



# Delegated Report

## Full Planning Application

**Planning Application No:** 20250281

**Location:** Ebbsfleet Grill, 1- 2 Stonebridge Road, Northfleet, Gravesend, Kent DA11 9HR

**Description:** Demolition of the existing staff accommodation block and the erection of a two storey building to provide a 2 x self- contained flats with dedicated parking space, refuse and recycling facilities

**Applicant:** Mr Yavuz Darilmaz

**Site Visit Date:** 18/08/2025

### Submitted Documents/Plans

Application form  
Site Location Plan  
PL01 Existing and Proposed Site Local Plans  
PL02 Existing Basement Floor Plan  
PL03 Existing Ground Floor Plan  
PL04 Existing Roof and First Floor Plan  
PL05 Existing Roof Plan  
PL06B Proposed Basement Floor Plan  
PL07A Proposed Ground Floor Plan  
PL08 Proposed First Floor Plan  
PL09 Proposed Roof Plan  
PL10A Existing and Proposed Section AA  
PL11A Existing and Proposed Section BB  
PL12A Existing and Proposed Front Elevations  
PL13A Existing and Proposed Side Elevations  
PL14A Existing and Proposed Rear Elevation  
Preliminary Roost Assessment/ Ecological Impact Assessment  
SAMMS Agreement

~~PL06 Proposed Basement Floor Plan~~  
~~PL06A Proposed Basement Floor Plan~~  
~~PL07 Proposed Ground Floor Plan~~  
~~PL10 Existing and Proposed Section AA~~  
~~PL11 Existing and Proposed Section BB~~  
~~PL12 Existing and Proposed Front Elevations~~  
~~PL13 Existing and Proposed Side Elevations~~  
~~PL14 Existing and Proposed Rear Elevation~~

### Relevant Planning History

Reference	Description	Decision	Decision Date
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20200182	Link part of the dwelling of no.1 (first floor) with that of no.2 to create a two bed dwelling	Permitted	21/04/2020
20191164	Lawful Development Certificate for the continued use of the ground floor of no.2 as a dwelling	Refused	03/02/2020
20060228	Demolition of the existing staff accommodation block and erection of a three storey building to provide three self-contained flats and three car parking spaces together with amenity area and refuse area for existing shop and flats	Refused	11/05/2006
20050526	Demolition of the existing staff accommodation block and erection of a three storey building to provide three self-contained two bedroom flats and three car parking spaces together with amenity area and refuse area for existing shop and flats	Refused	18/06/2005
19990307	Continued display of free- standing, double sided, internally- illuminated advert on forecourt	Refused (appeal dismissed)	23/06/1999
19980161	Continued display of internally illuminated wall- mounted sign at first floor level and continued display of externally illuminated fascia sign	Split	07/01/1999
19980160	New shop frontage and external ducting to the side, construction of dormer window in front roofslope and conversion of roofspace to form a two bedroom flat and store	Permitted	11/05/1998

## Development Plan

### Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- 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 Standards (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

### Other Relevant Guidance

- Gravesham Front Driveway Design Guidance (Informal Guidance) (2023)

## **Consultations, Publicity and Representations**

### Consultees

#### *Ward Councillors*

No comments received.

#### *Environment Agency*

Received on 01/04/2025

Due to the scale, nature and setting of this proposal and the supporting information submitted, we have assessed the proposal as low risk. We therefore do not have any specific comments to add.

We recommend the applicant refers to our groundwater position statements in 'The Environment Agency's Approach to Groundwater Protection' available from gov.uk. This sets out our position for a wide range of activities and developments. We recommend that developers should:

Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination.

Refer to our guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health.

Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed. Refer to the contaminated land pages on gov.uk for more information.

#### **Drainage and infiltration**

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

#### **Discharge of treated sewage effluent**

If you are proposing a non- mains drainage solution, a foul drainage assessment form should be completed.

The discharge of domestic sewage associated with this development may be subject to General Binding Rules under the Environmental Permitting (England and Wales) Regulations 2016, which provide a statutory baseline of good practice. You can find more information at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506. If your proposal cannot meet the General Binding Rules, then a permit will likely be required.

Received on 08/07/25

We have no further comments on the amended plans and would reiterate our previous response dated 01.04.2025.

*KCC Highways and Transportation*

Received on 09.04.2025

It would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any highway safety concerns that you consider should be brought to the attention of the Highway Authority, then please contact us again with your specific concerns for our consideration.

It is important to note that Local Planning Authority 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 KCC while 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.

KCC 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.

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

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 works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary limits and links to application forms for vehicular crossings and other highway matters are available on KCC's website.

Received 10.07.2025

Same comments received.

*KCC Flood and Water*

Received on 31.03.2025

As Lead Local Flood Authority, KCC are required to provide technical advice and guidance on the surface water drainage strategies, designs and maintenance arrangements put forward by developers to any new major development.

According to the Town and Country Planning (Development Management Procedure) (England) Order 2010, major development is defined in planning as any development involving one or more of the following:

- a) the winning and working of minerals or the use of land for mineral working deposits;
- b) waste development;
- c) the provision of dwellinghouses where;
  - i) the number of dwellinghouses to be provided is ten or more; or
  - ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub- paragraph c) i);
- d) the provision of a building or buildings where the floorspace to be created by the development is 1,000 sqm or more; or
- e) development carried out on a site having an area of one hectare or more.

The application under the above reference number therefore falls outside the definition of major development and also falls outside of KCC's remit as statutory consultee.

Notwithstanding the above, please feel free to contact us again if you consider there to be local flood risk issues on this site that may require further consideration.

Received on 14.07.2025

Same advice received.

*KCC Heritage*

Received on 10.04.2025

The site lies within an area of multi- period archaeological potential. However, based on existing Historic Environment Record data for the area, the previous arable cultivation of this field and the relatively limited extent of the proposed works, 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.

Received on 17.07.2025

The site lies within an area of multi- period archaeological potential. However, based on existing Historic Environmental 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.

*Natural England*

Received on 08.04.2025

Natural England is a non- departmental body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The proposed development has the potential to have a harmful impact 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.

Further Information is required – recreational pressure impacts to European Sites (habitats sites)  
This development is within the zone of influence (Zol) for recreational pressure impacts to one or more European Sites (habitats sites). Within the Zol, proposals for any net increase in residential units will likely have a significant effect on the qualifying features of the European Site(s) (habitat 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 and 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 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 Species and Habitats Regulations 2017 (as amended) and our advice above applies.

#### Discretionary Advice

Natural England may provide further advice to the applicant through the discretionary advice service. Impact Risk Zones for Sites of Special Scientific Interest.

We strongly recommend that Local Planning Authorities use Natural England's Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs) (available from the Natural England Open Data Geoportal ([arcgis.com](http://arcgis.com)) and to use on MAGIC ([defra.gov.uk](http://defra.gov.uk)) along with the guidance) to decide when to consult Natural England on development proposals that might affect an SSSI.

The SSSI IRZs tool is quick and simple to use and gives instant planning advice as a formal consultation response in certain circumstances. Use of the SSSI IRZs avoids the need for a formal e mail consultation on some development proposals, reducing unnecessary delays in the planning process. In turn, this allows Natural England to concentrate resources on development proposals with the highest risks and opportunities for nature recovery.

Planning and transport authorities: get environmental advice on planning – GOV.UK ([www.gov.uk](http://www.gov.uk)) provides further guidance on when LPAs must consult Natural England on development proposals. Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

#### Annex A – Natural England general advice

##### Protected landscapes

Paragraph 189 of the NPPF requires great weight to be given to conserving and enhancing scenic beauty within Areas of Outstanding Natural Beauty (AONB; known as National Landscapes), National Parks, and the Broads and states the scale and extent of development within all these areas should be limited.

Paragraph 190 requires exceptional circumstances to be demonstrated to justify major development within a designated landscape and sets out criteria which should be applied in considering relevant development proposals. Section 245 of the Levelling up and Regeneration Act 2023 places a duty on relevant authorities (including LPAs) to seek to further the statutory purposes of a National Park, the Broads or an AONB in England in exercising their functions. This duty also applies to proposals outside the designated area but impacting upon its natural beauty.

The LPA should carefully consider any impacts on the statutory purposes of protected landscapes and their settings in line with the NPPF, relevant development plan policies and the section 245 duty. The relevant National Landscape Partnership or Conservation Board may be able to offer advice on the impacts of the proposal on the natural beauty of the area and the aims and objectives of the statutory management plan,

as well as environmental enhancement opportunities. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to development and its capacity to accommodate proposed development.

#### Wider Landscapes

Paragraph 187 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. The application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Guidelines for Landscape and Visual Impact Assessment – Landscape Institute – for further guidance.

#### Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on local planning authorities to conserve and enhance biodiversity as part of its decision-making.

#### Designated Nature Conservation Sites

Paragraphs 193- 195 of the NPPF set out the principles for determining applications impacting on SSSIs and habitats sites (SACs and SPAs). Both the direct and indirect impacts of the development should be considered.

A Habitats Regulations Assessment is needed where a proposal might affect a habitat site and Natural England must be consulted on 'appropriate assessments'. Natural England must also be consulted where development is in or likely to affect an SSSI and provides advice on potential impacts on SSSIs either via the SSSI Impact Risk Zones or as standard or bespoke consultation responses. Section 28G of the Wildlife and Countryside Act 1981 places a duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified.

#### Protected Species

Natural England has produced Protected Species and Development: Advice for Local Planning Authorities to help the planning authorities understand the impact of particular development on protected species.

Natural England will only provide bespoke advice on protected species where they form part of an SSSI or in exceptional circumstances. A protected species license may be required in certain circumstances.

#### Local Sites and Priority Habitats and Species

The LPA should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 187, 188 and 192 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sights and improve their connectivity and to help nature's recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local environment records centre, wildlife trust, geoconservation groups or recording societies. Emerging local nature recovery strategies may also provide further useful information.

Those habitats and species which are of particular importance for nature conservation are included as 'priority habitats and species' in the England Biodiversity list published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. We refer you to Habitats and Species of Principal Importance in England for a list of priority habitats in England. You should consider priority habitats and species when applying your 'biodiversity duty' to your policy or decision making.

Natural England does not routinely hold priority species data. Such data should be collected when impacts

on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. We refer you to the Brownfield Hub - Buglife - for more information and Natural England's Open Mosaic Habitats Inventory, which can be used as the starting point for detailed brownfield land assessments.

#### Biodiversity and Wider Environmental Gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 187(d), 192 and 193. Major development is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is extended to small scale development from April 2024. For nationally significant infrastructure projects, it is anticipated that the requirements for biodiversity gain will be implemented from 2025.

Biodiversity Net Gain guidance provides more information on biodiversity net gain and includes a link to the Biodiversity Net Gain Planning Practice Guidance.

The statutory biodiversity metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. We refer you to Calculate Biodiversity Value with the Statutory Biodiversity Metric and is designed for use where certain criteria are met.

The mitigation hierarchy as set out in paragraph 193 of the NPPF should be followed firstly to consider what existing habitats within the site can be retained or enhanced. Where on- site measures are not possible, provision off- site will need to be considered.

Where off- site delivery of biodiversity gain is proposed on a special site designed for nature (eg. an SSSI or habitats site), prior consent or assent may be required from Natural England. More information is available on Sites of Special Scientific Interest: Managing Your Land.

Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 77, 109, 125, 187, 188, 192 and 193). Opportunities for enhancement might include incorporating features to support specific species with the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife.

The Environmental Benefits from Nature Tool – Beta Test Version JP038 – may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory biodiversity metric.

Natural Environment – GOV.UK provides further information on biodiversity net gain, the mitigation hierarchy and wider environmental gain.

#### Ancient Woodland, Ancient and Veteran Trees

The LPA should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 193 of the NPPF. The Natural England Access to Evidence – Ancient Woodlands map can help to identify ancient woodland. Natural England and the Forestry Commission have produced Ancient Woodland, Ancient Trees and Veteran Trees: Advice for Making Planning Decisions – GOV.UK (standing advice) for planning authorities. It should be considered when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland and veteran trees where they form part of an SSSI or in exceptional circumstances.

#### Best and Most Versatile Agricultural Land and Soils

LPAs are responsible for ensuring that they have sufficient detailed Agricultural Land Classification information to apply NPPF policies (paragraphs 187, 188). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in the Guide to Assessing Development Proposals on Agricultural Land – GOV.UK. Find open data –



data.gov.uk on Agricultural Land Classification or use the information available on MAGIC.

The Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites provides guidance on soil protection and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, we refer you to Reclaim Minerals Extraction and Landfill Sites to Agriculture – GOV.UK, which provides guidance on soil protection for site restoration and aftercare. The Soils Guidance provides detailed guidance on soil handling for mineral sites.

Should the development proceed, we advise that the developer uses an appropriately experienced specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

#### Green Infrastructure

For evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI), we refer you to Green Infrastructure Home ([naturalengland.org.uk](https://naturalengland.org.uk)) (the Green Infrastructure Framework). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, green spaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales.

Development should be designed to meet the 15 GI How Principles ([naturalengland.org.uk](https://naturalengland.org.uk)). The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate.

The Green Infrastructure Map ([naturalengland.org.uk](https://naturalengland.org.uk)) and GI Mapping Analysis ([naturalengland.org.uk](https://naturalengland.org.uk)) are GI mapping resources that can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision.

#### Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating footpaths, together with the creation of new footpaths and bridleways, should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation and promote wider green infrastructure.

#### Rights of Way, Access Land, Coastal Access and National Trails

Paragraphs 105, 185, 187 and 193 of the NPPF highlight the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development.

Consideration should also be given to the potential impacts on any nearby national trails. We refer you to Find Your Perfect Trail, and Discover the Land of Myths and Legends – National Trails for information including contact details for the National Trail Officer.

The King Charles III England Coast Path (KCIIIECP) is a national trail around the whole of the English Coast. It has an associated coastal margin subject to public access rights. Parts of KCIIIECP are not on Public Rights of Way but are subject to public access rights. Consideration should be given to the impact of any development on the KCIIIECP and the benefits of maintaining a continuous coastal route. Appropriate mitigation measures should be incorporated for any adverse impacts on Rights of Way, Access land, Coastal Access and National Trails.

Received on 21.07.2025

Same advice received.

KCC Biodiversity

Received on 07.06.2025

No ecological information has been submitted with this 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. The following information is required:

#### Preliminary Roost Assessment

Features suitable for protected species, in particular bats, are present on site, indicating ecological value and the potential for protected species presence that must be taken account of in the planning decision. We have taken this view as the building slated for demolition is in poor condition and has multiple access points that could be used by roosting bats, the deteriorated state of the building increases the likelihood of such features being present.

Bats often roost under tiles, roofing felt, and lead flashing, adjacent to windowsills and windowpanes, within cracked brickwork, lifted rendering, weatherboarding and eaves. Therefore, we recommend that a Preliminary Roost Assessment be conducted by carried out by a suitably qualified ecologist to evaluate the likelihood of bats being present on the site. The results of the survey should be submitted within an Ecological Impact Assessment (EclA), produced in accordance with the latest Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines.

The results of any necessary emergence surveys, and mitigation/ compensation measures, will need to be submitted prior to determination of the planning application. This is in alignment with paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/2005, which states "It is essential that the presence or otherwise of protected species and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

#### Biodiversity Net Gain

Further, the applicant has indicated within the application form that that they do not consider the general Biodiversity Gain Condition applies to this application. As the proposal does not have any vegetation within the site, we agree with this position due to the development being subject to the de minimis exemption:

- 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 on- site linear habitat.

As such, we are satisfied that there is no requirement for a statutory biodiversity metric to be carried out at this time. 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. Although BNG is not required, we advise that ecological enhancement features must also be incorporated into the site. If planning permission is granted, we recommend that an ecological enhancement plan is included. Enhancements include bat and bird boxes and bee bricks within the site and buildings. We suggest the following condition:

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. The plan must be implemented as approved.

Received on 28/10/25

We have reviewed the submitted ecological information and are satisfied that potential impacts on protected species can be reasonably avoided through the implementation of sensitive working practices. The site is located within an urban setting and comprises hardstanding making it unlikely to support species such as reptiles or amphibians. A preliminary Roost Assessment was undertaken by Arbtech in June 2025,

which identified some potential roost features. While buildings with low suitability for roosting bats would typically require an emergence survey, we are satisfied that the precautionary measures outlined in the bat report will be sufficient to avoid adverse impacts. It should be noted that there remains a risk of delay if a bat is encountered during works, as operations would need to pause and a bat licence obtained. However, the proposed approach is considered appropriate for preventing disturbance, injury or killing of bats.

### Bats

A Preliminary Roost Assessment was completed as part of an Ecological Assessment (Arbtech, June 2025). Some bat roost features were noted, however the ecological report considers the implementation of precautionary working methods to be suitable in avoiding risks to bats as these features are of low value. Details of the precautionary working methods have been provided within the Preliminary Roost Assessment and Ecological Impact Assessment Report (Arbtech, June 2025).

A condition regarding the bat mitigation measures in the Arbtech report be carried out and a verification report be produced is recommended.

### Neighbouring properties

31 no. surrounding properties were consulted. No comments were received from members of the public.

### Officer's Analysis





### Site Description

The site comprises a plot at the corner of Stonebridge Road and a parking/ pedestrianised area, near Northfleet Station. It comprises a part single/ part two storey property with a rear wing.

### Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath re- emphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states the start 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 a 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 February 2025, it demonstrates that based on data up for the period 2024-2029, the Council can only demonstrate a land supply of 3 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 as being out of date, as required by paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in the 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 context of Gravesham, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in the development plan), relating to any of the following;

- Habitats Sites (and those listed in NPPF paragraph 189)



- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- National Landscape
- Irreplaceable habitats
- Designated heritage assets (and 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.

The proposed development would provide two, two bed self- contained flats in place of one, two bed flat for use by the staff of the existing property – in effect, a net increase of one residential unit. This would make a minimal contribution towards meeting this local housing need and, accordingly, officers consider this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the development plan and the NPPF (2024) which require new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create a high standard of amenity for existing and future occupiers.

### Location

The application is located within the urban area of Northfleet. Policy CS02 (Scale and Distribution of Development) identifies that in such areas, development will be supported. As a First Tier Settlement, Northfleet is on the highest tier of sustainable locations in the borough.

4.2.4 The Council has carried out an assessment of the facilities and services available in the Borough's settlements to identify which are more sustainable. The results are reflected in the settlement hierarchy below.

Table 2: Settlement Hierarchy

First Tier Settlements:	Gravesend/Northfleet/Ebbsfleet, i.e. the urban area
Second Tier Settlements:	Istead Rise, Hook Green Meopham, Higham
Third Tier Settlements:	Culverstone Green, Meopham Green, Vigo
Fourth Tier Settlements:	Cobham, Shorne, Sole Street
Other Settlements:	Harvel, Lower Higham, Luddesdown, Lower Shorne, Shorne Ridgeway, Three Crutches

Source: Settlement Hierarchy Technical Paper December 2009

### The Council's Settlement Strategy

It is therefore considered that the location of the proposed development is a sustainable one, particularly given its close proximity to Northfleet Railway Station and a number of bus routes along Stonebridge Road and the High Street. Locationally, the development would be acceptable in principle. However, all other matters also need to be considered.

### Principle of the Development

The broad principle of residential development of splitting this dwelling into a pair of dwellings finds support in the NPPF (2024). Paragraph 61 of the document states;

*“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of the groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community”.*

In addition, paragraph 73 (d) requires that in order to promote the development of a good mix of sites, Local Planning Authorities should, *inter alia*, “support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”.

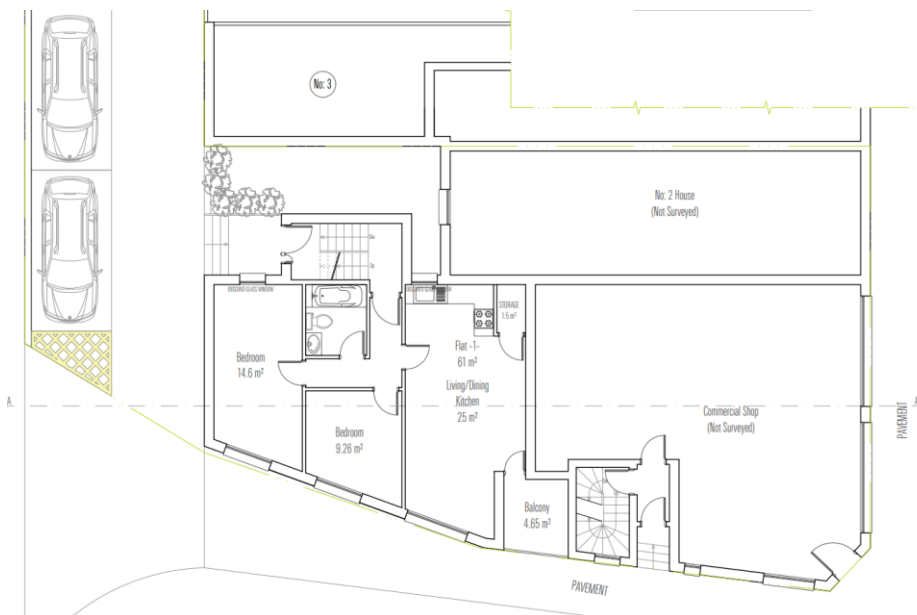
The application is within the urban area of Gravesend. Policy CS02 (LPCS) “prioritises development in the urban area as a sustainable location for development”.

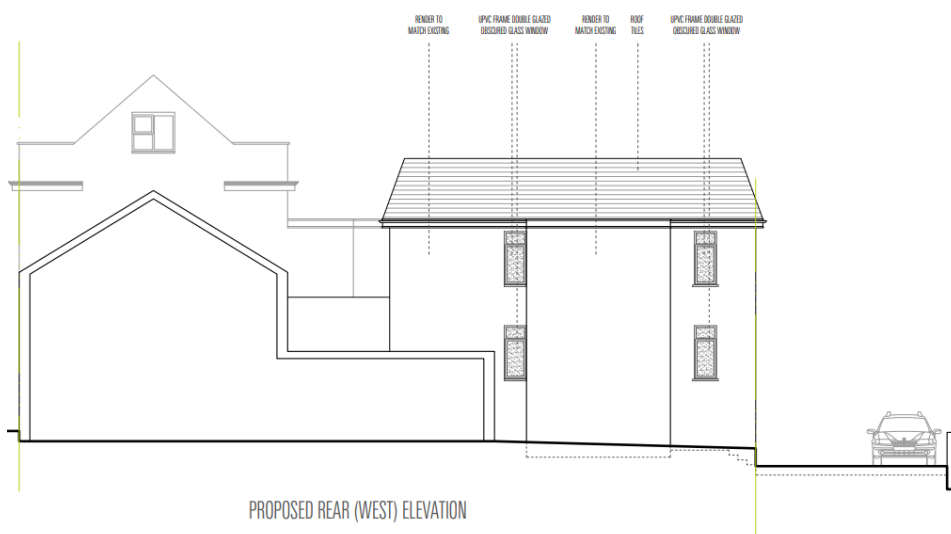
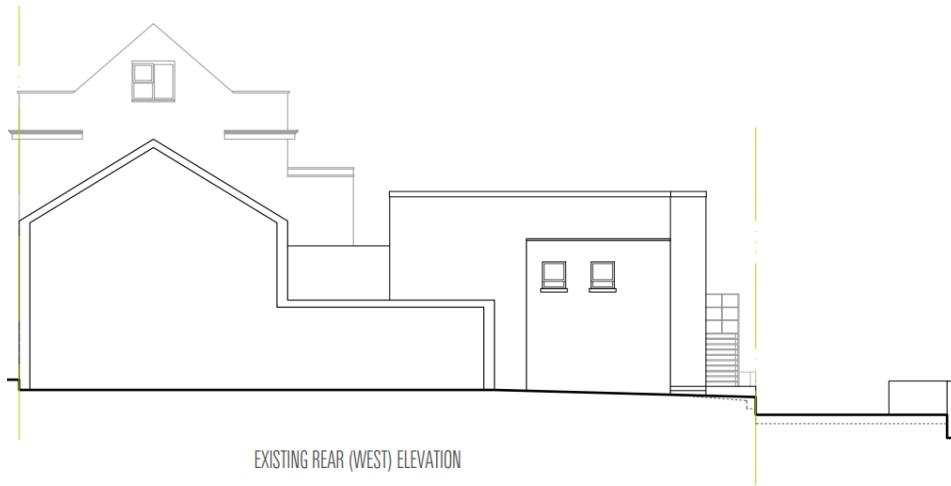
In light of these considerations, there is no objection to the principle of the re- building of part of the property as two residential dwellings, subject to the proposal being appropriate in terms of all other planning issues.

### Density of Development

Development on the site should meet the requirements of Policy CS14 (LPCS), where the Council expects new housing development to provide a range of development types and sizes, taking into account the existing character of the area. Policy CS15 (LPCS) requires that all new housing 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.

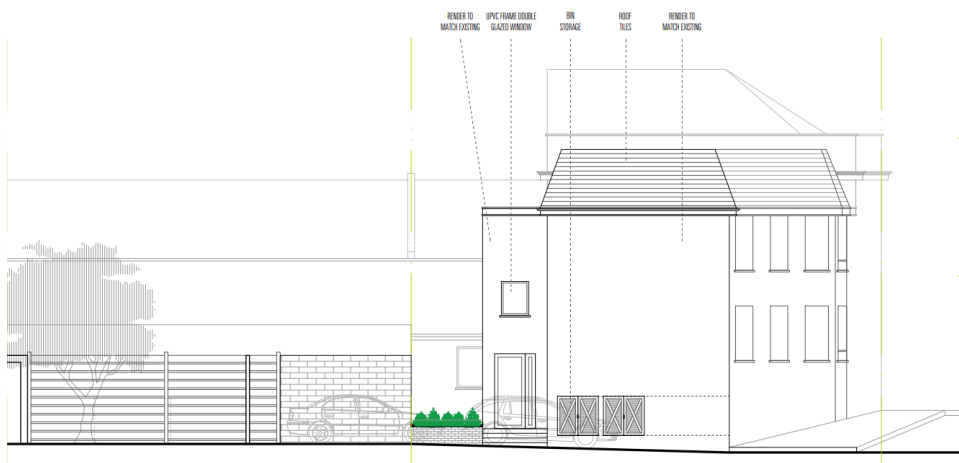
In the Urban Area, Policy CS15 (LPCS) requires that housing provide a minimum density of 40 dwellinghouses per hectare (dph). The site has an area of 360.8sqm: the provision of two houses on it would be at a density of 55.4dph. This is above the minimum density required and therefore, the proposed development would be at an appropriate density, in accordance with Policy CS15 (LPCS).







EXISTING LEFT SIDE (SOUTH) ELEVATION



PROPOSED LEFT SIDE (SOUTH) ELEVATION

### Design, Character and Appearance

Policy CS19 (LPSC) states new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti- crime standards. The Design Guide SPD (2024) requires development to protect the residential amenity of neighbours and to enhance the local built environment. The Council's Design Guide (2024) states development must positively respond to Gravesham's diverse identities and distinct characteristics of the surrounding areas. Development must engage, enhance and celebrate the surrounding environment and community. Development must enrich and reinforce local identity. Good design is promoted by the NPPF (2024).

The application building comprises an end of terrace building with a part single storey/ part two storey flat roofed rear projection, in a prominent location in the street scene. The proposal is to demolish the existing rear projection and to build a two storey extension/ building in its place to provide two self- contained flats with two dedicated parking spaces and refuse and recycling facilities. The development would have a crown roof with one flat at ground floor level, the other at first floor level. A basement incorporating a bin storage area would be below the flats. The proposal would be 1.85m higher and 1.4m deeper than the existing element of the building that it would replace. Though it would have a reasonably significant impact upon the street scene, it is not considered this would be harmful. While the existing part of the building which would be demolished is not in a poor state of repair, it does appear somewhat incongruous with the extraction vent projecting above it by a reasonable distance.

The proposed extension would, in contrast, sit more comfortably with the existing building. It would remain subordinated to the building and would relate to it in a satisfactory manner. Given the size of the plot and its



siting within the street scene adjacent to a road and open space, the proposed development would not appear cramped within the plot. The surrounding buildings are up to three storeys in height (with pitched roofs) built in equally prominent locations in the street scene, sharing similar relationships to their plots that the development the subject of this application would. The flat roof of the proposal would be compatible with the flat roofed section of the main building on the site and would have an acceptable impact on the building. It is considered that the proposal would have an acceptable impact upon the street scene. The proposal would conserve the character of the local built environment and would integrate well with the surrounding local area, in accordance with Policy CS19 of the LPSC and the design guidance in the NPPF.

#### 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 of a site. The impact on amenity is also considered with regard to the criteria in Policy CS19 (LPSC), which states that new development should be located, designed and constructed to safeguard the amenity, privacy, sunlight and daylight of its occupants and those of the neighbouring properties and land. The impact upon neighbours will be assessed in the next section of this report.

The following table compare the internal spaces proposed against the minimum space standards contained in the Council's Residential Layout Guidance SPD (2020).

Room Type	Proposed Internal Floor	Area (sqm)	Minimum Space Standard (sqm)
	Ground floor flat (sqm)	First floor flat (sqm)	
Kitchen/ living/ dining room	25	25	No specific standard though 23 sqm is a used standard
Bathroom and WC	3.96	3.96	3.6
Double Bedrooms	14.6	14.6	11.2

The above table demonstrates that the proposed flats would comply with the minimum space standards contained in the Council's Residential Layout Guidance (2020). The flats – of total 61sqm each – would equal with the standard for a one storey, two bedroom, three person dwelling as contained in the national standards.

The following table compares the external spaces proposed against the minimum space standards contained in the Council's Residential Layout Guidance SPD (2020).

Garden Measurement	External Amenity Area	(sqm)	Minimum Space Standard (sqm)
Area	Ground floor flat	First floor flat	
	4.65 (balcony) and 32 (communal)	4.65 (balcony) and 32 (communal)	37.2

This table demonstrates there would be a reasonably significant shortfall in the provision of amenity for the future occupiers of the development. The total provision ought to be 74.4sqm (37.2sqm per flat). However, the total provision would be 41.3sqm (4.65sqm balcony per flat and the 32sqm for the communal garden). This is not much greater than half the required amount. Moreover, the proposed balconies (particularly the one serving the ground floor flat) would be overshadowed for large parts of the day as they would be narrow and south- east facing. They would not provide a suitable level of amenity for the future occupiers of the site. In addition, the proposed communal garden area would accommodate the cycle stores for the flats, and would therefore provide approximately 5sqm less amenity space for the development. The garden would also be overlooked by the dwellings to the north- east (fronting Stonebridge Road) and the dwelling to the southwest of the site (off Station Road). There would therefore be no privacy for the occupiers of the garden and together with the poor quality balcony space which would be provided for the dwellings, the amenity space provision for the development would be sub- standard. The proposed development is therefore contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), the guidance contained in the Council's Residential Layout Guidance Supplementary Planning Document (2020) and the National Planning Policy Framework (2024).

### Neighbouring Amenity

It is important that any new development safeguards the amenity of the neighbouring occupiers in accordance with the requirements of Policy CS19 (LPCS), the Council's Supplementary Planning Documents and the NPPF (2024).

The neighbouring property most likely to be affected by the proposed development is that at 3 Stonebridge Road, immediately adjacent to the site. This property has a deep single storey rear projection which extends nearly as far as the rear projection of the proposed extension. The extension would not be visually intrusive when viewed from here. The extension would be sufficiently far from the first floor windows in the rear elevation of 3 Stonebridge Road that it would not appear overbearing when viewed from them or harm the amenities of the occupiers of this dwelling.

The windows in the north- east flank elevation of the proposed development would serve kitchens and bedrooms. Those at ground floor level would not result in any overlooking as the view from them would be to the flank boundary fence of the property. However, there would be the potential for overlooking from the first floor windows, across the rear of no. 3 Stonebridge Road. While the view to the rear of the dwelling and the windows in its rear elevation would not result in a harmful loss of privacy, overlooking across the rear garden of the property would be possible. However, the rear garden of the property is already overlooked from a number of the neighbouring and surrounding properties, such that the additional overlooking, would not, it is considered, result in material harm to the amenities of the occupiers of that dwelling.

The amenities of the occupiers of the other nearby and surrounding properties would not be harmed by the proposed development as a result on the distances involved.

### Parking and Highways

The proposal is for 2 x two bed dwellinghouses. The Kent County Council Parking Standards stipulate that each of the dwellinghouses have one parking space to comply with the standards. KCC Highways did not provide any comments for the application and have not raised objection to it.

The proposed block plan indicates two parking spaces would be provided. While cars accessing these spaces could not be able turn on the site (and would therefore have to reverse into or out of the site), the spaces would be accessible and would provide sufficient parking for the development.

There is already an existing dropped kerb/ vehicular access to the site and given the geometry of the site, it is expected that cars using it already reverse into or out of it. It is therefore considered that the proposal would not have an adverse impact upon highway safety.

Kent County Council's Cycle Parking Standards require once space per bedroom, in residential developments – four spaces for this proposal. The proposed block plan indicates secure cycle parking would be provided in the communal garden area which would provide adequate space for four bicycles.

Adequate car and cycle parking provision would therefore be provided on the site in accordance with paragraphs 109- 114 of the NPPF, Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Local Plan Core Strategy 2014.

### KCC Biodiversity

#### Biodiversity Net Gain

Under the Environment Act 2021 and supporting statutory instruments, Biodiversity Net Gain (BNG) is mandatory for most developments. The legislation requires a minimum 10% gain in biodiversity from acceptable development, either on- site, off- site or a combination of both. BNG provided under the mandatory requirements off- site and significant BNG on- site must be secured by a legal agreement for 30 years under an approved Habitat Management and Monitoring Plan.

There are strict requirements in terms of what an application must contain in relation to BNG before it can

be accepted as valid, as set out in Schedule 7A (Biodiversity Net Gain in England) of the Town and Country Planning Act 1990. This requires a completed metric calculation tool showing the calculations of the pre-development biodiversity value of the on-site habitats on the date of the application, and other information.

However, there are a number of exemptions from the BNG regulations;

- householder development, as defined in 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 sqm of habitat, or 5m of a linear habitat such as a hedgerow;
- self-build and custom-build development – development that comprises
  - no more than nine dwellings; and
  - is carried out on a site that is no larger than 0.5 hectares in size; and
  - consists exclusively of dwellings which are self-build or custom-build, as defined in section 1(A1) of the Self Build and Custom Housebuilding Act 2015.

The agent for the application has stated on the application form that it is believed the proposed development is not subject to the BNG regulations as it is subject to the de minimis exemption as the site is under 25 sqm and the site is within a built-up, previously developed area and the development is of a small scale. The proposal would not impact upon any priority species, designated habitats or geological features and there is unlikely to be a significant impact upon biodiversity. However, notwithstanding this, the site is not subject to the de minimis exemption as it is not less than 25 sqm in size.

While the submitted ecological information is satisfactory in that the potential impacts on protected species can be reasonably avoided through the implementation of sensitive working practices (which may be controlled by condition), no information regarding biodiversity net gain has been submitted with the application. It has therefore not been possible to assess whether the development would result in a minimum 10% increase in the biodiversity value of the site. The proposed development is therefore contrary to the Biodiversity Net Gain Regulations (2023) and the Environment Act (2021).

### Conclusion

The proposed development is acceptable in principle as it would represent an efficient use of this site within the built-up area of Gravesham. The development would be at a suitable density and would have an acceptable impact upon the character and appearance of the street scene.

While the development would have an acceptable impact upon the amenities of the occupiers of the neighbouring properties, it would not provide a suitable level of amenity for its future occupiers, however, as there would be a reasonably significant shortfall in the provision of amenity (garden) space for the future occupiers of the development and the proposed balconies would be overshadowed for large parts of the day. The garden would also be overlooked by some of the neighbouring dwellings, resulting in a lack of privacy for the potential occupiers of the property.

The development would also not result in an increase in the biodiversity value of the site of 10%.

The proposed development is therefore contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), the guidance contained in the Council's Residential Layout Guidance Supplementary Planning Document (2020), the National Planning Policy Framework (2024), the Biodiversity Net Gain Regulations (2023) and the Environment Act (2021).

### **Recommendation**

The recommendation is to refuse this application.

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

<b>Case Officer:</b>	Mr Tom Gabriel	<b>Team Leader:</b>	<b>Richard Hart</b>
<b>Signed:</b>	<b>TM Gabriel</b>	<b>Signed:</b>	<i>R Hart</i>
<b>Dated:</b>	11 November 2025	<b>Dated:</b>	<b>14<sup>th</sup> November 2025</b>