



Planning Statement

Samra Property SE LTD

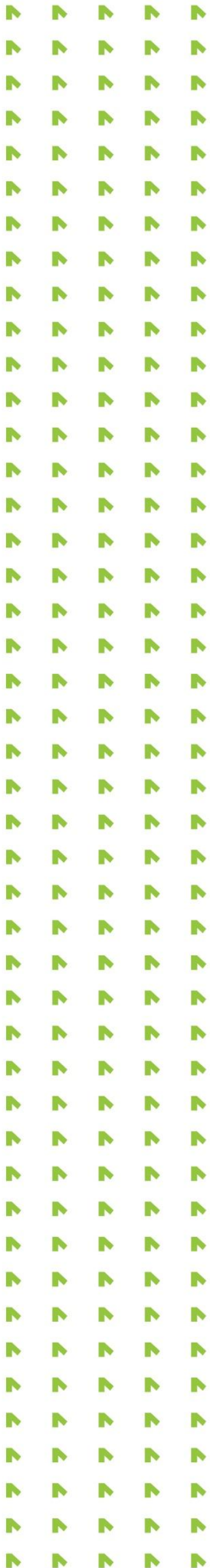
No 1 Russell Road, Gravesend

DA12 2RT

Regulated by RTPI

March 2026

 **MIALEX**



**Mialex is a bespoke planning
and development consultancy
established in 2017.**

We specialise in securing planning
permission on a wide range of
developments across the UK and
have a strong track record of success.

Please click below for details of our current
projects.

ALL PROJECTS →

M MIALEX

Contents

1. Introduction
2. Site and Surroundings
3. Planning History
4. Pre-Application Consultation
5. The Proposal
6. Planning Policy
7. Planning Considerations
8. Conclusions

Appendices

1. Ref 20250244 – Drawings Package
2. Ref 6001251 – Appeal Decision

1 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Samra Property SE Ltd in support of a full planning application for the demolition of an existing detached dwelling (No 1 Russell Road, Gravesend DA12 2RT) and the subsequent construction of 2 x 3b/5p dwellings with associated access, private amenity space, refuse and cycle storage.
- 1.2 The proposed scheme has been carefully designed to address all comments raised by the Planning Inspectorate in dismissing appeal Ref 6001251 on 15th January 2026 for the significantly larger development of 1 x 3b/5p house, 3 x 1b/1p studio apartments and 3 x 1b/2p apartments (as examined in detail within Section 4).
- 1.3 The Statement addresses the following matters:
- A description of the site and surroundings;
 - A review of the background and history of the site;
 - A summary of pre-application consultation with Gravesham Council;
 - An explanation of the revised development proposal;
 - An assessment of relevant planning policy;
 - An appraisal of the relevant planning and design issues; and
 - Conclusions.
- 1.4 The Statement should also be read in conjunction with the drawings package (prepared by Sub Rosa Architecture) submitted in support of the application.
- 1.5 The submissions conclude that the revised development proposal is fully acceptable and supportable in planning terms.

2 SITE AND SURROUNDINGS

- 2.1 The site comprises a detached bungalow which is positioned on the corner of Russell Road and Albion Terrace. The western side elevation of the property adjoins No 25 Albion Terrace which in turn forms part of a terrace of two storey dwellings fronting onto Albion Terrace to the west.
- 2.2 The main elevation of the property faces onto Russell Road. The rear (north) of the site accommodates a detached garage which is served by a single width vehicular access. Beyond the northern boundary of the site lies the side elevation of No 17 Russell Road, which forms part of a terrace of two storey dwellings that gradually descend in height along the road.
- 2.3 On the opposite side of Russell Road to the east of the site lie the front elevations of a terrace of two storey residential properties that are positioned approximately 16 metres away.
- 2.4 Given the general character and built form of the immediate surrounding area (along Albion Terrace and Russell Road) the site represents a somewhat incongruous feature which does not contribute in a particularly positive manner to the visual appearance of the streetscene.
- 2.5 Furthermore, the existing property extends considerably beyond the rear elevation of No 25 Albion Terrace at ground floor level given its orientation.
- 2.6 Within the wider context there are other buildings of relevance to the site including the three storey residential building 'Broadwater House' that is approximately 30 metres west of the site along Albion Terrace and the three storey residential building 'Amber Court' which is approximately 45 metres to the east along Norfolk Road.
- 2.7 Broadwater House is arranged into a C-shape building with the principal elevation fronting onto Albion Terrace. It features habitable windows within all elevations and maintains a separation distance of approximately 15 metres with the properties positioned opposite to the north, east, and west.
- 2.8 Meanwhile, Amber Court to the east is arranged in an 'V' shape formation and accommodates 10 flats. Importantly, Amber Court uses the space at its rear to provide parking and a separate private garden for one of the ground floor flats. The site maintains separation distances of approximately 11 and 12 metres to habitable room windows on neighbouring residential properties to the north and west respectively.
- 2.9 Accordingly, the wider surrounding area is also predominantly residential in character and includes several apartment buildings ranging between 3-5 storeys alongside the two storey terraced homes immediately local to the site as explored above. There is a general consistency in scale of three stories within the terrace block on the northern side of Russell Road, with the majority of buildings having been constructed in the 1970's.
- 2.10 With regard to amenities, Gravesend Town Centre lies less than 750 metres from the site and provides a diverse retail offer with a range of local shops and services including a supermarket, bank, pharmacy and a range of restaurants and bars all within easy reach. Within 500 metres are multiple sports clubs providing opportunity for physical and social activities.

- 2.11 Furthermore, approximately 200 metres away from the site lies the Riverside leisure area and Gordon Promenade offering considerable quality green space for the benefit of nearby residents. This park is classified locally as the premier greenspace within Gravesend.
- 2.12 It is confirmed that the site is not within a Conservation Area but is near to the Riverside Conservation Area. This Conservation Area does not relate to the built environment, rather the marina and greenspace surrounding it. There aren't any listed buildings situated in the immediate proximity. The site is acknowledged to lie within Flood Zone 1. Please refer to the selection of site photos and images below and overleaf.



Image 1: Site Location Plan



Image 2: Overhead view of site facing north west



Image 3: Photograph of east elevation of site from Russell Road



Image 4: Photograph of eastern and southern elevations of site as seen from corner of Russell Road and Albion Terrace. This image demonstrates how the existing property does not relate to the height/scale of the neighbouring terraces.



Image 5: Photograph of north and west (rear) elevations of property from northwestern corner of site demonstrating the hardstanding nature of the existing residential curtilage.



Image 6: Photograph of front elevation of existing property facing Russell Road.



Image 7: Photograph of existing western boundary with rear elevation of No 25 Albion Terrace visible in background



Image 8: Streetview taken from corner of Albion Terrace and Brunswick Walk. This demonstrates the incongruous nature of the existing site when viewed in the context of the immediate surroundings.



Image 9: Streetview of site from Russell Road facing north.



Image 10: Streetview of site from Norfolk Road facing west. This demonstrates the incongruous nature of the existing site.



Image 11: Streetview image of the three storey Amber Court development from Albion Terrace/Norfolk Road.



Image 12: Streetview of the three storey Broadwater House from Albion Terrace.

3 PLANNING HISTORY

The Site

- 3.1 Of key relevance to the determination of this revised development proposal is Application Ref 20250244, which proposed the demolition of the existing dwelling and garage and construction of a two-storey residential building with roof accommodation, comprising 1 x 3 bed dwellinghouse, 3 x studio apartments and 3 x 1 bed apartments with associated access, private and communal amenity space, refuse and cycle storage.
- 3.2 The application was refused by the Council for the following reasons:
1. The proposed scheme would result in a large two/three storey building, encompassing almost the entirety of the plot, of a design which would wholly contradict the existing character and appearance of the area. The proposal would appear as an incongruous and cramped form of development which would constitute an overdevelopment of the plot, as well as being unduly prominent and overbearing addition to the area. As such, the proposal is contrary to Policies CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy, September 2014 and Paragraphs 135 of the NPPF (2024) in terms of design, character and appearance.
 2. The proposed development by virtue of the siting, orientation and design of the proposed building would result in existing and future occupiers of the neighbouring dwelling No. 25 Albion Terrace having a perceived high level of overbearing bulk and enclosure in such a manner which would significantly impact this neighbour's enjoyment of their existing amenity space and would be an unneighbourly form of development. As such the proposal would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Paragraph 135(f) of the National Planning Policy Framework (2024).
 3. The proposal fails to safeguard biodiversity and fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment. Therefore, the development fails to comply with the requirements of the Habitat Regulations but fails to offset biodiversity loss contrary to Section 15 (specifically paragraphs 192 and 195) of the National Planning Policy Framework (2024) and Policy CS12 of Gravesham's Local Plan Core Strategy (2014).
- 3.3 A copy of the drawings package is attached at **Appendix 1**.
- 3.4 The applicant subsequently lodged an appeal against the Council's decision to refuse the application (Ref 6001251).
- 3.5 In determining the appeal, the Inspector confirmed that the key planning issues related to the impact of the proposed development on the following:
- The character and appearance of the area;
 - The living conditions of the occupants of 25 Albion Terrace with regards to outlook; and,
 - The integrity of the Thames Estuary and Marshes Ramsar Site and Special Protection Area.

3.6 On 15th January 2026, the Inspector issued the decision confirming that the appeal had been dismissed. Please refer to the Decision Letter attached at **Appendix 2** which sets out a detailed assessment of the proposed scheme.

3.7 A summary of the key issues is set out in turn below.

The character and appearance of the area

3.8 The Inspector confirmed that the proposed development would have an unacceptable impact upon the visual character and appearance of the surrounding area, stating that:

“It is recognised that the design attempts to reflect the height and scale of the surrounding terraces by continuing the roof ridge height and eaves level on the south elevation, with a staggered roofline along the east elevation. However, because of the extent and size of the front-facing pitched roof projecting out of the roof on the south elevation, together with the dormer windows and other windows in the roof, visually the building would effectively appear as three storeys high. Consequently, amongst the surrounding two-storey terraces, the proposed building would be incongruous. In addition, elements such as the front-facing pitched roof, grey slate tiles, and the chamfered roof form on the north elevation are not characteristic of nearby terraces and would further emphasise the building’s discordant appearance in the street scene.

Its combined depth, width and height would give the building a considerable bulk, and the segmentation of the east elevation would not be enough to reduce this bulk to an acceptable level.

The proposed building’s width would bring it very close to the Russell Road boundary, pushing it noticeably forward of neighbouring houses. Because of its size and the closeness to the boundary, the building would have an appearance of a cramped form of development, symptomatic of a plot which is not able to accommodate the scale of development proposed.

The proposal would comply with some parts of the Design for Gravesham Design Code Supplementary Planning Document 2024, as the building would have entrances and window openings facing the streets, facilitating natural surveillance and the refuse store would be set back from the road and effectively screened. However, this would not overcome my concerns over the design of the building.”

3.9 It is important to note that the Inspector raised no objection was raised to the external appearance or scale of the proposed 3 bed dwelling.

The living conditions of the occupants of 25 Albion Terrace with regards to outlook

3.10 The Inspector also arrived at the view that occupants of No 25 Albion Terrace would also be adversely affected by the proposed development:

“Although the rear projection of the proposed building would be narrower than the bungalow, due to its three-storey height and overall depth, it would further restrict the already limited outlook from No. 25’s garden. The combined height, depth and bulk of the rear projection would give the proposed building a far more imposing presence than the bungalow. Subsequently, when viewed from No. 25’s rear garden, it would create a greater

sense of enclosure, significantly diminishing the enjoyment of this rear garden, harming their living conditions.

The letter of support from the occupants of No.25 is acknowledged. However, planning is concerned with development in the public interest. One of the functions of the planning system is to secure a high standard of amenity for existing and future occupants. In this regard, the proposal falls short. The proposal would be permanent, and it would have a harmful impact in perpetuity. A lack of objection would therefore not alter my conclusions on the merits of the proposal in this regard.

I note the approved ground-floor extension at No.25, but there is no substantive evidence that works have been started. I therefore cannot be certain that this extension will be built. Notwithstanding this, even if it were to be built, the proposed building would still project beyond the rear elevation of No. 25 and would still have a significant enclosing effect because of its overall size.

The analysis from the Daylight and Sunlight Assessment demonstrates that the impact of the proposal on the daylight and sunlight received at No.25 would be within the relevant guidelines. However, this would not mitigate against the harm from the loss of outlook, which is different to daylight and sunlight.”

The integrity of the Thames Estuary and Marshes Ramsar Site and Special Protection Area

- 3.11 Finally, in respect of the Thames Estuary and Marshes Ramsar Site and Special Protection Area, the Inspector commented as follows:

“Although the appellant has indicated a willingness to pay the SAMMS mitigation contribution, no evidence is before me which would demonstrate that a mechanism, such as a unilateral undertaking (UU) provided by the appellant, is in place to secure such a contribution. This also cannot be dealt with by planning condition if the appeal was allowed, as a positively-worded condition cannot be imposed to require the payment of money¹.

Accordingly, I can only conclude that it has therefore not been demonstrated that the proposal would not have an adverse effect on the integrity of the Ramsar site and SPA. It conflicts with Policy CS12 of the Core Strategy and also fails to address the requirements of the Habitat Regulations. As I am dismissing the appeal for other reasons, I do not need to consider this matter further as it would not change the outcome.”

- 3.12 As explained within Section 4, the proposed scheme has been significantly reduced in scale and carefully designed to address all comments raised by the Planning Inspectorate.

4 THE PROPOSAL

- 4.1 Full planning permission is sought for the demolition of the existing detached dwelling (No 1 Russell Road, Gravesend DA12 2RT) and the subsequent construction of 2 x 3b/5p dwellings with associated access, private amenity space, refuse and cycle storage.
- 4.2 Please refer to the schedule of accommodation (including breakdown of internal floorspace and amenity provision) below.

Flat Number	National Space Standard Requirement	Gross Internal Area	Amenity Provision	Outlook
House 1 (3B/5P)	99 sqm	110 sqm	73 sqm Private garden	Dual
House 2 (3B/5P)	99 sqm	110 sqm	118 sqm Private garden	Dual

Design Approach

- 4.3 As outlined within Section 2, the immediate street scene is predominantly characterised by rows of terraced dwellings in addition to purpose-built residential apartment blocks of varying scale and external design. The existing dwelling does not hold any significant architectural merit and there is no objection to its demolition in principle, particularly as all other buildings within the local area are of noticeably larger scale.
- 4.4 The site is not located within a Conservation Area, albeit careful consideration has been afforded to ensure that all elements of the proposal respond positively to local distinctiveness and sit comfortably in terms of visual appearance and massing within the streetscene, whilst delivering a high quality contemporary design.
- 4.5 The scheme has also been arranged in an efficient manner that will ensure the full potential of this highly sustainable site is realised. The revised development has been carefully considered to reflect the scale, density and character of properties within the immediate surrounding area fronting onto Albion Terrace and Russell Road.
- 4.6 The new dwellings will form a continuation of the existing terrace positioned on the northern side of Albion Terrace. The high quality external materials and detailing will enable the proposed dwellings to achieve a high quality 'contemporary re-interpretation' of the surrounding vernacular.
- 4.7 The rooflines will be recessed and clad in slate to help achieve a high quality, contemporary external appearance. The general height and scale of the new dwellings will harmonise with the immediate surrounding area, with the eaves and ridge height consisting with the wider terrace as shown on the drawings package.
- 4.8 At rooftop level, the proposed dormers to the front and rear roofslopes have been simplified in terms of their external design/appearance (with all being set above eaves height).

- 4.9 At ground floor level, recessed bays are introduced to emphasise the entrances and to respond positively to the external detailing of terraced houses along Russell Road and Albion Terrace. The bays will be finished in external brickwork that will match the wider building and have the effect of simplifying the elevations.
- 4.10 Windows are integrated within the main elevations to help create a light, bright internal living environment for occupiers and respond positively to the visual appearance of the adjoining neighbouring terraces.
- 4.11 The significant reduction in footprint and massing compared to the appeal scheme means that a sizeable separation distance ranging between 3-4 metres will be maintained between the side elevation of the end of terrace dwelling and Russell Road (in a similar manner to the existing bungalow), enabling the development to sit comfortably within the plot and respect established building lines to Russell Road.
- 4.12 Furthermore, the reduced projection of the new dwellings to the rear (north) creates ample space for two private gardens, two off road parking spaces and secure/accessible cycle and refuse storage.
- 4.13 The proposed dwellings will achieve a significant reduction in projection when compared to the existing dwelling and extend no further to the rear than the adjoining neighbouring property (No 25). Accordingly, the proposed development will enhance the relationship between the site and the rear elevation windows of No 25.
- 4.14 Overall, the considered design approach enables the creation of a high quality 'contemporary re-interpretation' scheme that will enable the site to respond in a positive manner to the immediate surrounding area whilst providing new residential accommodation for members of the local community within a highly sustainable location.



Image 13 - Model image of revised development proposal taken from corner of Russell Road.

5 PLANNING POLICY

5.1 This section provides a review of relevant national and local planning policy and guidance.

NATIONAL POLICY

5.2 The National Planning Policy Framework (NPPF) was revised in December 2024 and sets out the Government's objectives for achieving sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development.

5.3 Development proposals that accord with an up-to-date Development Plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless:

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

5.4 Paragraph 8 confirms that there are three dimensions to sustainable development; economic, social and environmental. To achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the planning system.

5.5 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. These sustainable objectives should be delivered through the preparation and implementation of plans and the application of the policies in the framework.

Delivering a Sufficient Supply of Homes

5.6 Paragraph 61 explains that in order to support the Government's commitment to significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward for development where it is needed, that needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

5.7 Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where strategic policies are more than five years old. The five year supply should include an appropriate buffer. Where the local authority chooses to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan the buffer should be 5% to ensure choice and competition in the market for land. In the event that there has been significant under delivery over the previous three years when measured against the Housing Delivery Test, then a 20% buffer should be applied. Furthermore, from 1st July 2026, where a local planning authority has an annual average housing requirement 80% or less of the most recent housing need figure calculated (using the standard method set out in the national planning practice guidance), then a 20% buffer should be applied.

5.8 The NPPF is clear at paragraph 11 that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites or the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years.

Promoting Sustainable Transport

- 5.9 To protect and exploit opportunities for the use of sustainable transport modes, development should be located and designed to give priority to pedestrian and cycle movements and have access to high quality public transport facilities; address the needs of people with disabilities by all modes of transport; create safe and secure places minimising conflicts between traffic and pedestrians; allow for the efficient delivery of goods and access by service and emergency vehicles; and be designed to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Making Effective Use of Land

- 5.10 The NPPF recognises the need for the planning system to promote an effective use of land in meeting the need for homes and other uses. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 5.11 Paragraph 125 (c) explains that the planning system should specifically give substantial weight to the value of using suitable brownfield land within settlements for new homes and other identified needs. Furthermore, sub-section (d) of this paragraph explains that planning should also promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 5.12 Sub-section (e) of paragraph 125 outlines that Council's should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers.
- 5.13 Paragraph 128 clearly states that local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:
- Use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework.
- 5.14 The chapter also discusses how appropriate densities can be achieved. Paragraph 129 sets out that the planning system should support development that makes efficient use of land, taking into account the following:
- The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - Local market conditions and viability;
 - The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - The desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - The importance of securing well-designed, attractive and healthy places.

Achieving Well Designed Places

- 5.15 This chapter sets out at paragraph 135 that planning policies and decisions should aim to ensure that developments:
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
 - Are visually attractive as a result of good architecture and layout and appropriate and effective landscaping;
 - Are sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - Establish a strong sense of place, using the arrangements of streets, spaces, buildings types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and
 - Create places that are safe, inclusive and accessible and which promote health and well-being.
- 5.16 Paragraph 137 stresses the importance of pre-application discussions with the community and local planning authority in the design process, stating that applicants should work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in the design of the new development should be looked upon more favourably.

Decision Taking

- 5.17 Guidance in paragraph 39 states that local planning authorities should approach decision-taking in a positive and creative way. They should work proactively with planners to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

DEVELOPMENT PLAN

- 5.18 The Development Plan consists of the Gravesham Local Plan Core Strategy (2014), a number of saved policies within the Gravesham Local Plan First review (1994) and a range of Supplementary Planning Guidance notes.
- 5.19 Accordingly, the combined Core Strategy and saved elements of the Local Plan set out the overall policies for consideration of planning applications within the borough, with additional detailed guidance provided within the relevant SPG's. The policies relevant to the assessment of the development proposal are summarised below.

Core Strategy (2014)

- 5.20 **Policy CS01 (Sustainable Development)** Planning applications that accord with the policies in the development plan for Gravesham will be approved without delay, unless material considerations indicate otherwise.

- 5.21 When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework and in this Core Strategy. It will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 5.22 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:
- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
 - Specific policies in that Framework indicate that development should be restricted.
- 5.23 **Policy CS02 (Scale and Distribution of Development)** The development strategy for the Borough is to retain and improve the existing stock of housing and suitable employment land and to make provision for the Borough's objectively assessed need for at least 6,170 new dwellings delivered at a variable rate as follows; at least 325 dwellings per year for 2011/2012 – 2018/2019, at least 363 dwellings per year for 2019/2020 – 2023/2024, at least 438 dwellings per year 2024/2025 – 2027/2028, and at least 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) during the plan period.
- 5.24 Development will be distributed throughout the Borough as follows: around 3,890 new dwellings and around 186,490 sq m gross employment floorspace (within use classes B1, B2 and B8) will be provided in the Opportunity Areas at Northfleet Embankment and Swanscombe Peninsula East; Gravesend Riverside East and North East Gravesend; Ebbsfleet (Gravesham) and Gravesend Town Centre and on land at the Coldharbour Road Key Site; around 2,280 new dwellings will be provided on other sites in the urban area and rural settlements inset from the Green Belt.
- 5.25 The strategy prioritises development in the urban area as a sustainable location for development. This will be achieved by:
- Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. This will be principally through redevelopment of former industrial sites in the Opportunity Areas of Northfleet Embankment and Swanscombe Peninsula East, and Gravesend Riverside East and Northeast Gravesend to create new residential neighbourhoods and employment areas;
 - The continued development of a new sustainable mixed use community in the Ebbsfleet (Gravesham) Opportunity Area, which will include the provision of high quality employment floorspace;
 - Revitalising the Gravesend Town Centre Opportunity Area as a focal point for retail, leisure, cultural and tourism facilities and small scale office provision to serve the needs of the Borough whilst preserving and enhancing its character as a riverside heritage town; and

- Bringing forward a range of suitable sites in other parts of the urban area for residential and employment development, including Land at Coldharbour Road Key Site.
- 5.26 **Policy CS11 (Transport)** States that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Transport assessment work is required to be undertaken in accordance with national and local policy guidance, and to identify detailed highway and public transport network requirements and management arising from the development.
- 5.27 Sufficient parking in new development will be provided in accordance with adopted parking standards which will reflect the availability of alternative means of transport and accessibility to services and facilities. The Council will support proposals which improve public transport provision and facilities in the Borough. In particular, it will:
- Seek to maintain and expand, where justified, segregation lanes for Fastrack and existing bus priority measures elsewhere;
 - Require key sites to include provision for buses;
 - Support the development of transport hubs at Gravesend Town Centre and Ebbsfleet (in Dartford Borough Council area) to provide high quality interchange facilities between bus, rail, walking and cycling; and
 - Ensure an adequate supply of public car parking.
- 5.28 The Council will seek improvements to walking and cycling facilities and networks in the Borough including provision in new development as appropriate. These should provide improved access to Gravesend Town Centre and Ebbsfleet and to other services and facilities in the Borough. In particular, the Council will seek the provision of pedestrian and cycle links between Northfleet and Ebbsfleet stations and along the River Thames, a part of the proposed Thames Estuary Path.
- 5.29 **Policy CS14 (Housing Type and Size)** States that the Council will protect the mix of housing in the existing housing stock and will resist the conversion of family sized residential units to smaller properties.
- 5.30 The Council will expect new housing development to provide a range of dwelling types and sizes taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.
- 5.31 **Policy CS15 (Housing Density)** Outlines that sites will be delivered at a variety of densities, depending on their location and accessibility to public transport. The form and density of housing will vary across the larger sites, in response to accessibility and other characteristics of each part of the site. Variations in density across a site should be used to develop different character areas.
- 5.32 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. Subject to this overriding consideration:

- Within the urban area, new residential development will be expected to achieve a minimum density of 40 dwellings per hectare. In suitable locations close to the transport hubs of Gravesend Town Centre and Ebbsfleet, higher densities will be sought;
 - In the rural area, new residential development will be expected to achieve a minimum density of 30 dwellings per hectare
- 5.33 Development proposals that fail to make efficient use of land for housing, having regard to the character and location of the area, may be refused planning permission.
- 5.34 **Policy CS16 (Affordable Housing)** Confirms that the provision of affordable housing will be required on all new housing developments of: 15 dwellings or more on sites of 0.5 hectares or more in the urban area; and 3 units or more on sites of 0.1 hectares or more in the rural area.
- 5.35 **Policy CS19 (Development and Design Principles)** States that new development will be visually attractive, fit for purpose and locally distinctive. It will 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 and construction of new development will incorporate sustainable construction standards and techniques, be adaptable to reflect changing lifestyles, and be resilient to the effects of climate change. This will be achieved through the criteria set out below:
- Using the collaborative approach advocated in Building for Life 12 and in line with the guidance set out in Kent Design, the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings. Account will also be taken of the wider site context, including strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place;
 - New development will encourage sustainable living and choice through a mix of compatible uses which are well connected to places that people want to use, including the public transport network, local services and community facilities; encourage sustainable travel; enhance Green Grid links and encourage healthier lifestyles;
 - New development will be located, designed and constructed to:
 - i. Safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land;
 - ii. Avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination; and
 - iii. Not pose an unacceptable risk or harm to the water environment, including the quality and/or quantity of ground waters, surface waters, wetlands and coastal water systems;

- The design and layout of new residential development, including conversions, will accord with the adopted Residential Layout Guidelines;
- New development will be designed in an inclusive way to be accessible to all members of the community;
- New development will provide appropriate levels of private and public amenity space;
- New development will include details of appropriate hard and soft landscaping, public art, street furniture, lighting and signage and will ensure that public realm and open spaces are well planned, appropriately detailed and maintained so they endure;
- Car parking will be well related to the development it serves;
- New development will protect and, where opportunities arise, enhance biodiversity and the Borough's Green Infrastructure network. Support will be given to environmental enhancements where opportunities arise;
- New development will be fit for purpose and adaptable to allow changes to be made to meet the needs of users;
- The design and layout of new development will take advantage of opportunities to build in resilience to the effects of climate change. This will include protection against flood risk, where relevant, delivering carbon reduction, provision for low carbon and renewable energy, and minimising energy consumption and water use;
- New development will incorporate appropriate facilities for the storage and recycling of waste; and
- The layout of new development will create a safe and secure environment and provide surveillance to minimise opportunities for crime and vandalism.

5.36 **Policy CS20 (Heritage and the Historic Environment)** States that the Council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a no-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk through neglect, decay or other threats. Securing viable, sustainable and appropriate futures for such assets at risk will need to be reconciled with the sensitivity to change that many present.

5.37 Proposals and initiatives will be supported which preserve and where appropriate, enhance the significance of the Borough's heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of the Borough. These include:

- Gravesend Town Centre, its development as a heritage riverside town, and its setting;
- The Borough's urban and rural Conservation Areas; and

- Surviving built features and archaeology relating to the Borough's maritime, military, industrial and transport history.

5.38 When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

Gravesham Local Plan First Review (1994)

5.39 **Policy LT6 (Additional Open Space in New Housing Development)** advises that proposals for new housing development will be expected to make provision for open space and play space appropriate to the scale of development and type of housing proposed, having regard to the provision of and proximity to existing open space in the locality.

5.40 **Policy T1 (Impact of Development on Highway Network)** confirms that Local Planning and Highway Authorities will consider the impact on the transport system and on the environment of traffic generated by new development and will wish to ensure that all proposed developments are adequately served by the highway network identified on the Proposals Map.

5.41 **Policy T2 (Impact of Development on Highway Network)** states that the Local Planning and Highway Authorities will seek to channel all traffic travelling through Gravesham on to the primary road network and to channel traffic between and within residential, industrial and principal business districts of the Borough onto the district distributors.

5.42 **Policy P3 (Vehicle Parking Standards)** confirms that the Council will expect development to make provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site. In the case of proposals for development in Class B1, as defined in the Town and Country Planning (Use Classes) Order 1987, the Borough Council will expect car parking provision to be made at the standard for offices and will also require lorry parking and manoeuvring areas to be provided, unless the applicant is willing to enter into an agreement to restrict the uses to which the permission relates.

Supplementary Planning Guidance

5.43 **Supplementary Planning Guidance 2 (Residential Layout Guidelines)** states that with regard to privacy distances and overshadowing a minimum distance of 21 metres shall be provided between the windows of habitable windows and the private garden area of any dwelling. A private garden area is defined as the first five metres of garden adjacent to the rear of the dwelling.

5.44 Where windows of habitable rooms face each other, a window-to-window distance of at least 21 metres should be provided. Habitable rooms are defined as bedrooms and living areas, but specifically exclude kitchens and bathrooms.

5.45 For "single aspect" dwellings, the minimum distance from the window of a habitable room to any house wall of equivalent height containing no habitable room can be reduced to 11 metres.

- 5.46 To protect against overshadowing and loss of light, all applications for residential development will be expected to comply with the 25 degree rule. i.e. the development proposal should not obstruct a 25 degree line as measured from the centre point of the lowest window.
- 5.47 When considering amenity provision for self-contained flatted units, the SPG states, those [units] which have two or more bedrooms and are capable of providing family accommodation will be expected to provide an area of amenity space in excess of 10 sqm. For accommodation with 3 bedrooms a garden space of a minimum 60 square metres will be required. Such amenity space shall be of sufficient size to accommodate the following:
- Children's play space;
 - Drying area;
 - Limited outside storage;
 - Sitting out; and
 - General leisure use.
- 5.48 Finally, refuse containers shall be provided on a hardstanding and within purpose built enclosures, which are readily accessible for collection.

Design for Gravesham - Design Code SPD

- 5.49 The Design for Gravesham Design Code SPD was adopted by the Council in May 2024 and is a supplementary planning document which provides detailed guidance to support the implementation of policies outlined in the Gravesham Local Plan Core Strategy (with specific focus on Policy CS19 Development and Design Principles).
- 5.50 The Council's Planning Team need to take this guidance into account in assessing planning applications in order to promote quality and sustainable development within Gravesham.
- 5.51 As carefully explained and presented within the Design and Access Statement, the revised development proposal has been carefully designed in accordance with this newly adopted guidance.

6 PLANNING CONSIDERATIONS

- 6.1 The planning issues relevant to the determination of the development proposal are assessed in detail below.

Principle of Development

- 6.2 As examined within the previous section, the National Planning Policy Framework (NPPF) requires the Council to make the most efficient use of land by maximising the use of previously developed sites.
- 6.3 The site comprises an existing residential site positioned within a sustainable location in the urban area which benefits from excellent access to a range of local shops, services, local parks as well as connecting bus and rail links.
- 6.4 The existing dwelling makes a negative contribution towards the visual character of the streetscene due to it being the only dwelling of that layout and type within the immediate vicinity. As such, it offers an opportunity for redevelopment that will result in a more efficient use of the site.
- 6.5 The scheme will bring forward two new family homes that will make a positive contribution toward the borough's housing requirements and provide living opportunities for members of the local community.
- 6.6 This is particularly pertinent when considered in the context of the Council's inability to demonstrate a Five Year Housing Land Supply (FYHLS). The latest agreed position (as of February 2025) is that the Council can only demonstrate 3 years supply, which represents a very significant shortfall.
- 6.7 The presumption in favour of sustainable development will therefore apply to the assessment of this application. In this instance, the policies which are most important for determining the application are considered out-of-date and the Council should therefore grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole.
- 6.8 Accordingly, the principle of new residential development is considered acceptable at this location in accordance with Policies CS01, CS02, CS14 and CS15 of the Local Plan, provided that relevant design and living environment criteria, refuse, biodiversity and parking standards are all adhered to. Furthermore, it would need to be demonstrated that there would be no adverse impact upon the amenity of the occupiers of any neighbouring dwellings.

Design

- 6.9 As outlined within Section 2, the immediate street scene is predominantly characterised by rows of terraced dwellings in addition to purpose-built residential apartment blocks of varying scale and external design. The existing dwelling does not hold any significant architectural merit and there is no objection to its demolition in principle, particularly as all other buildings within the local area are of noticeably larger scale.
- 6.10 The site is not located within a Conservation Area, albeit careful consideration has been afforded to ensure that all elements of the proposal respond positively to local distinctiveness and sit comfortably

in terms of visual appearance and massing within the streetscene, whilst delivering a high quality contemporary design.

- 6.11 The scheme has also been arranged in an efficient manner that will ensure the full potential of this highly sustainable site is realised. The revised development has been carefully considered to reflect the scale, density and character of properties within the immediate surrounding area fronting onto Albion Terrace and Russell Road.
- 6.12 The new dwellings will form a continuation of the existing terrace positioned on the northern side of Albion Terrace. The high quality external materials and detailing will enable the proposed dwellings to achieve a high quality 'contemporary re-interpretation' of the surrounding vernacular.
- 6.13 The rooflines will be recessed and clad in slate to help achieve a high quality, contemporary external appearance. The general height and scale of the new dwellings will harmonise with the immediate surrounding area, with the eaves and ridge height consisting with the wider terrace as shown on the drawings package.
- 6.14 At rooftop level, the proposed dormers to the front and rear roofslopes have been simplified in terms of their external design/appearance (with all being set above eaves height).
- 6.15 At ground floor level, recessed bays are introduced to emphasise the entrances and to respond positively to the external detailing of terraced houses along Russell Road and Albion Terrace. The bays will be finished in external brickwork that will match the wider building and have the effect of simplifying the elevations.
- 6.16 Windows are integrated within the main elevations to help create a light, bright internal living environment for occupiers and respond positively to the visual appearance of the adjoining neighbouring terraces.
- 6.17 The significant reduction in footprint and massing compared to the appeal scheme means that a sizeable separation distance ranging between 3-4 metres will be maintained between the side elevation of the end of terrace dwelling and Russell Road (in a similar manner to the existing bungalow), enabling the development to sit comfortably within the plot and respect established building lines to Russell Road.
- 6.18 Furthermore, the reduced projection of the new dwellings to the rear (north) creates ample space for two private gardens, two off road parking spaces and secure/accessible cycle and refuse storage.
- 6.19 It is important to understand that the proposed development represents a contemporary re-interpretation scheme that has been carefully designed in accordance with the Council's Design for Gravesham Design Code SPD.
- 6.20 By way of further demonstration, the revised scheme adopts the key design principles outlined in Section 5 of the SPD as summarised in turn below:

Section 5.9 – Pattern, Grain and Scale

- The proposed development responds sensitively to the prevailing pattern and intervals of existing development to reflect the grain of the existing character area;

- The development appropriately reflects the prevailing pattern of the built form where there is a cohesive scale and grain (namely the terraces).

Section 5.10 – Height

- As a small scale infill development, the height of the proposed building does not exceed the existing building height level of the adjacent plots along the street.

Section 5.12 – Density

- The proposal follows a design-led approach to achieve an appropriate density of development for the site.

Section 5.13 – Building Lines

- The main (and side) elevations of the proposed dwellings will all clearly respect established building line along Albion Terrace and Russell Road.

Section 5.14 – Thresholds and Frontages

- The development introduces frontages with entrances and window openings at ground and upper levels facing the public realm to facilitate passive surveillance.
- Furthermore, the proposed bin store enclosure is set back from the roadside and effectively screened from view.

Section 5.15 – Roofscape

- The revised scheme respects the character of the local area and responds to prevailing roof forms in a way that is appropriate to the context.

Section 5.16 – Elevations and Key Corners

- The elevational design responds to the scale and proportion of the surrounding character area;
- The external design reinterprets key aspects of the existing built form in a style which is appropriate to the context and avoids a pastiche replica of surrounding buildings.

6.21 Overall, the considered design approach enables the creation of a high quality scheme of significantly reduced scale compared to the dismissed appeal. The revised design rationale will enable the site to respond in a positive manner to the immediate surrounding area whilst providing new residential accommodation for members of the local community within a highly sustainable location.

6.22 It accords with relevant design based guidance set out within the Design Code SPD, as well as Policies CS01 and CS19 of the Core Strategy.

Impact

- 6.23 In assessing the appeal scheme, the Inspector took the view that the combined height, depth and bulk of the rear projection would give the proposed building a more imposing presence than the existing bungalow and would create an unacceptable sense of enclosure for occupiers of No 25 when using their garden.
- 6.24 As demonstrated on the drawings package, the proposed dwellings will achieve a significant reduction in projection when compared to the existing bungalow and extend no further to the rear than the adjoining neighbouring property (No 25). Accordingly, the proposed development will enhance the relationship between the site and the rear elevation windows of No 25.
- 6.25 The revised development will therefore respect the amenity of neighbouring occupiers in line with the requirements of Policy CS19 of the Core Strategy.

Living Conditions

- 6.26 All internal rooms will meet and/or exceed targets set out within the National Space Standards. Provision will also be made within the site for secure cycle accommodation and refuse storage as explored in further detail in the subsequent section.
- 6.27 The scheme has been carefully designed to ensure that suitable private amenity areas will be provided for new residents which respond positively to relevant target standards.
- 6.28 Private rear garden areas extending to 73 sqm and 118 sqm respectively will be provided for occupiers of the proposed dwellings which exceeds with the target standard set out within the Residential Layout SPG.
- 6.29 This layout ensures that all residents will have access to acceptable private amenity space. Furthermore, it is pertinent to note the proximity of the site (circa 200 metres) from the Riverside Leisure Area and Gordon Promenade to the north west. This represents the premier greenspace within Gravesend and will also provide excellent amenity provision for future occupiers.
- 6.30 The new buildings also seek to maximise opportunities for glazing within the front and rear elevations, with all habitable rooms being served by at least one window to provide high quality outlook and light, bright internal spaces for occupiers.
- 6.31 The proposed scheme is therefore compliant with the Residential Layout SPG and Policy CS19 of the Local Plan.

Parking/Cycle/Refuse

- 6.32 The proposal comprises 2 off-street parking spaces, which will be allocated to each of the 3 bedroom dwellings.
- 6.33 The proposal represents an appropriate use of the site and will have no detrimental material impact on the surrounding transport network in accordance with Policies T1, T2 and P3 of the Local Plan. The proposal is also shown to be in accordance with the residential layout guidelines for Gravesham.

- 6.34 Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Against this background, there is no reason to refuse the scheme on highways grounds.

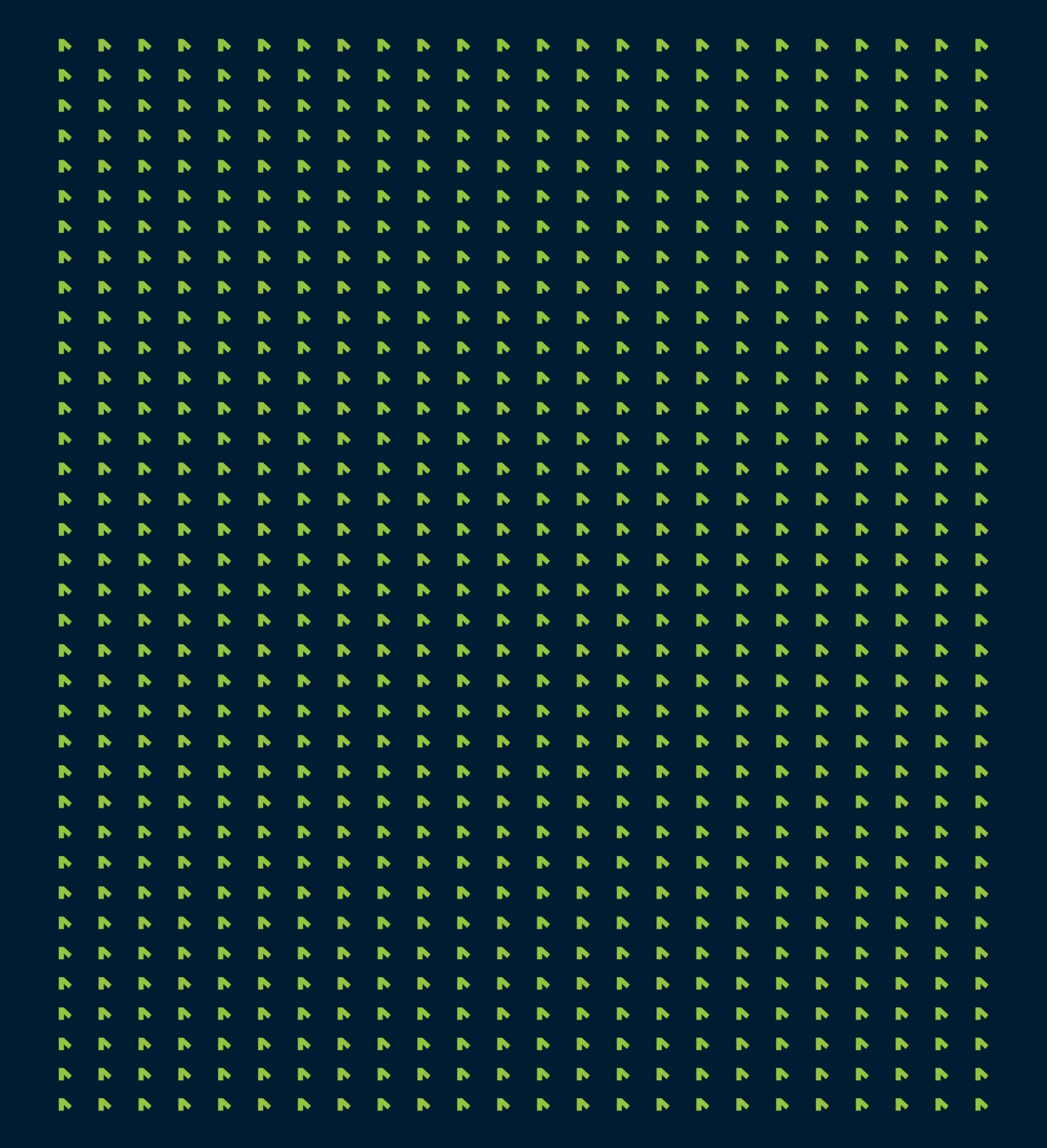
7 CONCLUSIONS

7.1 It is concluded that the revised development proposal is in accordance with the NPPF and the Council's adopted Development Plan. It therefore constitutes appropriate development and should be supported for the following reasons:

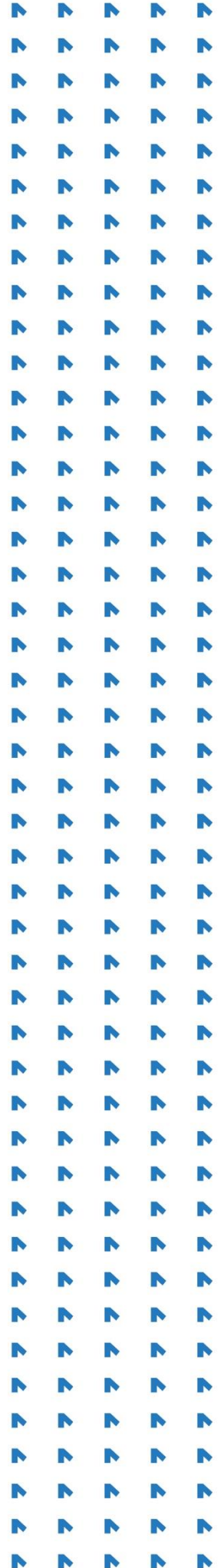
- The principle of creating new residential dwellings on an existing residential site in an accessible location within the urban area, is supported by national and local policy. The proposed scheme will provide much needed new family housing for the local community whilst enabling an efficient, effective use of the site. This is particularly pertinent when considered in the context of the Council's inability to demonstrate a Five Year Housing Land Supply;
- The revised scheme proposes a high quality contemporary reinterpretation design solution that has been informed by the Planning Inspectorate's assessment of the appeal scheme and carefully designed in accordance with the Council's Design Code SPD. It will respond in a positive manner to the visual character and appearance of the streetscene and the general pattern of development within the local area;
- The reduced scale and footprint ensures that the proposed development will sit comfortably within its plot, respect established building lines and result in no unacceptable adverse impact upon the amenity of occupiers of No 25 Albion Terrace, and
- The proposed accommodation is fully acceptable and of a high standard. Both new dwellings will exceed internal space standards and generous private amenity space will be provided for all occupiers.

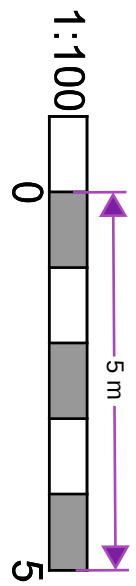
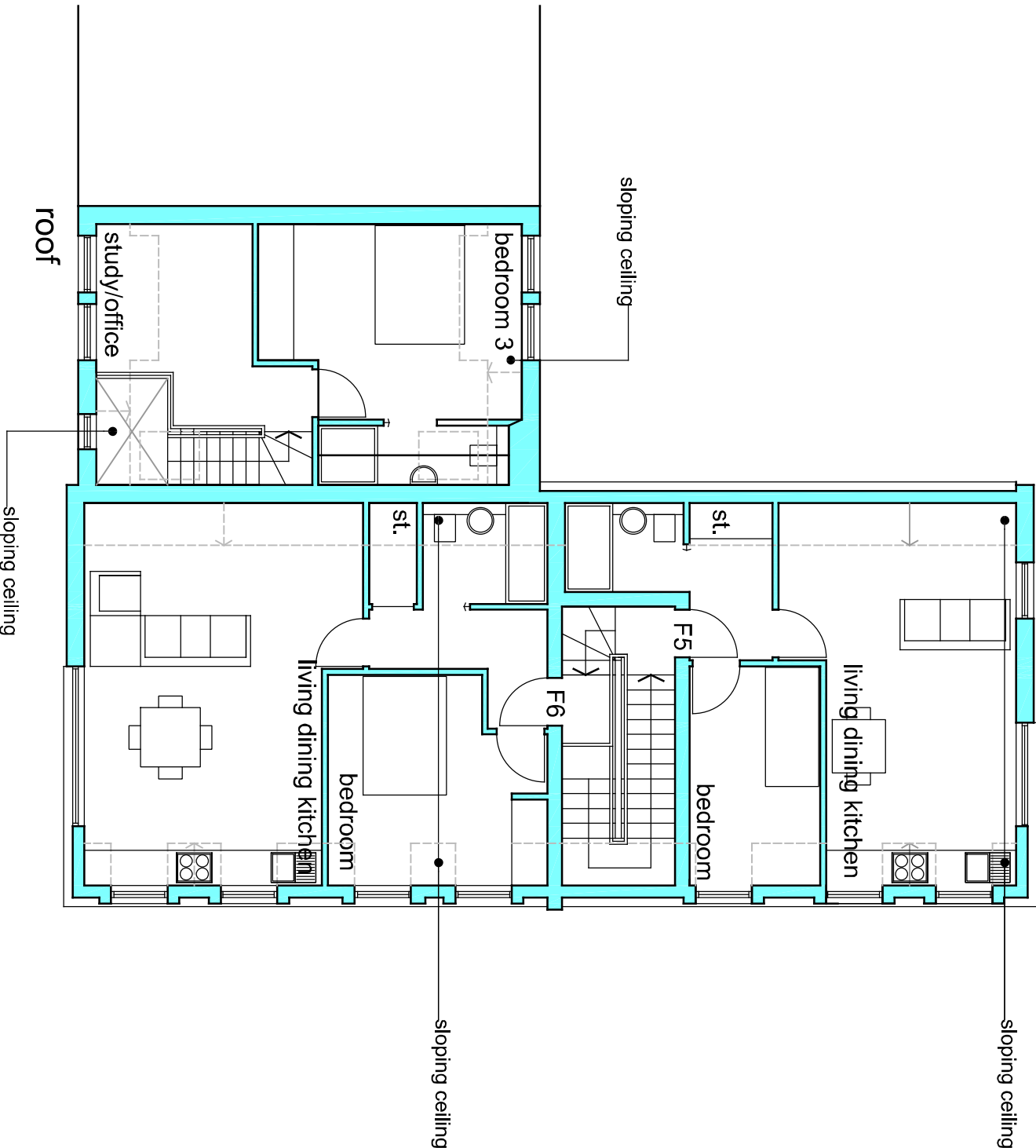
7.2 Overall, the revised scheme adopts the principles of sustainable development in relation to social, economic and environmental factors. This is because it recycles urban land and delivers a mix of residential dwellings which are accessible by a choice of travel modes including foot, cycle and public transport. The proposals thereby accord with the emphasis of national policy (set out within the NPPF), which confirms a presumption in favour of sustainable development.

7.3 In light of the above, the revised scheme has been demonstrated to comply with all relevant planning policies of the NPPF, the adopted Local Plan (most notably CS01, CS02, CS11, CS14, CS15, CS16, CS19, CS20, LT6, T1, T2 and P3), the Design Code SPD and Residential Layout SPG and should therefore be considered acceptable.



Appendix 1





Redevelopment of site

1 Russell Road

Plans as proposed

DRAWING STATUS		Revisions	
Preliminary	☐	Project	Redevelopment of site
For Approval	☒	Client	A Singh
Revisions	☐	Site	1 Russell Road
	☐	Title	Plans as proposed
	☐	Scale & A1	1:100
	☐	Date	Jan 24

sub

rosa

architecture

Sub Rosa Architecture Ltd
11, Avenue Boulevard DA12 1QZ
t: 01752 747707
e: carl@subrosa.co.uk

DRAWING NUMBER

23 - 1437 - 01E

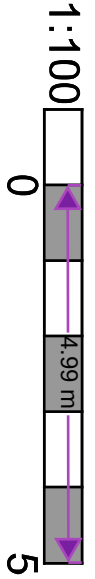
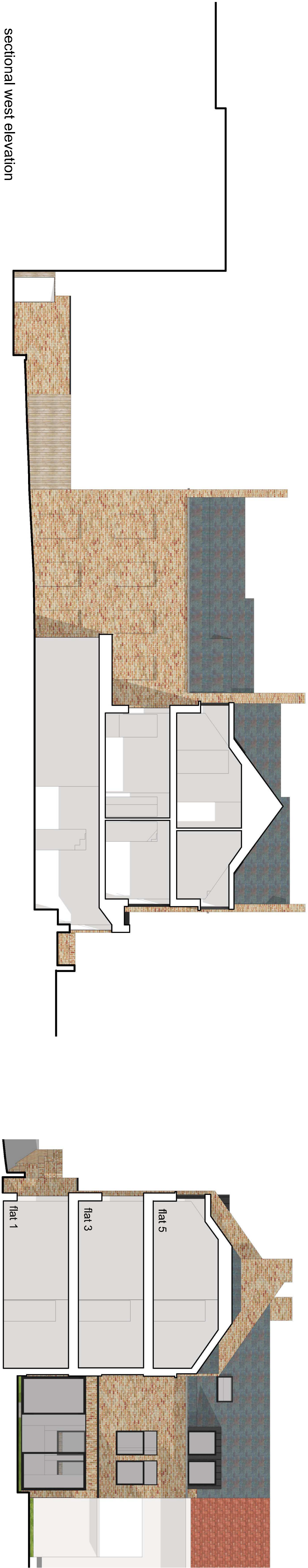
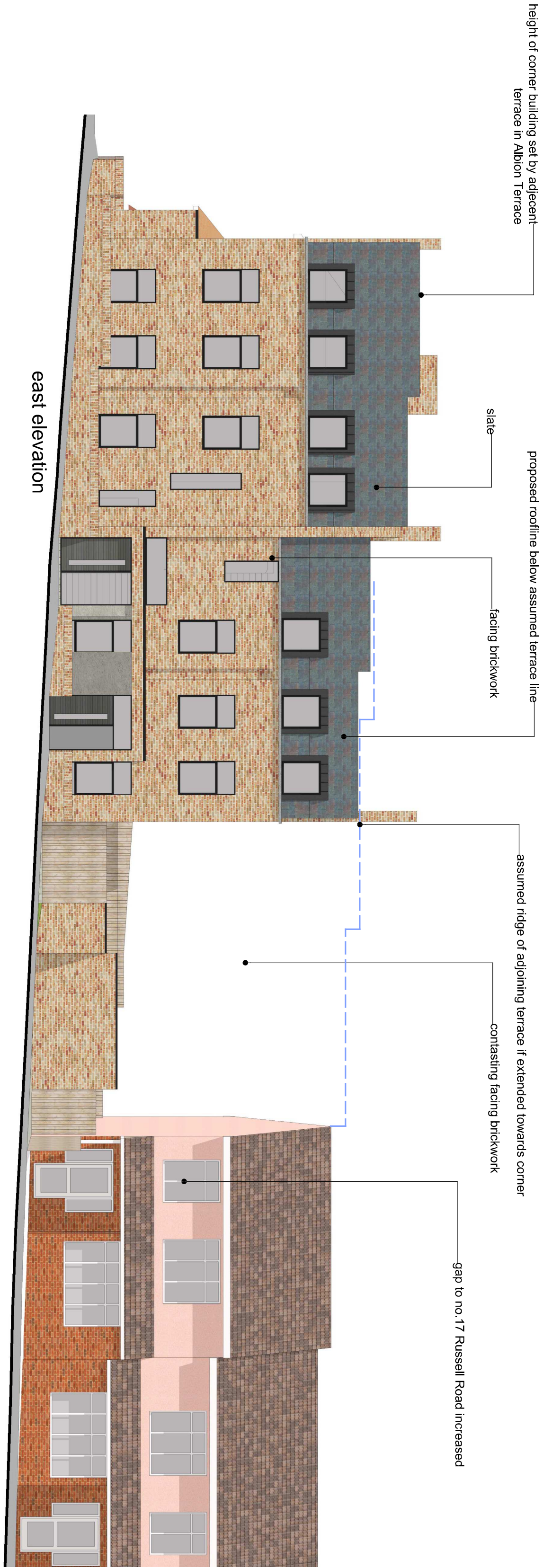
Copyright of this drawing, the design and anything constructed from it is vested in the Architects and may not be produced without their written permission. This design is site specific and may not be reproduced on any other site without the Architects written permission.

Only figured dimensions are to be used for construction purposes. This drawing is to be read in conjunction with all relevant details for the project. All dimensions are to be checked on site prior to commencement, any discrepancy is to be reported to the Architects or Council Administrator without its Architects written permission.

All dimensions in millimeters unless noted otherwise

This drawing is provided in e-mailfile format as a guide only. The user should produce their own drawings and verify all dimensions and details. The Architects do not accept any responsibility for any discrepancies that may arise from the use of this drawing. The drawing must be returned (unsealed) together with a written communication detailing the acceptance of this condition.

This drawing is to be used solely for Planning purposes only, any other use is strictly forbidden.



Redevelopment of site

1 Russell Road

Elevations and sections as proposed

DRAWING STATUS		Revisions	
Primary	☐	For Approval	☒
Information	☐	Actual	☐
		For Construction	☐
		Actual	☐
Project		Redevelopment of site	
Client		A Singh	
Site		1 Russell Road	
Title		Elevations and sections as proposed	
Scale at A1		1:100	
Date		Jan 24	

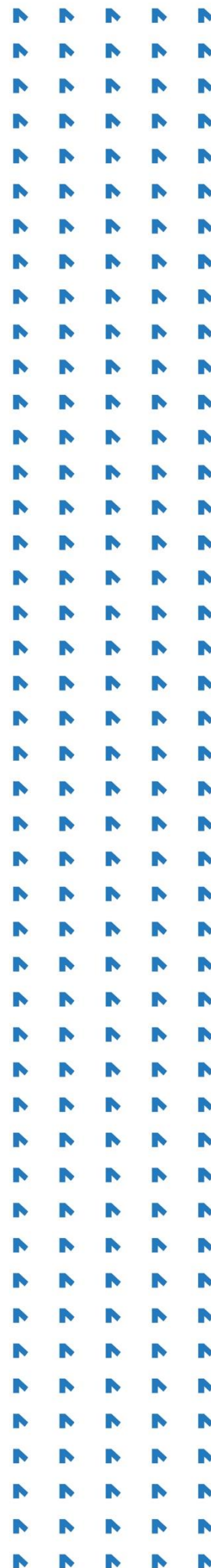
sub rosa
architecture

SUB ROSA ARCHITECTURE LTD
The Studio 62 Pine Avenue Gravesend DA12 1QZ
t: 01474 747707
e: carlou@subrosa.co.uk

DRAWING NUMBER

23 - 1437 - 02B

Appendix 2





Appeal Decision

Site visit made on 9 December 2025

by L Reid BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th January 2026

Appeal Ref: 6001251

1 Russell Road, Gravesend, Kent DA12 2RT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Samra Property SE Ltd against the decision of Gravesend Borough Council.
 - The application Ref is 20250244.
 - The development proposed is the demolition of an existing detached dwelling (No 1 Russell Road, Gravesend DA12 2RT) and the subsequent construction of a new two-storey block with habitable roof space comprising of 1 x 3b/5p house, 3 x 1b/1p studio apartments and 3 x 1b/2p apartments with associated access, private and communal amenity space, refuse and cycle storage.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. The consultation was accompanied by a Written Ministerial Statement. Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and therefore carry limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and I am satisfied that this has not prejudiced any party. In reaching my decision, I have had regard to the latest version of the Framework published in December 2024.

Main Issues

3. The main issues are the effect of the proposal on:
 - The character and appearance of the area;
 - The living conditions of the occupants of 25 Albion Terrace with regards to outlook; and,
 - The integrity of the Thames Estuary and Marshes Ramsar Site and Special Protection Area.

Reasons

Character and appearance

4. Russell Road is lined mainly with two-storey terraced houses, with a three-storey terrace further along the road. Albion Terrace has a more varied mix of two- and three-storey buildings and some flats.

5. The appeal site is a prominent corner plot at the junction of Russell Road and Albion Terrace. It is occupied by a bungalow. The site is immediately surrounded by two-storey housing and has little visual connection with the taller flats in the area. Despite design variations in the surrounding terraces, their scale and massing are generally consistent, which positively contributes to the character and appearance of the area. Even though it differs from nearby buildings, the bungalow does not detract from the area's character.
6. It is proposed to demolish the bungalow and replace it with a two-storey building with an additional storey contained within the roof. It would have frontages on Russell Road and Albion Terrace.
7. It is recognised that the design attempts to reflect the height and scale of the surrounding terraces by continuing the roof ridge height and eaves level on the south elevation, with a staggered roofline along the east elevation. However, because of the extent and size of the front-facing pitched roof projecting out of the roof on the south elevation, together with the dormer windows and other windows in the roof, visually the building would effectively appear as three storeys high. Consequently, amongst the surrounding two-storey terraces, the proposed building would be incongruous. In addition, elements such as the front-facing pitched roof, grey slate tiles, and the chamfered roof form on the north elevation are not characteristic of nearby terraces and would further emphasise the building's discordant appearance in the street scene.
8. Although the bungalow has a footprint bigger than its neighbours, because of its single-storey form, it does not disrupt the cohesive scale found in the area. Due to its depth, the proposed building would have a large footprint, spanning most of the width of the plot, and would occupy a substantial proportion of the site. Its combined depth, width and height would give the building a considerable bulk, and the segmentation of the east elevation would not be enough to reduce this bulk to an acceptable level.
9. There would be space at the rear of the building to provide amenity space, parking and cycle and refuse storage. However, the proposed building's width would bring it very close to the Russell Road boundary, pushing it noticeably forward of neighbouring houses. Because of its size and the closeness to the boundary, the building would have an appearance of a cramped form of development, symptomatic of a plot which is not able to accommodate the scale of development proposed. The bungalow does not strictly follow the Russell Road building line, but this is not particularly apparent. The proposed building, by contrast, would sit conspicuously forward and appear unduly prominent in the street scene.
10. The proposal would comply with some parts of the Design for Gravesham Design Code Supplementary Planning Document 2024, as the building would have entrances and window openings facing the streets, facilitating natural surveillance and the refuse store would be set back from the road and effectively screened. However, this would not overcome my concerns over the design of the building.
11. For these reasons, I conclude that the proposal would cause harm to the character and appearance of the area. Accordingly, it would conflict with Policies CS15 and CS19 of the Gravesham Local Plan Core Strategy 2014 (the Core Strategy). These policies, amongst other things, expect housing to be developed at a density

that is consistent with achieving good design and to integrate well with the surrounding local area.

12. The reason for refusal refers to Policy CS14 of the Core Strategy. As this policy relates to housing type and size, it is not determinative in the context of character and appearance.

Living conditions of the occupants of 25 Albion Terrace

13. The existing bungalow sits close to the boundary with 25 Albion Terrace (No. 25) and is clearly visible from its rear garden, creating some sense of enclosure due to its depth. Although the rear projection of the proposed building would be narrower than the bungalow, due to its three-storey height and overall depth, it would further restrict the already limited outlook from No. 25's garden. The combined height, depth and bulk of the rear projection would give the proposed building a far more imposing presence than the bungalow. Subsequently, when viewed from No. 25's rear garden, it would create a greater sense of enclosure, significantly diminishing the enjoyment of this rear garden, harming their living conditions.
14. The letter of support from the occupants of No.25 is acknowledged. However, planning is concerned with development in the public interest. One of the functions of the planning system is to secure a high standard of amenity for existing and future occupants. In this regard, the proposal falls short. The proposal would be permanent, and it would have a harmful impact in perpetuity. A lack of objection would therefore not alter my conclusions on the merits of the proposal in this regard.
15. I note the approved ground-floor extension at No.25, but there is no substantive evidence that works have been started. I therefore cannot be certain that this extension will be built. Notwithstanding this, even if it were to be built, the proposed building would still project beyond the rear elevation of No. 25 and would still have a significant enclosing effect because of its overall size.
16. The analysis from the Daylight and Sunlight Assessment demonstrates that the impact of the proposal on the daylight and sunlight received at No.25 would be within the relevant guidelines. However, this would not mitigate against the harm from the loss of outlook, which is different to daylight and sunlight. Even if the proposal adheres to the 45-degree rule, this measurement is primarily used to assess light, and this was not a reason for the refusal.
17. For these reasons, I therefore conclude that the proposal would unduly harm the living conditions of the occupants of No.25 with regards to outlook. Accordingly, it would conflict with Policy CS19 of the Core Strategy, which amongst other things, requires new development to be located, designed and constructed to safeguard the amenity of neighbouring properties.

Thames Estuary and Marshes Ramsar Site and Special Protection Area

18. The appeal site is within the Zone of Influence (Zoi) of the Thames Estuary and Marshes Ramsar site (Ramsar Site) and Special Protection Area (SPA) which is internationally important for nature conservation. It is protected under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitats Regulations), and as such, it is incumbent upon me as the competent authority to consider the likely significant effects of the proposed development, alone or in

combination with other plans or projects, on the integrity of the Ramsar site and SPA.

19. Within the Zol, Natural England advise that any net increase in residential units will have a likely significant effect on the qualifying features of the habitat site through increased recreational pressure, either alone or in combination with other development. Financial contributions are sought from developers to deliver management and monitoring of recreational pressure. The required contribution can be secured by means of a Strategic Access Management and Monitoring Strategy (SAMMS) Agreement between the developer and the Council.
20. Although the appellant has indicated a willingness to pay the SAMMS mitigation contribution, no evidence is before me which would demonstrate that a mechanism, such as a unilateral undertaking (UU) provided by the appellant, is in place to secure such a contribution. This also cannot be dealt with by planning condition if the appeal was allowed, as a positively-worded condition cannot be imposed to require the payment of money¹.
21. Accordingly, I can only conclude that it has therefore not been demonstrated that the proposal would not have an adverse effect on the integrity of the Ramsar site and SPA. It conflicts with Policy CS12 of the Core Strategy and also fails to address the requirements of the Habitat Regulations. As I am dismissing the appeal for other reasons, I do not need to consider this matter further as it would not change the outcome.

Other Matters

22. The specialist advice contained in the Design and Access Statement, Transport Statement and Daylight and Sunlight Assessment is acknowledged. However, their conclusions do not alter my findings on the main issues. The appellant has sought to address the comments made by the Council at the pre-application stage, and this is commendable. Nevertheless, my decision is based on the planning merits of the proposal.

Planning Balance

23. The proposal would comply with some of the development plan policies. However, it is not unusual for policies to pull in different directions. It would cause harm to the character and appearance of the area and would be harmful to the living conditions of the occupants of No.25. Furthermore, without mitigation secured at the time of decision-making, the proposal would harm the integrity of the Ramsar site and SPA. The proposal therefore conflicts with the development plan as a whole. I apportion significant weight to this conflict and the associated harm.
24. The Council cannot currently demonstrate a five-year supply of deliverable housing sites. Paragraph 11d i) of the Framework sets out the presumption in favour of sustainable development should apply unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. Footnote 7 referred to in paragraph 11d) i. lists habitat sites which include the Ramsar site and SPA.

¹ PPG paragraph 21a-005-20190723

25. Having regard to paragraph 11d i) of the Framework, because of the harm that would be caused to the integrity of the Ramsar site and SPA, this provides a strong reason for refusing the proposal. Consequently, the presumption in favour of sustainable development does not apply in this instance. Even though the Council cannot demonstrate a 5-year supply of deliverable sites, paragraph 11d ii) of the Framework is not engaged.
26. The proposal would deliver seven homes, including a family-sized house, with amenity space provision, in an accessible location. It would contribute to the housing supply and would re-use an existing residential site. There would be some economic and social benefits through the construction phase and future spending, as well as support for local services. However, due to the quantum of development, the associated benefits would be modest and would not outweigh the harm I have identified including the conflict with the development plan.

Conclusion

27. The proposal conflicts with the development plan and the material considerations, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.



INSPECTOR