



Delegated Report

Planning Application

Planning Application No: 20240580

Location: Cherry Dene, Norwood Lane, Meopham, Gravesend DA13 0YE

Description: Erection of two detached houses with associated car parking, cart lodge car port and new entrance drive.

Applicant: Ms N G Pohean

Site Visit Date: 17 July 2024

Submitted Documents/Plans

Application form

Drawing no. 0724.WD.05F (proposed site plan)

Drawing no. 0724.WD.04 (existing site plan)

Drawing no. 0724.WD.12 (OS plan)

Drawing no. 0724.WD.09A (dwelling B – elevations front north and side east)

Drawing no. 0724.WD.08 (dwelling B – elevations rear south and side east)

Drawing no. 0724.WD.10 (dwelling A – elevations north front and east side)

Drawing no. 0724.WD.11 (dwelling A – elevations south rear and west side)

Drawing no. 0724.WD.01C (proposed floor plans – dwelling A)

Drawing no. 0724.WD.02A (proposed floor plans – dwelling B)

Amended Arboricultural Impact Assessment and Method Statement by Cantia Arboricultural Services

Amended Soft Landscaping Proposals by Cantia Arboricultural Services

Habitat Photos (0724.WD.13)

Soft Landscaping Proposals by Cantia Arboricultural Services

BNG Metric (updated 23 October 2024)

Biodiversity Gain Report

Pre-development baseline map

Relevant Planning History

20231049	Erection of two detached houses with associated car parking, cart lodge car port and new entrance drive.	Refused	11.12.2023
19890190	Outline application for erection of three detached houses with garages incorporating the construction of a new vehicular access drive and new vehicular access onto Norwood Lane.	Refused	02.05.1989

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 Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- CS18 – Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

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

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 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- 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);
- Design for Gravesham: Design Code (2024); and
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Meopham Parish Council

Due to the bulk of the development and impact on neighbouring properties MPC object to this application. We also note the strong objections made by local residents and the less-than-ideal access to Norward Lane on a blind bend.

Kent Fire and Rescue

Following my assessment of Fire and Rescue Service emergency access provisions for application number 20240580 I would like to make the following observations.

Due to the length of the proposed access driveway, facilities should be provided to allow a fire appliance to turn in accordance with B5 of Approved Document B, Volume 1 2019.

Applicants should be aware that in the event of planning permission being granted the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

If you require any further advice, please contact this office using the details above. Please be aware that the Building Safety office hours are 09:00-17:00 Monday to Friday.

KCC Biodiversity

We have reviewed the submitted information and we advise that we have the following comments to make:

Protected/Notable Species

We have reviewed the protected/notable species survey information submitted by the applicant and we are satisfied that sufficient information has been provided. We have taken the view that no further species survey information is required as the site is largely a well managed lawn and the mature trees on site will be retained.

Biodiversity Net Gain

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

¹ Biodiversity net gain: exempt developments - GOV.UK (www.gov.uk)

² The Biodiversity Gain Requirements (Exemptions) Regulations 2024 (legislation.gov.uk)

Having reviewed submitted information, we consider this application to fall under mandatory biodiversity net gain so that mandatory biodiversity net gain of 10% will apply.

Any application which is required to achieve a 10% BNG must submit the following information as a minimum³:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition;
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate);
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date;
- the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value;
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ('degradation'), and where they have:
- a statement to the effect that these activities have been carried out;
- the date immediately before these activities were carried out;
- the pre-development biodiversity value of the onsite habitat on this date;
- the completed metric calculation tool showing the calculations, and
- any available supporting evidence of this;
- a description of any irreplaceable habitat (as set out in column 1 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) on the land to which the application relates, that

exists on the date of application, (or an earlier date); and

- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

We advise that sufficient information has been provided with regard to mandated BNG.

We highlight that the submitted metric is incorrect as it details that there are only 2 large but from reviewing the submitted arboricultural report trees T10, and T31 should be considered large and T12 very large.

We have noted this error and advise that we are satisfied that the metric does not need to be updated again but the error must be addressed within the biodiversity net gain plan to be submitted if planning permission is granted.

3 <https://www.gov.uk/guidance/biodiversity-net-gain#para11>

The metric is currently stating that a loss of over 30% is anticipated but we highlight that due to the above mentioned error in the metric and because proposed habitat baseline has been filled in incorrect we advise that the habitat loss is expected to be larger. We highlight that the developed land footprint will also have to be included within the proposed habitats tab not just any areas of vegetated garden.

If planning permission is granted, local planning authorities are encouraged to use suggested paragraphs for Biodiversity Gain Information on the written decision notice which are available to download here: https://assets.publishing.service.gov.uk/media/663251d969098ded31fca800/BNG_Decision_Notice_Text.odt. The applicant should submit a biodiversity gain plan form4 along with supporting information once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

For the purchasing of BNG units we direct the applicant towards the Kent Biodiversity Net Gain Site Register Kent Biodiversity Net Gain Site Register | Making Space For Nature Kent.

Mature Tree

From comparing the arboricultural report and the proposed landscaping plan it appears that there is not sufficient root protection area between the development footprint and T12 (Californian Redwood). We advise that GBC must be satisfied that the any trees to be retained on site will not be impacted and subsequently lost as a result of the proposal.

Ecological Enhancements

Under section 40 of the NERC Act 2006 and paragraphs 180 and 186 of the NPPF 2023 biodiversity should be maintained and enhanced through the planning system. In addition to BNG we advise that ecological enhancement features must also be incorporated in to the site. If planning permission is granted we recommend that an ecological enhancement plan is included. Enhancements include bat and bird boxes within the site and buildings, insect hotels or log piles within the site and the inclusion of planting to benefit pollinators. We suggest the following:

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 planting which will benefit pollinators, and/or native species planting and ecological enhancement features within the buildings and site. The plan must be implemented as approved.

Lighting

Lighting can have a negative impact on bats (and other nocturnal species) and therefore any lighting must be designed to minimise light spill.

We recommend that if planning permission is granted the lighting condition has the following requirements:

- Be designed following best practice guidance within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'
- Downward facing and on motion sensors

Site plan showing the location and types of lighting and details of light spill.

KCC Heritage

The site lies within an area of multi-period background archaeological potential. However, based on existing Historic Environment Record data for the area and the 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.

GBC Waste

I have reviewed this planning application and I am happy with the refuse and recycling storage for this section of the building.

For collection, the bins will need to be moved to the end of the driveway.

GBC Environmental Protection

The comments made for the previous (refused) application are re-iterated.

No objection to this application. The following conditions and informatives are recommended.

Code of Practice on Construction and Demolition: Due to the proximity of surrounding residential premises, this would be required in order to minimise the impact due to noise and dust from the groundworks, demolition of existing structures and construction work. There must be no burning on site whatsoever.

Lighting: Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated). This is particularly important due to the rural area.

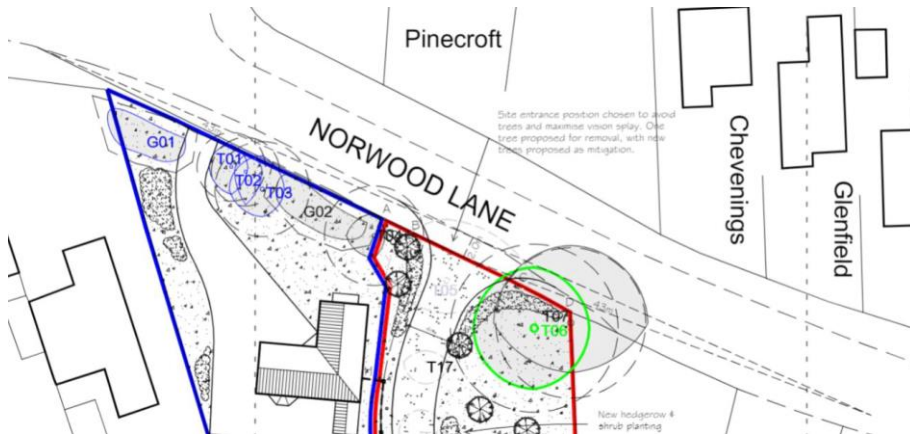
Drainage/sewerage informative: The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

GBC Highways Officer (from previous application)

This application requires very careful consideration, particularly when previous advice has not been followed.

(A) Pre-advice for sight lines Item 5. On comments given against application PRE20230098 Sight lines should be 43m x 2.4m x 43m at any new access and shown on a suitable drawing. This is appropriate for the 30mph speed limit Norwood Lane is subject to in this section of road.

This compares to sight lines shown on the drawing of 43m x 2m x 43m



Drawing ADP23/P102/02 Site Layout. Current application 20231049.

Manual for Streets, which is accepted as undergoing revision but not yet published, is the guide that should be used when considering sight line requirements at junctions, which includes accesses. On page 92 paragraph 7.7.6 states,

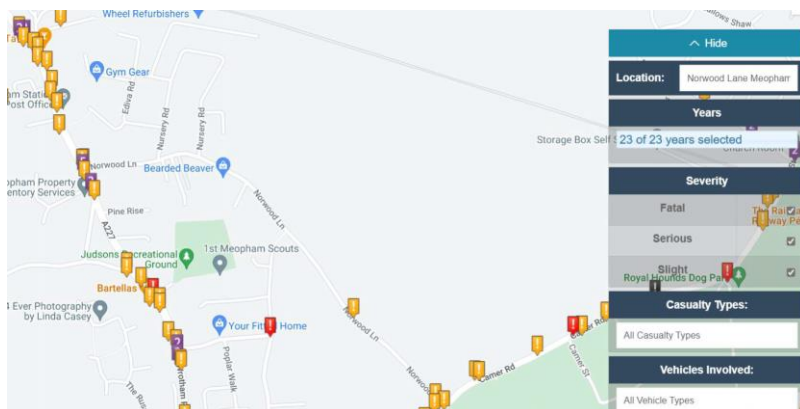
7.7.6 An X distance of 2.4 m should normally be used in most built-up situations, as this represents a reasonable maximum distance between the front of the car and the driver's eye.

It is followed by paragraph 7.7.7

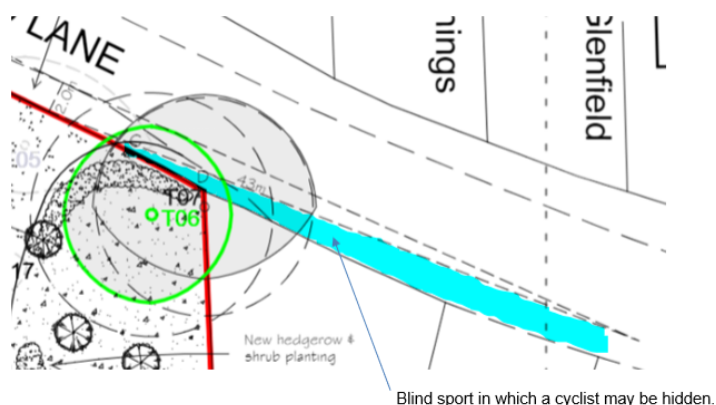
7.7.7 A minimum figure of 2 m may be considered in some very lightly-trafficked and slow-speed situations, but using this value will mean that the front of some vehicles will protrude slightly into the running carriageway of the major arm. The ability of drivers and cyclists to see this overhang from a reasonable distance, and to manoeuvre around it without undue difficulty, should be considered.

The 'X' distance is the distance measured from the edge of highway along the centre line of the driveway and gives an approximation of where a drive may be expected to be seated when exiting the drive.

Norwood Lane is an unclassified linking A227 Wrotham Road with Green Lane which is 'C' classified and is subject to a 30mph speed limit within the built up area. The road does not have the benefit of street lighting, there are no details of any injury accidents being recorded in the area on the crashmap data base. <https://www.crashmap.co.uk/Search>



However, despite what may exist elsewhere in the road, it does not mean the situation should be compounded by permitting a substandard access. It should also be noted that even if the 2 metre 'X' distance was considered acceptable, this would create a blind spot in which cyclists could be hidden to the detriment of highway safety.



Please note that Local Transport Not 1/20 gives the following stopping sight distances for a cyclist.

Table 5-5: Stopping sight distances

Design speed (kph)	Minimum stopping sight distance (m)
40	47
30	31
20	17

Note 40kph equates to 25mph whilst 30kph is approximately 19mph, not unreasonable speeds for Norwood Lane given its alignment. It does show that a cyclist does require a greater distance to stop than a motorist which isn't surprising.

Given the emphasis on active travel and the fact that the Highway Code gives priority to cyclists in the hierarchy of road uses over motorists.

"Rule H3 - Rule for drivers and motorcyclists

You should not cut across cyclists, horse riders or horse drawn vehicles going ahead when you are turning into or out of a junction or changing direction or lane, just as you would not turn across the path of another

motor vehicle. This applies whether they are using a cycle lane, a cycle track, or riding ahead on the road and you should give way to them.

Do not turn at a junction if to do so would cause the cyclist, horse rider or horse drawn vehicle going straight ahead to stop or swerve.”

It is essential that any driver emerging from the access has adequate visibility to detect an approaching cyclist.

It is therefore considered appropriate that sight lines of 43m x 2.4m x 43m should be provided in the interests of road safety at any new access.

(A) Given the requirements regarding fire access in the Building Regulations, the applicant needs to demonstrate that a Fire Engine can turn at the first new dwelling to ensure a fire appliance does not have to reverse more than 20 metres and get within 45 metres of all points inside the dwelling house.

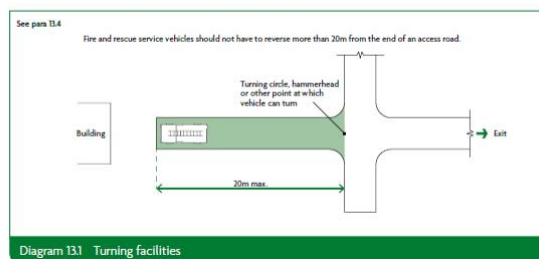
ONLINE VERSION

B5

Section 13: Vehicle access

Provision and design of access routes and hardstandings

- 13.1** For dwellinghouses, access for a pumping appliance should be provided to within 45m of all points inside the dwellinghouse.
- 13.2** For flats, either of the following provisions should be made.
- Provide access for a pumping appliance to within 45m of all points inside each flat of a block, measured along the route of the hose.
 - Provide fire mains in accordance with paragraphs 13.5 and 13.6.
- 13.3** Access routes and hardstandings should comply with the guidance in Table 13.1.
- 13.4** Dead-end access routes longer than 20m require turning facilities, as in Diagram 13.1. Turning facilities should comply with the guidance in Table 13.1.



This requires a Tracked/Swept Path drawing for an appropriate vehicle.

It is essential that this turning area should be kept clear of parked vehicles as it will potentially be used by delivery and other visiting vehicles, to avoid long reverses. The current design does not appear to ensure this, even if it is achievable.

(A) With regards to cycle parking the proposed provision of 2 cycle parking spaces is inadequate as it does not comply with the requirements of K.C.C. SPG4 adopted by Gravesham Borough Council of 1 cycle parking space per bedroom.

Minimum Cycle Parking Standards

Individual residential dwellings ⁽¹⁾	1 space per bedroom
Flats & maisonettes ⁽²⁾	1 space per unit
Sheltered accommodation ⁽²⁾	1 space per 5 units
Notes:	1. Cycle parking provision should normally be provided within the curtilage of the residential dwelling. Where a garage is provided it should be of a suitable size to accommodate the required cycle parking provision. 2. Parking provision should be provided as a secure communal facility where a suitable alternative is not available.

KCC SPG4.

I therefore recommend refusal of this application for the following reasons.

1. Inadequate sight lines at the access. In the interest of road safety.
2. No obvious on site turning for a fire appliance or delivery vehicles. Does not conform to Building Regulations and in the interests of road safety. (Need for a long reverse onto or off of the highway)
3. Inadequate cycle parking. Does not conform to adopted guidance.

Neighbouring properties

The application has been advertised by site notice and individual letters to 6 neighbouring properties. The overall consultation period ended on 14 October 2024.

16 letters of objection have been received. The main concerns are listed below:

- Dangerous access
- Loss of trees will change the character of the area
- Loss of wildlife including bats
- Disruptions from the build
- Modern style is out of character with the area
- Development is too big for the site
- Too close to surrounding properties
- Will set a precedent
- Local services already stretched
- Lack of street lighting makes the access dangerous at night
- Loss of privacy
- Development is for personal gain
- Loss of daylight and sunlight
- The properties are too big for the site
- Plans are misleading as they show Olivet with a single storey garage however this is double storey with a bedroom and pitched roof
- The building appears too high
- A long, high wall will be adjacent to Olivet
- Backland development
- Fencing will destroy the existing hedge
- Noise and pollution from the new houses

The applicant has responded with the following:

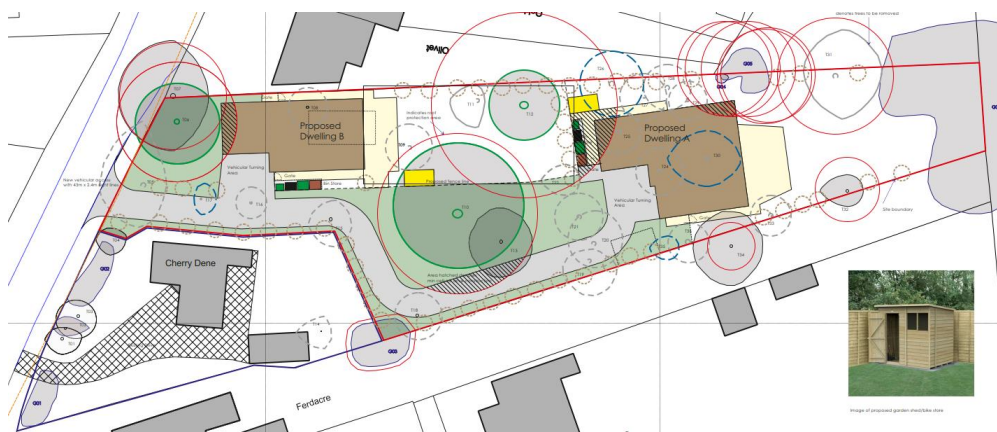
1. Access Road Position/Visibility – Some residents are concerned that vision from the new access road is not adequate due to its position on the slight bend in the road. Following consultation with Highways we have shown on the plans the required unobstructed 2.4m x 43.0m sight lines to ensure adequate road safety, for any potential access road users.

2. Trees – An extensive tree survey and proposed landscaping scheme has been carried out by an expert. He has concluded that although a number of existing trees will require removal (many shown to be at the end of life or of little quality and will probably need removal in any event) that can be mitigated with new vibrant trees and planting giving the opportunity to surpass and improve the visual character and habitat of the local area and the application site in particular.
3. Overlooking – The new dwellings have been carefully located and designed not to cause any detrimental overlooking or overshadowing, conforming to the design criteria set out in the Council Planning Design Guidelines.
4. Traffic – Neighbours have shown concern that the extra traffic that will be generated by two new houses will cause a detrimental increase in traffic flow. Consultation with Highways would suggest that they do not consider that the addition of two houses would be detrimental.
5. Design – The dwellings have been designed to fit into the existing streetscape containing many different dwellings of age, size, bulk and materials which have no particular character definition. It has been established that some of the larger original plots have been developed in the same way as this proposal using road frontage space and rear garden space and therefore, deemed to be acceptable. Design, of course, subjective and the scheme has utilised a traditional form to match the existing dwellings but in a modern way, using a similar colour pallet of materials, to match the existing.

Officer's Analysis

Proposal

This application seeks planning permission for the erection of two detached houses with associated car parking, cart lodge car port and new entrance drive as can be seen from the block plan below:



Dwelling A is located to the rear (south) of the site and is shown to be a chalet bungalow approx. 14m in width, 18.3m in depth and 6.6m in height shown below:



Internally it will have a bedroom, lounge/dining/kitchen, office, utility room, bathroom and WC at ground floor and four bedrooms and three bathrooms at first floor. It will have an attached garage to the front. Internally the property will have a floor area of approx. 215sqm (excluding the garage).

Dwelling B is a full two storey dwelling to the north of the site and to the east of Cherry Dene. It will be approx. 9.4m wide, 18.2m deep and 9.8m high with a hipped roof as shown below:



Internally it would have a home office, utility, WC and lounge/dining/kitchen at ground floor and four bedrooms and three bathrooms at first floor. It will have an attached garage to the front. Internally the property will have a floor area of approx. 180sqm (excluding the garage).

The properties will be accessed by a service road to the east of Cherry Dene.

Background

The previously refused layout is shown below:



This application (20231049) was refused for the following reasons:

1. The proposed dwellings, due to their size, height and location to the rear of a plot that tapers to a point, result in an incongruous and cramped form of development out of character with the surrounding area and therefore conflict with the objectives of Policy CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2023.

2. The proposed development, due to the distances between the front windows of dwelling CD02 and the private rear garden of CD01, will result in significant overlooking to the detriment of the occupiers of this dwelling. In addition to this both lounges of the dwellings will suffer insufficient outlook and daylight due to the position and height of the proposed carports resulting in poor living accommodation contrary to Policy CS19 of the Gravesham Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2023.

3. The proposed new access to the development, due to insufficient sight lines being provided and the likelihood of larger vehicles, particularly fire appliances, not being able to turn on site, will negatively impact the transport system in terms of highway safety and therefore conflicts with Saved Policies T1 and T5 of the Gravesham Local Plan 1994.

Housing Need

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

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

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in 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 to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75);
- and 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 129(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 '2' residential units would offer a minimum 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 Development Plan and NPPF (2024) which requires new development to be high quality, beautiful and create acceptable living conditions for future occupiers.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.

Principle of Development

The application site is located within a rural settlement inset from the Green Belt where the principle of development is acceptable in accordance with policy CS02 of the Gravesham Core Strategy 2014.

Policy CS14 supports new housing development that provides a range of dwelling types and sizes taking into account the existing character of the area. The character of the area is mixed. To the northwest of the site are two storey semi-detached properties, to the north east are two storey detached dwellings that are close to one another, to the east are two storey semi detached dwellings and to the east area mix of properties including some that have been built behind others:



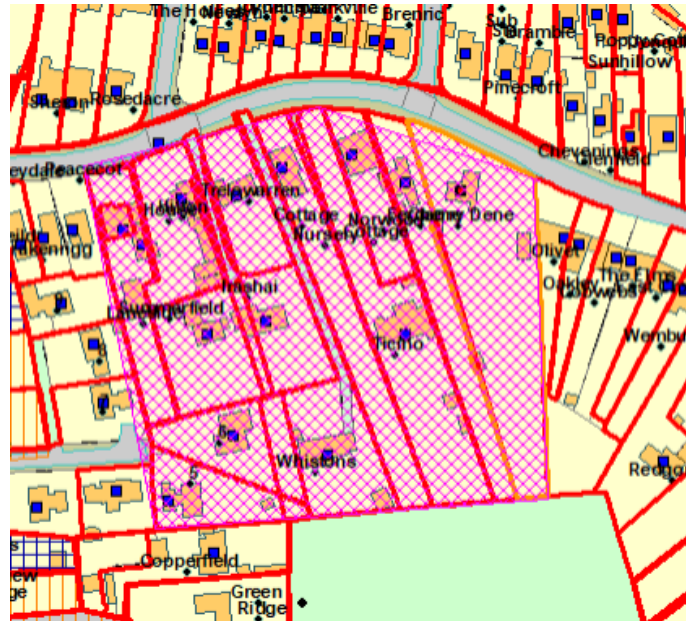
In terms of character, Cherry Dene relates more to the layout of the properties to the west which are situated on larger, more spacious plots. Concerns were raised previously that the addition of two additional dwellings on the site will erode the spaciousness of this particular section of Norwood Lane. Whilst there are many examples of properties being built in the rear gardens of neighbouring properties, Cherry Dene has a triangular plot which differs from these other dwellings. It was noted that, whilst it may be possible to accommodate two dwellings, those that were proposed were large in both footprint and height. These revised plans show a differing layout utilising the space to the east of Cherry Dene resulting in just one property to the rear. The space to the east of Cherry Dene is large and unusual in the street scene and therefore it's infilling will not appear out of character with the area.

The principle of the development is acceptable and therefore needs to be assessed in terms of the policies below.

Policy CS15 states that sites will be developed at a variety of densities, depending on their location and accessibility to public transport. All new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated.

Taking the sample below that relates most to the application site, the density is approx. 7.65 dwellings per hectare (dph). With two additional houses, the density of this area becomes approx. 9dph (and the density of the site 10dph). The density to the east is approx. 18dph but these houses are semi-detached. In terms of detached houses, the proposed density is not significantly higher than the surrounding area.

The density was calculated using the properties below:



Policy CS16 requires affordable housing on all new housing developments of 3 units or more on sites of 0.1ha or more in the rural area. Meopham village is considered a rural area however as the proposed development results in two additional dwelling this policy does not apply.

Design, Character and Appearance

The application site is located on a large plot. It would appear from the pattern of development that many of the neighbouring plots have been divided and dwellings have been built in back gardens. Ticino is an example of a two storey dwelling that has been built to the rear of Norwood Cottage.

Dwelling A is proposed to the rear of the site and is the larger of the two in terms of floor area. It is designed as a chalet bungalow and therefore has a lower ridge height than dwelling B by approx. 3m. The height of the building has been reduced by approx. 3m when compared to the refused application.

Dwelling B is proposed to the eastern side of Cherry Dene adjacent to 'Olivet'. It offers a continuation of the street frontage infilling the space between Cherry Dene and Olivet whilst still retaining the space between the dwellings. No concerns are raised as the street scene is mixed with detached and semi-detached two storey dwellings. The submitted street scene drawing below shows that dwelling B is a similar height to Olivet and is less wide. Whilst the roof form differs, the hipped design reduced the overall bulk and retains some spaciousness between the properties at second floor level.



The two plots are more evenly spread within the site and relate better to similar back land development in the vicinity. Garages are proposed to the front of the dwellings and are now shown to be attached to the dwellings which results in a more cohesive layout.

In terms of design the properties are shown to have a mix of render and cladding. There are other rendered houses in the street and, given that the design is mixed, no objection is raised. Some details of boundary treatments have been included on the plans however a condition is recommended that full details shall be supplied.

Landscape Character

In terms of the landscape character, the proposed dwellings will be within a large settlement and therefore will not impact the wider Meopham Downs landscape and therefore there is no conflict with policy CS12 in this regard.

In terms of design, the proposed dwellings will relate well to other development in the street scene. The plots are spacious and the chalet bungalow design of dwelling A to the rear is similar to other back land development which will ensure it is not overly dominant when viewed from other neighbouring gardens.

The proposed dwellings therefore comply with the objectives of policy CS19 of the Gravesham Core Strategy 2014 and para. 135 of the National Planning Policy Framework 2024. The proposed alterations to the scheme have overcome the previous grounds of refusal.

Amenity

Future Occupiers

The proposed dwellings far exceed the adopted Technical Space Standards in terms of floor area.

All habitable rooms contain windows with sufficient daylight and outlook. The bedrooms meet the standard for at least one double. The rear gardens far exceed the adopted standards. There is sufficient distance between the front of dwelling A and the rear space of dwelling B to ensure privacy distances of 26m (between habitable room windows and the first 5m of the rear garden of the neighbouring property) are maintained.

Neighbouring Amenity

Ticino:

This property is located to the west of the application site. There is intervening land between this property and the application site. There are no first floor windows in the western flank of either new

dwelling save for one obscure glazed bathroom window in dwelling B. The windows to the front of dwelling A are orientated northwards and therefore will not overlook this property. Due to the path of the sun there will be no loss of sunlight or daylight from either dwelling. Due to the orientation of the properties and distance between them and this neighbour there will be no loss of outlook.

Ferdacre:

This property is located to the west of the application site. Due to the distance between this dwelling and proposed dwelling A of over 55m there will be no loss of outlook, privacy, sunlight or daylight. Proposed dwelling B will be approx. 30 away to the other side of Cherry Dene and therefore will have no detrimental impact in terms of loss of outlook, sunlight or daylight. There is one window proposed in the western flank at first floor to serve a bathroom and a condition can be imposed to ensure this is fitted with obscure glass.

Cherry Dene:

There will be approx. 45m between this property and dwelling A and therefore, for the same reasons as above, there will be no loss of amenity to this dwelling. Dwelling B will be located approx. 10 to the east of Cherry Dene however no windows (save for the bathroom window mentioned above) in the first floor flank and therefore there will be no loss of privacy. Due to the path of the sun and distances between dwellings there will be no loss of sunlight or daylight from the proposals. Dwelling B is a sufficient distance to ensure no loss of outlook to this dwelling.

Olivet:

Proposed Dwelling A is shown to be approx. 30m from this dwelling and therefore meets the privacy distances listed in the adopted residential standards. The front bedroom windows face north and towards the front of the site rather than towards this neighbour. Nevertheless there is over 36m between the first floor rooflights and the first 5m of the rear garden of Olivet (the adopted residential standards require 26m).

Proposed Dwelling B is located to the west of this neighbour. The dwelling will project a similar distance to the rear as Olivet however the greatest impact will be to the rear door and window of the garage, which is not a habitable room, and the space directly in front of this. The main windows and sitting area to the rear of this neighbour will be in line with dwelling B and therefore will suffer no loss of outlook or daylight. The side windows of the rear extension of Olivet are secondary to the rear window serving the kitchen/breakfast room and therefore no concerns are raised to loss of outlook or daylight to these. There are first floor side windows to Olivet which serve a bedroom and there will be some loss of outlook/daylight to these. These are secondary windows to a bedroom served by a large window to the front and therefore little weight can be given to these. Due to the position of the dwelling and orientation of the sun no concerns are raised with regards to loss of sunlight. In terms of privacy the proposed eastern flank windows at first floor serve bathrooms and a condition is recommended to ensure these are fitted with obscure glass.

All other neighbours are a sufficient distance from the proposed development to suffer any significant loss of amenity in terms of outlook, privacy, sunlight or daylight.

The proposed development offers sufficient levels of amenity to the proposed dwellings and will not result in any significant detrimental impact to the amenities of neighbouring properties and therefore accords with the objectives of policy CS19 of the Gravesham Core Strategy 2014 and para. 135f of the National Planning Policy Framework 2024. The new positioning of the dwellings and their design has resulted in the previous ground of refusal being overcome.

Ecology and Biodiversity

Protected/Notable Species

The information submitted is sufficient and no further species survey information is required as the site is largely a well managed lawn and the mature trees on site will be retained.

Biodiversity Net Gain

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

This application falls under mandatory biodiversity net gain so that mandatory biodiversity net gain of 10% will apply. The submitted metric is incorrect as it details that there are only 2 large trees but from reviewing the submitted arboricultural report trees T10, and T31 should be considered large and T12 very large.

This error has been noted and the metric does not need to be updated again but the error must be addressed within the biodiversity net gain plan to be submitted if planning permission is granted.

The metric is currently stating that a loss of over 30% is anticipated but due to the error the habitat loss is expected to be larger. The developed land footprint will also have to be included within the proposed habitats tab not just any areas of vegetated garden.

If planning permission is granted, the applicant should submit a biodiversity gain plan form along with supporting information once planning permission has been granted to demonstrate in more detail how the proposed biodiversity net gain will be delivered.

Mature Tree

Concerns were raised that there appeared to be insufficient root protection area between the development footprint and T12 (Californian Redwood). The plans were amended to show less of dwelling A to be located in the root protection zone and also less hardstanding to the front and the relocation of the bin stores. This has reduced the encroachment by approx. 8sqm and is considered sufficient to protect the tree from loss.

Ecological Enhancements

Under section 40 of the NERC Act 2006 and paragraphs 187 and 192 of the NPPF 2024 biodiversity should be maintained and enhanced through the planning system. In addition to BNG, ecological enhancement features must also be incorporated in to the site. A condition is recommended to ensure that an ecological enhancement plan is included. Enhancements include bat and bird boxes within the site and buildings, insect hotels or log piles within the site and the inclusion of planting to benefit pollinators.

Lighting

Lighting can have a negative impact on bats (and other nocturnal species) and therefore any lighting must be designed to minimise light spill. A lighting condition is therefore recommended.

Parking and Highways

The plans now show sight lines of 43m x 2.4m as required by Manual for Streets however a condition is recommended to ensure these are provided.

Sufficient space is shown for the provision of cycle storage and therefore a condition is recommended to ensure that full details of this at a level of one space per bedroom is provided.

No details have been provided to show that a larger vehicle such as a fire appliance can turn within the site however, it would appear from the proposed site plan that this is possible and, therefore on balance, no objection is raised on highways grounds.

The proposed development therefore accords with Policies CS11 of the Gravesham Local Plan Core Strategy 2014 and T5 of the Gravesham Local Plan First Review 1994. The previous grounds of refusal have been addressed.

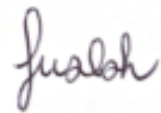
Conclusion

The proposed developed, as amended, will be in keeping with the surrounding character of the area and will have no significant detrimental impact on the amenities of future or neighbouring dwellings, ecology, parking or highway safety and therefore accords with the abovementioned policies and is recommended for approval subject to conditions. The previous grounds of refusal have been addressed and overcome.

Recommendation:

Permission

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

Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	26 March 2025	Dated:	26 March 2025