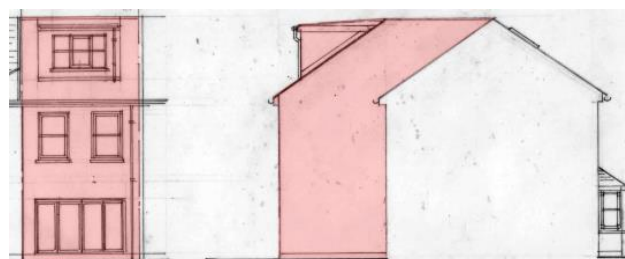
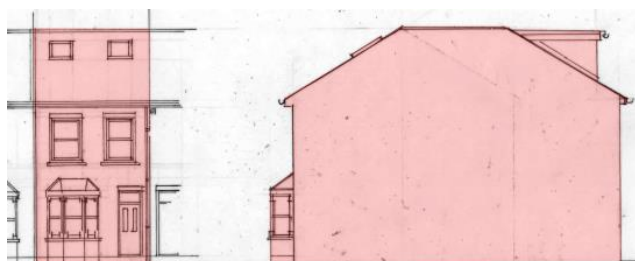


The application property (no.197) has a two storey outrigger adjoined to the neighbour, whilst the adjacent property has a two storey outrigger abutting the side garden with a parapet wall (as shown in the screenshots above).

Proposed Development

This application proposes the erection of an attached two storey, three bedroom dwelling with rooms in the roof space. The proposed dwelling would be constructed in the side garden of no.197 Vale Road. It would have a footprint of 49.1m² and has no proposed off-street parking. The garden will be subdivided with the host property (no.197 Vale Road) retaining a garden area of 55.5m².

The new dwelling would have a pitched roof with a flat roof section, annotated as a 'tabletop roof' on the plans. There would be a flat roof dormer on the rear roof slope to facilitate the rooms in the loft space. It has been designed with similar features to the host property and the other properties on the Vale Road terrace, with the decorative bay window. The documents do not state the proposed materials of the dwelling.



It will have an internal floor area of 120.1m² and will have the following dimensions:

- Depth - 12.25m
- Width - 8.25m
- Height (max) - 8.55m

- Height (eave) - 6.15m

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

Room	Area
Living/Diner	19.6m ²
Kitchen	21.5m ²
Bathroom	5.8m ²
Bedroom 1	15.75m ²
Bedroom 2	12.4m ²
Bedroom 3	19.5m ²
Wet room	4.3m ²
Garden	46m 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 published here), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2021). This requires that in regard to housing development, planning permission should be granted unless:

- 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
- 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 proposed dwelling has been designed with similar features to the existing property and wider terrace on Vale Rd. It would match the ridge heights of both adjoining properties, with a similar decorative bay window at ground floor level and window placement. Therefore, from a street scene perspective the new dwelling is considered to respond to the immediate context.

However, the proposed dwelling will close an established gap within the street scene, which is in a prominent position on the junction of Vale Rd, Perry St and St Margarets Rd. The gap is narrow and offers little quality or open space, albeit creating a break in the built form of the terraces. As such, the proposed dwelling is not considered to impact on the character of the street scene by virtue of occupying and enclosing the gap.

The property has been designed with a large flat roof section (tabletop roof) in order to create additional internal floor area and three bedrooms. The Local Planning Authority do not support flat roof sections above single storey level due to their incongruous and bulky appearance, which is supported by the Householder Design Guidance SPD (2021). However, in this case the dwelling will be constructed between two

properties and the flat roof would not be visible from any public vantage point, thus limiting its impact. As such, it is considered to be acceptable design and would not impact on the setting of the terrace.

The plans/documents do not detail the proposed materials for the new dwelling, which should match the surrounding properties. While this could be a concern, planning conditions could ensure that material details are submitted and approved in writing by the Local Planning Authority.

There concerns with the scale of the property in relation to neighbour amenity (assessed below), however the proposal is not considered to be overdevelopment of the site in design terms.

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. These figures vary depending on the number of persons occupying the dwelling. In this case the plans demonstrate three bedrooms, all of which are considered double bedrooms. Therefore, the property would be considered against both the 4 person and 5 person dwellings within the Nationally Described Space Standards.

Bedroom(s) /Person(s)	National Housing Standard Guidance	Unit Floor space
3 (4 person)	90m ²	120.1m ²
3 (5 person)	99m ²	120.1m ²

The table above demonstrates that the dwelling will comply with the minimum floor space for a three bedroom property for both four and five 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	19.6m ²
Kitchen	7.2m ²	21.5m ²
Bathroom	3.6m ²	5.8m ²
Double Bedroom	11.5m ²	15.75m ²
		12.4m ²
		19.5m ²
Bathroom (Wet room)	3.6m ²	4.3m 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 all rooms within the new dwelling meet the requirements set out in the RLG and that the development will provide a good quality living environment for future occupiers.

In terms of amenity space, the proposed dwelling will have a garden area of 46m² and a maximum depth of 11.9m. 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 depth requirement but falls below the overall garden area for a three bedroom property and although not conforming to the RL, on balance the garden area would be acceptable and provide sufficient private amenity space for future occupiers.

Overall, even though the garden space is marginally undersized 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 constructed in an established gap between nos. 197 Vale Rd and 74 Perry St. As aforementioned in this report, these two properties have different design characteristics, with back-front outriggers of differing depths and heights.

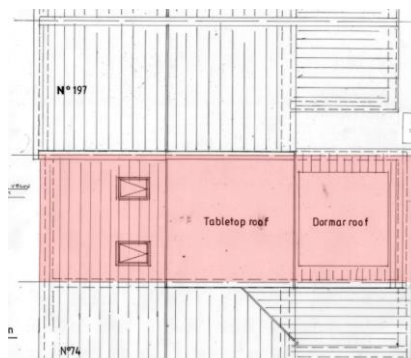


The proposed dwelling will have a depth to match the outrigger of no. 74 Perry St, extending beyond the outrigger of no.197 Vale Rd by 0.35m. There are no flank windows proposed on the new dwelling and therefore will not impact on amenity in terms of overlooking.

Due to the orientation of the properties, with north facing gardens, the proposed dwelling will not directly overshadow either neighbour. However, by infilling the gap between the adjoining properties the available sunlight to the rear of no. 197 Vale Rd will be impacted.

Nevertheless, the new dwelling is an unneighbourly form of development by virtue of creating an unacceptable sense of enclosure and tunnelling effect for occupiers of no.197 Vale Rd. The new dwelling would project beyond the rear wall of no.197 by 3.3m, with the rear dormer and flat roof section creating a

three storey projection at an overall height of 8.55m. The flank wall of the new dwelling will be 1.25m from the flank wall of the outrigger and no.197 has a rear window and flank window are ground floor facing new dwelling. The significantly enclosed space, along with the height and depth of the new dwelling, will impact the amenity of future occupiers and is an oppressive unneighbourly development.



This sense of enclosure is exacerbated by the angle of the properties (as demonstrated in the satellite imagery above). The plans do not show the compression of the two properties towards one-another, whereby the outrigger of no.74 Perry St slightly angles into no.197 Vale Rd due to its location on a bend. Therefore, the new dwelling, assumed to be following this building line, would similarly angle in towards no.197 creating a more oppressive and dominating development to the detriment of amenity.

Overall, the proposal is not considered to safeguard the amenity of neighbouring properties, by virtue of being an oppressive, dominant and unneighbourly form of development creating an unacceptable sense of enclosure and tunnelling effect for occupiers of no.197 Vale Rd, contrary to Policy CS19 (LPCS) and Section 12 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 does not provide any off-street parking for future occupiers of the dwelling.

The Highways Officer has acknowledged the under provision of parking but raised no objection to the development, stating that the proximity to the local centre on Perry St and the parking controls in the area to reduce the need for vehicles. The lack of objection from the Highways Officer, along with the SPG4 being a maximum requirements, means that there is insufficient grounds to refused the application on vehicular parking.

The plans do not demonstrate any secure cycle storage, as required by SPG4. There is space in the garden for a secure cycle storage provision for three bicycles in accordance with SPG4 and therefore this is not sufficient grounds to refuse the application, and could be addressed by planning condition.

Overall, even though the new dwelling will not benefit from any off-street parking provision, given the location of the site close to a local centre with public transport links the proposal is considered acceptable in terms of highway policy.

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 £275.88 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

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

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

Conclusion

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

The proposed dwelling is an unneighbourly oppressive and dominant development by virtue of its height and depth in relation to adjoining properties, creating an unacceptable sense of enclosure and tunnelling effect for occupiers of no.197 Vale Rd. Therefore, the proposal fails to safeguard the amenity of neighbouring properties contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021). Moreover, the development fails to safeguard biodiversity or mitigate harm caused to the Special Protection Areas.

As such it is recommended that the application is refused.

Recommendation

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	R Hart
Dated:	2 nd March 2023	Dated:	7 th March 2023