



Delegated Report

Planning Application

Planning Application No: 20241089

Location: Tourmalane 63 Old Watling Street Gravesend Kent

Description: Application for variation of condition 2 attached to planning permission reference number 20240097 for demolition of existing bungalow and erection of a replacement two storey house.; to allow changes to roof drawings.

Applicant: Mr Harshi Sangha

Site Visit Date: Previous Application (22/02/24)

Submitted Documents/Plans

Application Form
HS/05 F – Proposed Front Elevation South
HS/06 F – Proposed Side Elevations West Facing Ranmorene
HS/07 F – Proposed Rear Elevation South
HS/08 F – Proposed Side Elevation East Facing Kateshga
HS/09 D – Proposed Roof Plan
Statement for the removal/variation of a condition planning application

Relevant Planning History

Reference	Description	Decision	Decision Date
20240801	Application for a non-material amendment to planning permission reference number 20240097 to allow changes to the central front element from render to facing brickwork, addition of 4 roof windows and colour change to doors and windows from white to grey.	Approved	18/09/2024
20240097	Demolition of existing bungalow and erection of a replacement two storey house.	Permitted	25/03/2024
20230123	Demolition of existing bungalow and erection of a replacement two storey house.	Withdrawn	16/11/2023

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- 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 12 – Achieving Well-Designed Places

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)
- Design for Gravesham – Design Code (2024)
- Householder Alterations/Extensions Design Guide (2021)

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

GBC Waste and Refuse

No comments received.

GBC Environmental Protection

We have no comments with regards to this application.

Southern Water

Southern Water has no further comment at this time. All comments contained in the previous letter are still valid.

KCC Biodiversity

The ecological information submitted as part of application 20240097 confirmed the presence of two-day roosts of common pipistrelle bat.

The proposal is to incorporate bat roosting features into the building to retain the bat population within the site following completion of the works. As the proposal is for amendments to the roof design, we advise that the detail of the proposed mitigation may no longer be correct.

We are satisfied that the proposed mitigation can be implemented and therefore GBC can be satisfied that when considering the three tests the favourable conservation status will be maintained

A European protected species mitigation (EPSM) licence will be required to carry out the proposed development due to the impacts upon roosting bats. The Conservation of Habitats and Species Regulations

2017 requires Sevenoaks District Council, the competent authority, to have regard to the requirements of the Habitats Directive in the exercise of their functions. As such, Sevenoaks District Council must consider whether it is likely that an EPSM Licence from Natural England will be granted, and in so doing must address the three tests when deciding whether to grant planning permission for the proposed development. The three tests are that:

1. Regulation 55(2)(e) states: a licence can be granted for the purposes of “preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
2. Regulation 55(9)(a) states: the appropriate authority shall not grant a licence unless they are satisfied “that there is no satisfactory alternative”.
3. Regulation 55(9)(b) states: the appropriate authority shall not grant a licence unless they are satisfied “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.”

However, an updated bat mitigation strategy must be submitted as a condition of planning permission is granted.

We recommend the following wording:

Prior to works commencing on site (including demolition) an updated bat mitigation strategy must be submitted. It must include the following:

- Preliminary Roost Assessment
- Bat emergence surveys (if existing survey data is over two years old)
- Overview of mitigation required
- Detailed methodology to implement mitigation.
- Timings of works.
- Details of who will implement it.
- Details of any monitoring required.

The works must be implemented as approved.

Neighbouring properties

A site notice was placed and 4no. surrounding properties were consulted. The final date to receive comments ended on 10th January 2025. 0 comments were received from members of the public.

Officer's Analysis

Proposal

This application seeks to vary the original approval under planning reference 20240097 for ‘*Demolition of existing bungalow and erection of a replacement two storey house.*’. It is noted that the scheme has previously been amended by an application for Non Material Amendment Reference 20240801.

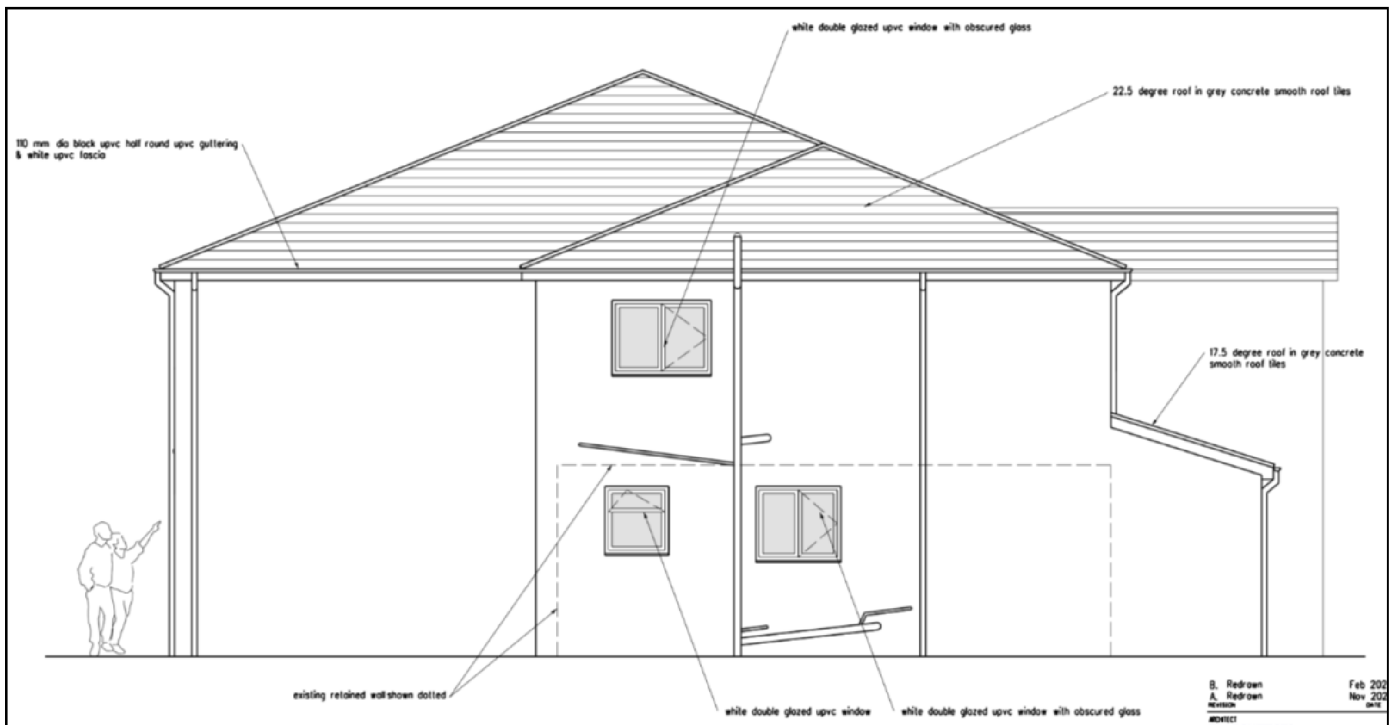
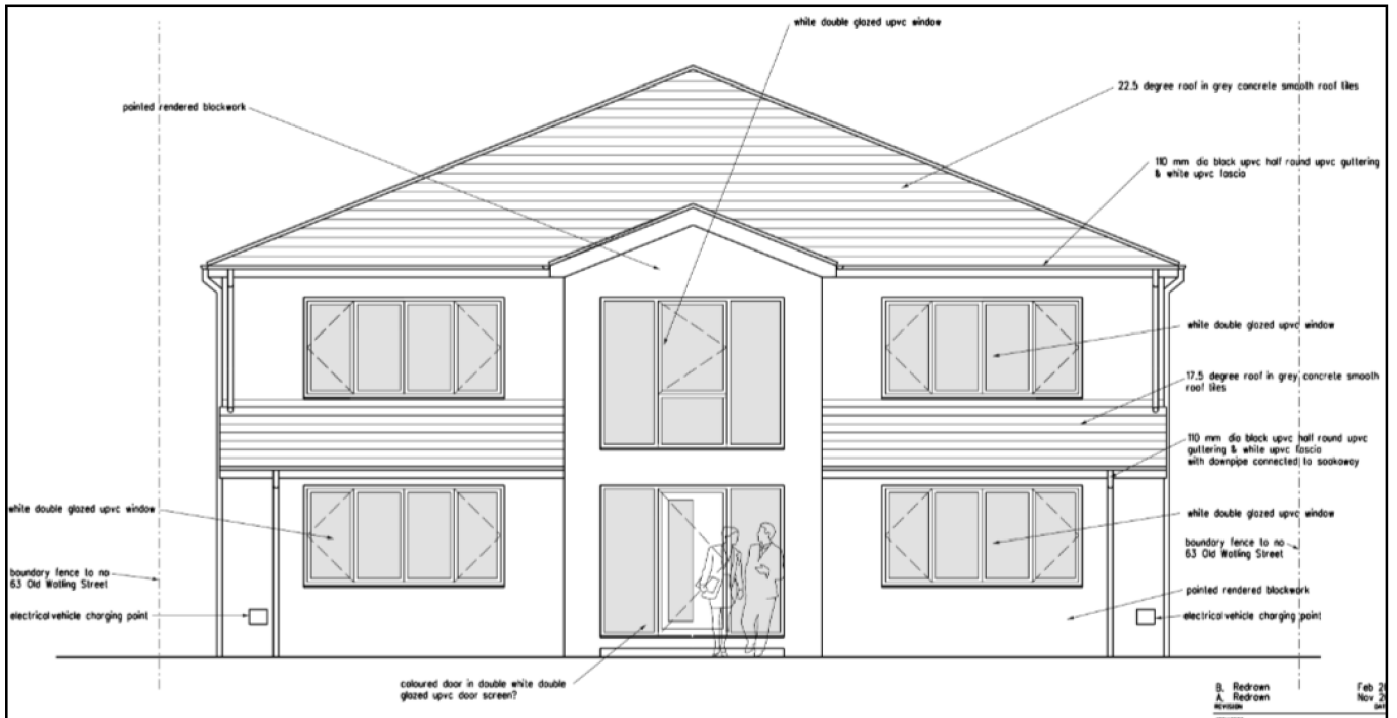
The changes approved were:

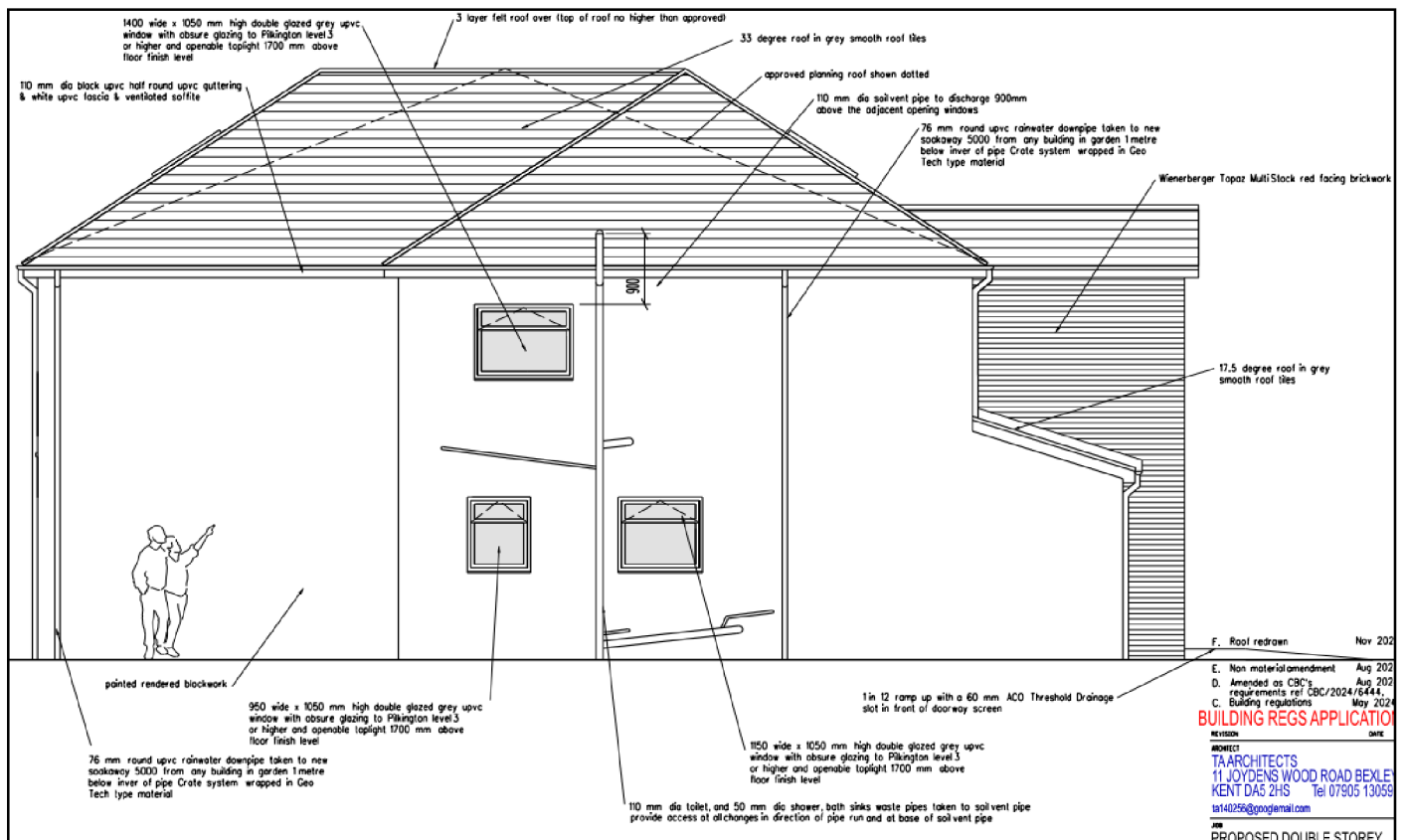
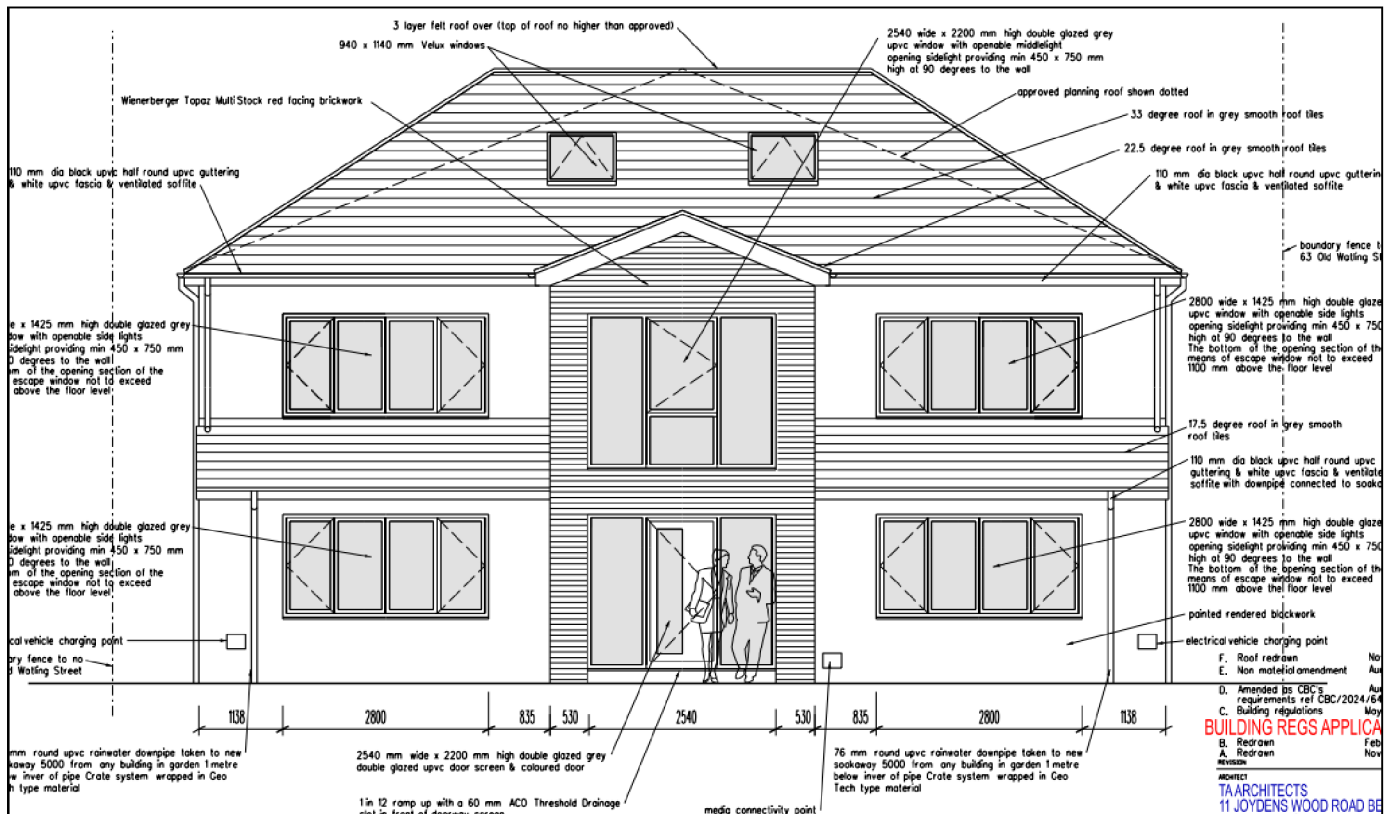
1. Change of material from render to facing brickwork to front gable element
2. Change of door and window colour from white to grey
3. Addition of 4no. roof windows

The changes proposed for this application include:

- Redesign of roof to include a flat roof section, and steeper pitches.

The approved elevations are shown below for information (Not to Scale):





be reassessed again by this application. However, their acceptability shall be afforded the necessary weight in the planning balance at the conclusion of the assessment.

The remaining matters for assessment of this application are:

- Design, Character and Appearance
- Neighbouring Amenity
- Ecology and Biodiversity

Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Section 12 (Achieving well-designed places) of the NPPF sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

As the below image shows, this dwellinghouse is a bungalow, surrounded by large two-storey dwellinghouses, which have evolved to their present form over time, either by extension, or replacement.



Site Photo taken in 2023

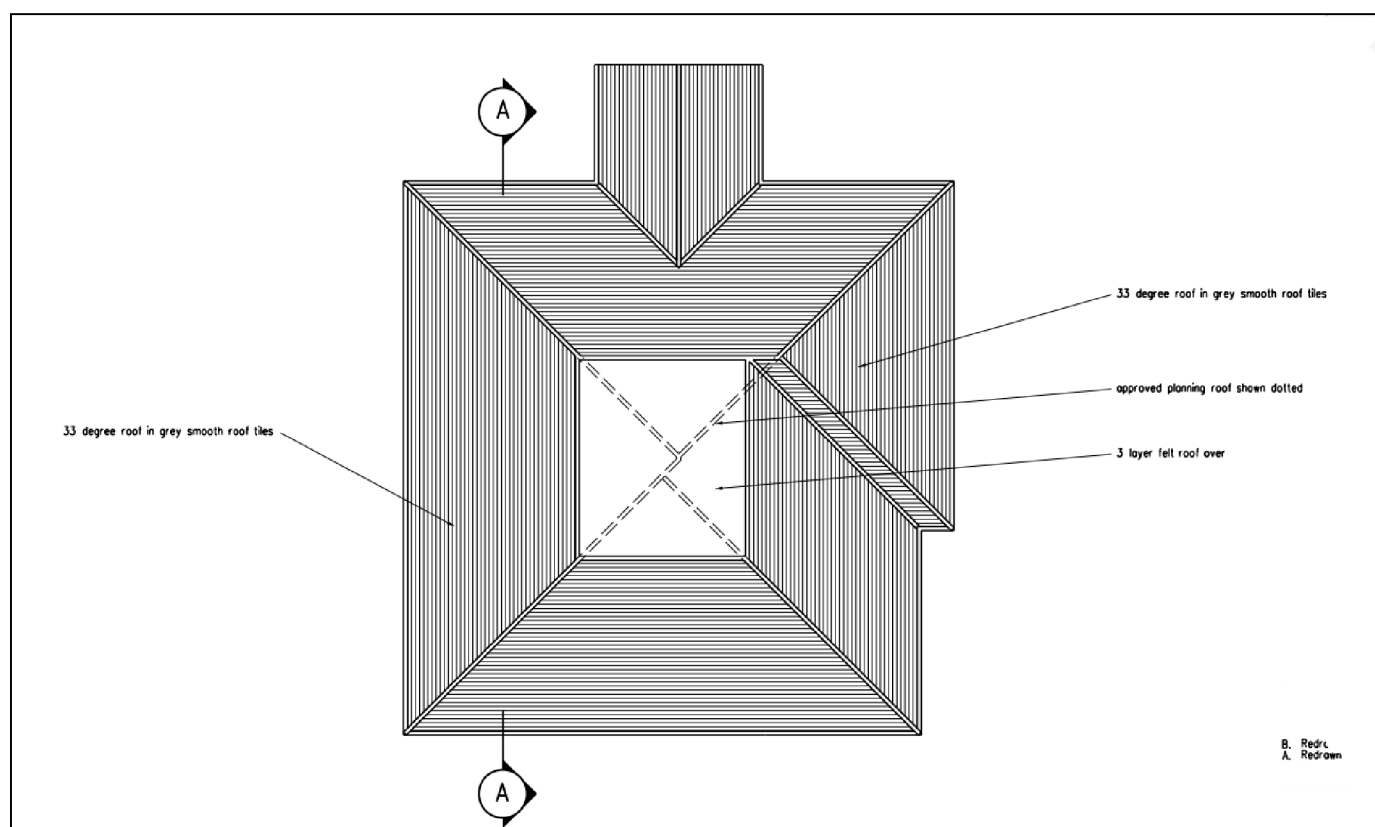
In the previous assessment, the following statement was made:

‘Old Watling is characterised by new large-scale redevelopment and new mansion style properties have been erected in the locality. Therefore, although the development would be considerably larger than that which it would replace, this would cause no significant harm to the existing character of the varied, residential streetscene.’

As the proposed dwelling is of a significant size, relative to neighbouring properties, a condition was attached to the approval, to ensure that the property is not extended to appear significantly greater in scale through the use of permitted development allowances (for Class A and Class B enlargements).

This is relevant as although the scheme would not result in increased footprint of the building, the use of a flat roof is proposed and would make the building appear disproportionately larger than the approved pitched roof. In fact this scheme is similar to the previously withdrawn application under planning ref 20230123 , by proposal an albeit slightly smaller, section of flat roof. Discussions with the agent throughout the consecutive applications made in 2023 and 2024, explained that a flat roof would not be supported.

The planning agent has advised that this application is now proposed as the building is under construction and it has become apparent that it is not possible to build the roof as approved. While this is unfortunate, it is expected that applications will have ensured that they are reasonable to engineer before being submitted for planning permission, and as such whether the works are currently being undertaken is not a relevant planning matter. In this case, the roof would have a 20.5m² area of flat roof as represented in the roof plan below (Not to Scale).



As the below aerial image from google earth shows, there is no other 2 storey dwellinghouse, with a flat roof section on this stretch of the road.



On roofscape, Design Principle 5.15 of the Design for Gravesham – Design Code (2024), states the following;

Design principle 5.15

Roofscape

- a. New development **must** respect the character of the local area and **must** respond to prevailing roof forms in a way that is appropriate to the context.
- b. Where there is a higher level of coherency in the character of an area, major variations to the roof form, pitch, colour and materiality **must** be avoided.
- c. Roofscape design **must** consider sustainability and orientation.
- d. Materials used in roofs **must** be robust and appropriate for Gravesham's estuary environment.
- e. Inconsistent roof pitches **should** be avoided.
- f. Roofs **should** be proportionate to the scale of the building.
- g. Roofscape design **should** respond to the existing topography and to views from above where applicable.
- h. In larger developments a variety of roof forms **should** be adopted to aid legibility of character areas and street hierarchy.
- i. Rooftop plants **should** be appropriately screened and should be considered as integral parts of the roof design.
- j. False roofs or screens without a function **should** be avoided.

Although this application does not propose an extension, indicative options for appropriate design can be taken from the Householder Extensions/Alterations Design Guide (2021).

At paragraph 10.5, it states that two Storey Side extensions should avoid using flat or false pitched roofs visible from the street scene. There is a clear resistance against the use of flat roofs on residential dwellinghouses and there is no character reference for the use of flat roofs in this vicinity. They are also indicative of overdevelopment as without the flat roof, the property would be disproportionately larger than the surrounding properties and detrimental to the character of the area.

In this case, the proposed dwellinghouse as proposed with a flat roof would appear unduly large, and incongruent with the character and setting of the wider area, in such a way that would make the building

appear prominent, unsightly and incongruent with the predominant character of the area which contains residential dwellinghouses with pitched roofs, which soften the appearance of built form somewhat.

On balance, the proposed development would **NOT** 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.

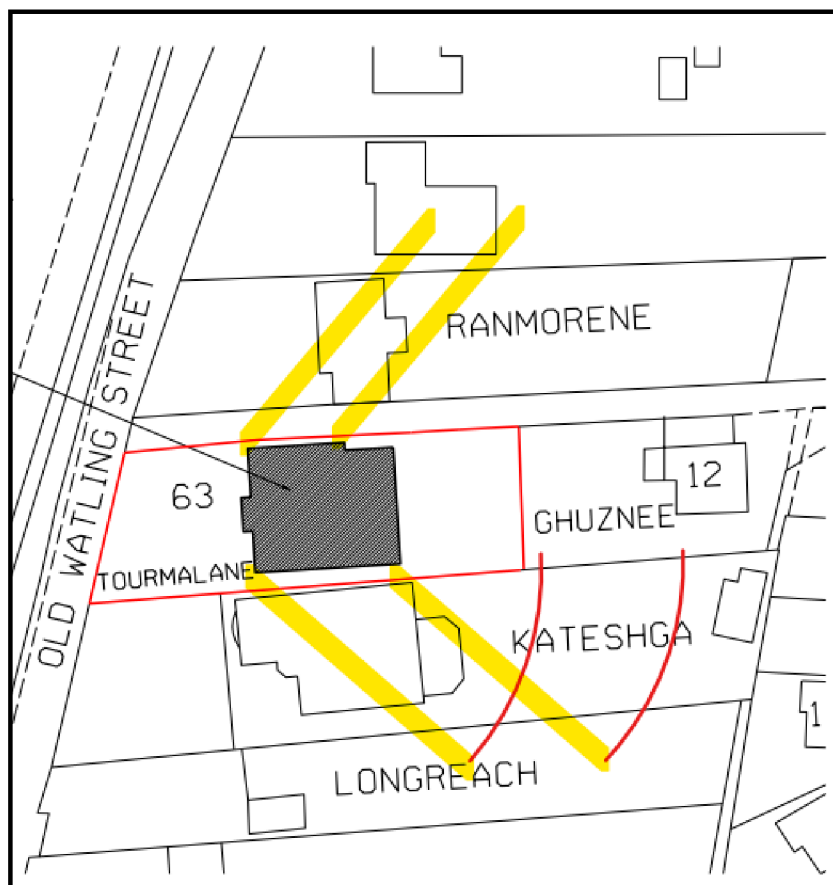
Neighbouring Amenity

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. Following a period of consultation with neighbouring properties, no objection to the proposal was received.

The windows would not be altered from those approved and so changes to potential overlook would not take place as a result of the proposed change.

Although the overall height of the building would not change, the change in pitch and design of the roof could result in an increased level of overshadowing to neighbouring properties Kateshga and Ranmorene.

There is potential for overshadowing resulting from the development as the below 45 degree lines show.

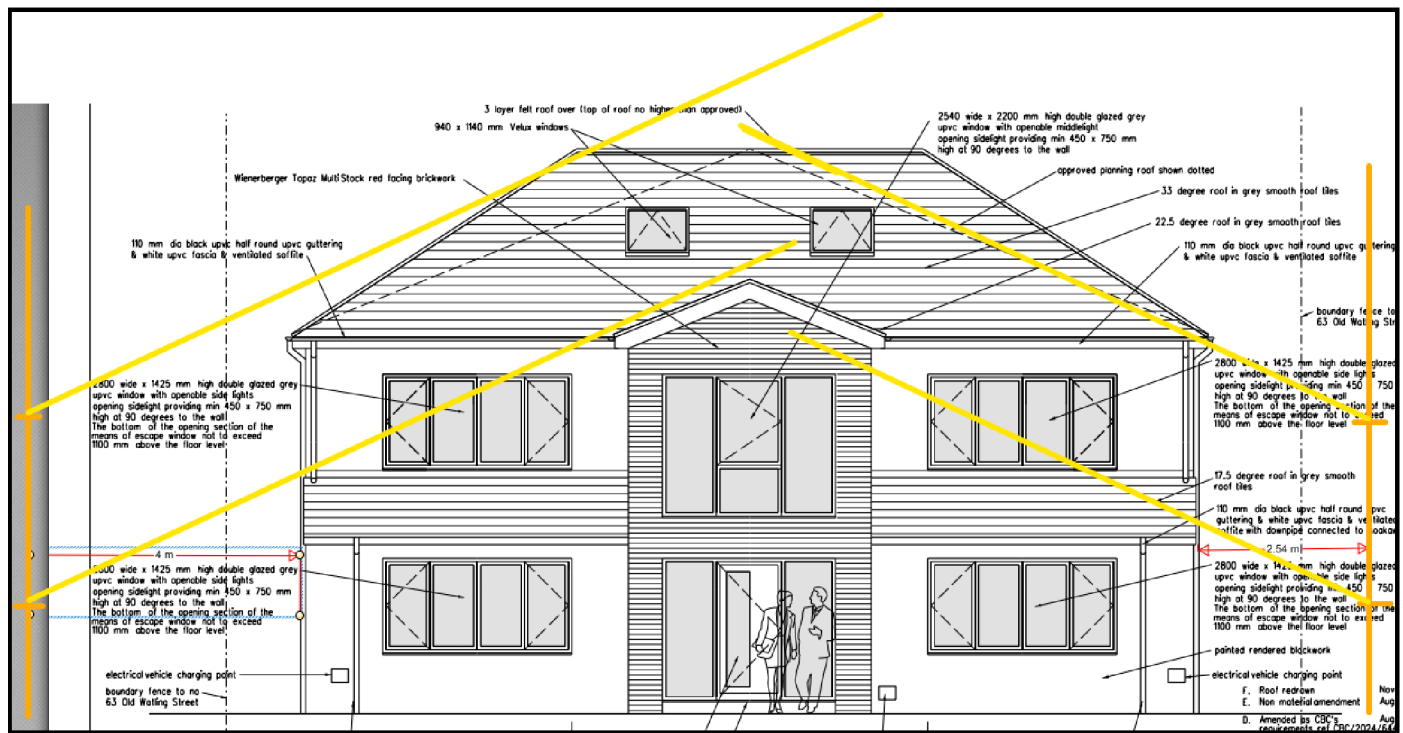


Based on floor plans for planning approval 20030766 Ranmorene appears to have one upper floor window on the side elevation facing the subject property, likely serving a bathroom and one ground floor window which is a secondary window to a kitchen.

Kateshga has three ground floor openings to this side elevation Based on planning approval 20140848 for this property, which serves a shower room, study and secondary openings to the lounge. The three

rooflights serves a dressing area, bathroom and shower room.

The below plan shows a 25-degree test shows the 25-degree angle from the approximate position of neighbouring side openings, ground and first floor.



The ground floor window for Ranmorene would be overshadowed. However, this serves a kitchen which has a main window providing light to the rear elevation so its impact would be minor in terms of overshadowing the room. The upper floor room to Ranmorene serves a bathroom but as shown in the 25 degree test, this room would not be overshadowed significantly.

For Kateshga, the upper floor roof lights would be overshadowed as a result of the altered roof design based on the test applied above. There may be some overshadowing of the ground floor windows. However, the sun travels from east to west taking a southerly route. This property is located to the south and so any shadows cast would be northwards, away from this neighbour's property.

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

Ecology and Biodiversity

Net Gain

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains. Biodiversity net gain has only been commenced for planning permissions granted in respect to an application made on or after 12 February 2024. Permissions granted for applications made before this date are not subject to biodiversity net gain.

The approved application was made before 12 February 2024 and was not subject to the Biodiversity Net Gain Requirement. However, as this application is submitted after the aforementioned date, it is important to assess whether Biodiversity Net Gain would be required on the altered application.

NPPG Paragraph 017 states:

'An application to vary a condition of a planning permission under section 73 which is made after 12 February 2024 (the commencement of the statutory framework for biodiversity net gain) is not in scope if the original permission (to which the section 73 application relates) was either granted or the application for the original permission was made before this date.'

Based on the above guidance, this Section 73 application, would not be in scope of the requirements of Biodiversity Net Gain and would not apply in this instance.

Conclusion

The proposed alterations to the roof design involving the creation a large flat roof area, represents overdevelopment of the site by virtue of its increase in scale, excessive height, poor and incongruent design, which would result in significant harm to the character of this area. The development is therefore considered to be harmful to the character of the area and would as a result fail to comply with the requirements of the Gravesham Design Code- Policy CS19 of the Core Strategy 2014, and Section 12 of the NPPF (2024), in terms of design, character and appearance.

Recommendation

The recommendation is to refuse this application.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	20th January 2025	Dated:	21 January 2025