
PLANNING COMMITTEE REPORT

Application Ref:	20241170
Site Address:	107 Vale Road Northfleet Gravesend Kent
Application Description:	Demolition of existing single storey dwellinghouse and erection of replacement two storey dwelling, with rear garden, cycle parking, refuse storage, driveway and air source heat pump.
Applicant:	Gravesham Council
Agent:	Daniel Burkin, Frankham Projects
Ward:	Coldharbour And Perry Street
Parish:	Non-Parish Area
Decision due date:	Extension of Time 09 February
Publicity expiry date:	12 December 2025
Decision Level:	Planning Committee
Reason for referral:	Gravesham Borough Council is the applicant
Recommendation:	That the application be DELEGATED to the Head of Planning to grant Planning PERMISSION subject to the finalisation of planning conditions (including making any necessary modification, deletion or addition to the proposed conditions)

SUMMARY OF REASONS FOR RECOMMENDATION

The proposal is for the demolition of an existing bungalow and the erection of a two-storey detached four-bedroom single-family dwelling. The design and character of the replacement dwelling is considered to be acceptable, future occupants would be provided with acceptable levels of amenity, and there would be no significantly harmful impact on the amenity of neighbouring occupants. The development is also considered to be acceptable on highway safety and biodiversity grounds.

Whilst it is noted that the development would not result in a net increase in units on the site, it would bring a currently vacant site back into residential use.

MAIN REPORT**1. Site Description and Surroundings**

- 1.1.1 The site comprises a residential plot which is occupied by a detached bungalow. The property is characterised by its steeply pitched gable-ended roof, which has a central chimney set below the ridge line. The dwelling is constructed from red brick, and the above cill level is rendered and painted. Due to the topography of Vale Road, the properties on the eastern side are above street level, and are accessed by steps. There is a retaining boundary wall across the side frontage with a raised front garden. The property has been vacant since 2022.

- 1.1.2 The eastern side of Vale Road is predominantly characterised by two-storey buildings, with the exception of nos.103 and 101 Vale Road. It is noted that the area's character is varied, with a range of architectural styles.

2 Planning History

- 2.1 Since the construction of the dwelling, there is no relevant planning history at the site.

3 Proposal

- 3.1 The proposal is for the demolition of the existing single storey dwellinghouse and the erection of a replacement two storey dwelling. The proposals include cycle parking provision, refuse storage, a newly created driveway and air source heat pump.
- 3.2 At ground level there would be a front reception room, open plan kitchen/living area and both a W/C and Utility room. There would be two double bedrooms, a single room and a bathroom at first floor level, the second floor would contain one double bedroom and a bathroom.

4. Planning Policy, Development Plan and other Material Considerations

- 4.1 The Development Plan for Gravesham comprises:-

- The Gravesham Local Plan Core Strategy (September 2014)
- Remaining Saved Policies of the Local Plan First Review (1994)
- Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016)

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

- 4.2 The relevant policies from the adopted Core Strategy in relation to this development are as follows:

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Design & Development Principles

Gravesham Local Plan First Review 1994

- 4.3 The following saved policies are relevant to the consideration of this application:

- Policy P3 – Vehicle Parking Standards
- Policy T1 – Impact of development on the Highway Network

- 4.4 Paragraph 34 of the NPPF (2024) sets out those 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.

- 4.5 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2024), the Council will also seek to replace these saved policies via the emerging Local Plan.

Other Material Considerations

The National Planning Policy Framework (NPPF)

- 4.6 The following sections are relevant.

- Section 2 – Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance and other Documents

- 4.7 The following documents are relevant to the consideration of this application:

- SPG2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – National Described Space Standard (2015)
- SPG4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code SPD (2024)

5. Consultations, Publicity and Representations

Consultations

- 5.1 The following consultations responses have been received

Internal

GBC Environmental Protection

There is no objection to this application, but the following comments are made with regards to noise from the Air Source Heat Pump (ASHP).

A 'Noise Impact Assessment Report' dated 3 September 2024 by dBA Acoustics (Report Ref: 1621.NIA.01) has been submitted to address the potential noise impact from noise from the ASHP on the nearby houses. Appropriate noise measurements have been carried out and a BS4142 assessment undertaken in order to provide a noise emission limit for the

proposed ASHP (the make/model is not yet known). It is likely that acoustic mitigation by way of an enclosure around the ASHP will be needed in order to achieve the set noise emission limit. Providing the recommendations are followed, noise should not be an issue.

To address the above and other matters, the following condition and informatives are recommended.

ASHP Noise:

Prior to first operation of the ASHP when operating at its maximum speed and output hereby approved, a post completion noise survey must be undertaken at the maximum operating speed by a competent qualified acoustic consultant. The results of the survey report shall be submitted to and approved in writing by the Local Planning Authority.

The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in the report 'Noise Impact Assessment Report' dated 3 September 2024 by dBA Acoustics (Report Ref: 1621.NIA.01).

If the post completion survey reveals that the noise emission limit as set out in the above report has not been met further noise mitigation shall be implemented.

The final noise mitigation scheme shall be operated and maintained thereafter.

Code of Practice on Construction and Demolition: Please apply to minimise the impact of the construction to the adjacent dwellings.

Smoke Control Informative: The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

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.

External

KCC Ecology

A BNG assessment has been undertaken, and whilst we are satisfied that baseline habitats have been recorded accurately, we advise that the post-development habitat creation in regards to individual trees cannot be secured due as it is within residential curtilage. There is therefore likely to be a small unit deficit onsite which will need to be offset through obtaining offsite units or statutory credits.

Protected/Notable Species

Bats

When we previously commented we advised that no ecological information had been submitted with this application. As a result of reviewing the data we have available to us, we advise that the proposed development has the potential to adversely affect roosting bats and recommended a bat roost assessment was required and this has subsequently been submitted.

The report has detailed that a number of small gaps/cracks are present within the building but we agree with the conclusions of the report that it is unlikely that bats are roosting and no emergence surveys are required.

The presence of roosting bats can never been ruled out and we advise that if bats are found during works all works must cease and an ecologist contacted for further advice.

The presence of bats within the site/surrounding area cannot be ruled out and we advise that if planning permission is granted the following requirements for the lighting condition are included:

- 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
- Site plan showing the location and types of lighting
- Plan showing lux levels due to the anticipated light spill

Breeding Birds

It is possible that nesting bird may be present within the site. Therefore we recommend the following information is included;

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

N.B.: It should be noted that some birds are capable of nesting outside of these times, especially where weather conditions are favourable. Birds such as feral pigeon, wood pigeon and barn owl have been recorded nesting in every month of the year. Care when removing bird nesting habitat may therefore be required at all times of year, with attention paid to the nesting habits of the species that could make use of the site and weather conditions at the time of clearance.

BIODIVERSITY NET GAIN

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications⁵⁸ for development (unless exempt^{59,60},) must deliver at least a 10% biodiversity net gain (BNG), shown via use of the Statutory Biodiversity Metric prior to commencement of any development. Having reviewed submitted

information⁶¹, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

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

- 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 have reviewed the submitted information and we are satisfied that sufficient information has been submitted to meet the requirements for mandatory net gain.

A small sites metric assessment (August 24) has been submitted, which anticipates net gains of 0.0127 habitat units (42.14%). This gain primarily comes from new tree planting however it is not possible to deliver biodiversity gains in private gardens as any habitats created/enhanced cannot be legally secured for 30 years. Generally, all habitat within private gardens should be considered 'vegetated garden' (as required under the Statutory Biodiversity Metric User Guide, page 51) in the habitat creation/enhancement tabs of the biodiversity metric. The User Guide states:

The post-development private garden has no public access, and biodiversity net gains cannot be legally secured. As these gains cannot be secured you should only record created private gardens as either:

- 'urban – vegetated garden'; or
- 'urban - unvegetated garden'

You should not:

- record the creation of any other new habitats within private gardens [this includes the planting of any trees]

- record enhancement of any habitat within private gardens
- small trees shouldn't be recorded in garden baseline

However, habitats which are recorded in the baseline and remain within a private garden may be recorded as retained. Guidance on retention should still be followed. We therefore advise that vegetated garden habitats and developed land should be included as retained where applicable, and that no new tree planting is included within habitat creation.

We advise that the proposed habitat sizes must be re-measured prior to the submission of the biodiversity gain plan as the metric currently suggests that a larger area of grassland will be created than will be lost. As the proposed dwelling footprint is larger than existing footprint it is unlikely.

If it can be demonstrated that onsite biodiversity gains are not possible, and where there is a unit deficit smaller than 0.25 biodiversity units (area or linear), the applicant may go straight to purchasing statutory biodiversity credits in order to avoid offsite units and Section 106 agreements. Statutory credits are intentionally marked up in price to prevent undercutting the off-site market; these prices are reviewed every 6 months. Prices are available here: Statutory biodiversity credit prices - GOV.UK.

We advise the matter of how a BNG of 10% can be achieved can be addressed via the biodiversity gain plan submission if planning permission is granted. We advise that if off site habitat creation (rather than statutory credits) are used details must be registered on the biodiversity gain site register prior to the submission of the biodiversity gain plan (if granted). Search the biodiversity gain sites register - GOV.UK

Further details of off site habitat creation can be found at the end of the report.

The development, if permitted, will be subject to the deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—
(a) a biodiversity gain plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The condition cannot be varied or removed. An application must be made to discharge it as any other condition. We recommend it is referred to in decision notices in the form of an informative. The government's published Biodiversity Gain Plan (BGP) template should be used to discharge it: Biodiversity gain plan - GOV.UK. Please note that the submission of the finalised Statutory Biodiversity Metric/BGP is required by law prior to the commencement of any development.

However to ensure that the biodiversity gain plan is based on the information submitted as part of the current planning application the following condition can also be included:

The Biodiversity Gain Plan shall be prepared in accordance with the baseline information within the Small Site Metric dated August 2025 and prepared by James Forster

KCC Highways and Transportation

No objections subject to the following conditions

- Use of a bound surface for the first 5 metres of the access, from the back of the footway.
- Provision of four cycle parking spaces, prior to first occupation.

- Vehicle visibility splays shown on drawing 2407100-01 P03 with no obstructions over 0.6 metres above footway level, being implemented prior to first occupation and maintained for the life of the development.
- Pedestrian visibility splays shown on drawing 2407100-02 P03 with no obstructions over 0.6 metres above footway level, being implemented prior to first occupation and maintained for the life of the development.
- Provision of an active electric vehicle charging point to be provided prior to first occupation.
- Provision of measures to prevent the discharge of surface water onto the highway.
- Before and after construction of the development, a photographic highway condition survey should be undertaken for 20m each side of the site to demonstrate whether any damage has been caused to the highway during construction. A commitment should be provided to fund the repair of any damage caused by vehicles related to the development. The survey should be submitted to the LPA within three months of practical completion of the site Further information can be found here:
<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highwayspermissions-and-technical-guidance/photographic-highway-condition-survey>.

Publicity and Representations

- 5.2 The application was subject to two rounds of consultations. Letters were sent to eight surrounding properties with a consultation expiry date of 06.02.2025 originally, and finally 12.12.2025. At the time of publishing this report no representations have been received.

6. Planning Analysis and Head of Planning Comments

Principle of the Development

- 6.1 The application site is located within the Northfleet urban area. Policy CS02 (LPCS) prioritises development in the urban area as a sustainable location for development and states that this would be achieved by *Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area*. The application site is a previously developed site within the urban area, which is currently derelict. It is therefore considered that the proposal would be compliant with Policy CS02 (LPCS).
- 6.2 The principle considerations in the assessment of this application are:
- Housing Need
 - Design, Character and Appearance;
 - Amenity for Future Residents;
 - Impact on Surrounding Properties;
 - Refuse Storage and Collection Arrangements;
 - Contaminated Land;
 - Noise (Air Source Heat Pump)
 - Highway Impacts and Vehicle Parking
 - Ecology and Biodiversity (BNG)
 - Ecology and Biodiversity (Bird Mitigation)
 - Other matters

Housing Need

- 6.2 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.”

- 6.2 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 for the period 2024-2029, the Council can only demonstrate a land supply of 3 years.

- 6.3 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 Policy CS02 of Gravesham’s Local Plan Core Strategy (LPCS) (2014) 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:

1. 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
2. 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.

- 6.4 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, a National Landscape, 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
- and areas at risk of flooding or coastal change.

- 6.5 In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 130(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

- 6.6 The proposed development is for a replacement dwelling, and as such, there would be no net increase. The development would not contribute towards meeting this local need. However, this must be balanced against other requirements of the NPPF, which require development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Design, Character and Appearance

- 6.7 Policy CS19 (LPCS) requires development to 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. This stance is reflected in Chapter 12 (Achieving well-designed places) of the NPPF.
- 6.8 Policy CS15 (LPCS) seeks to achieve a minimum density of 40 dwellings per hectare for residential development in the urban area, subject to the overriding consideration that the scheme is well designed and does not compromise the distinctive character of the area. The application site measures approximately 0.0286 hectares, and the density of the development equates to 34 dwellings per hectare. This is in keeping with the density and character of the surrounding area and appropriate for the physical constraints of the site, as such the density is considered acceptable in this instance.
- 6.9 The proposed dwelling would be sited in a similar position as the existing dwelling, it would be set back from the front of the site and set in from the northern side boundary. It is noted that this area of Vale Road does not follow a strict building line owing to the curve in the road, as such whilst the building would be set behind the neighbouring property at no.109 it would not be at odds with the existing layout of the street. The existing bungalow is being replaced with a two storey dwelling.
- 6.10 The building would have a gable roof over it, with a modest dormer to the rear roof slope. At ground level, there would be a flat roofed rear projection with a depth of approximately 4.45m and a height of 3.2m. The roof of the rear projection would be set well down from the first-floor windows, whilst the rear dormer would be of a scale that would not dominate the rear roof slope. At ground level the building would have a total depth of 12.6m and a width of 7.4m, with a height of 8.95m.
- 6.11 At ground floor there would be an entrance hall, reception room, open plan living/kitchen/dining area, W/C and utility area. At first floor there are three bedrooms and a bathroom proposed, there would be one bedroom and a bathroom at second floor level.
- 6.12 The exterior of the building will comprise red facing bricks and dark concrete roof tiles, which would not appear out of keeping with the character of the dwelling it replaces and nearby dwellings. There would be a timber canopy above the front entrance. As shown in the extract below, the building height would read as stepped in height between the neighbouring properties to the north and south, thus creating a smooth transition and reducing visual impact on the street.



- 6.13 As can be partially seen in the plan extract above, the application includes some excavation works. In order to accommodate a two storey property on the site, the ground level of the replacement dwelling is lowered, in comparison to the existing bungalow. This is considered to be acceptable and will not appear at odds with the wider street scene.
- 6.14 Further to the above, the front garden area is currently raised above the pavement area. Again, this is to be excavated out in order to create off-street parking provision. Further details of this will be secured via condition.
- 6.15 Overall, the new dwelling is considered to be well designed, with features that have some relevance to the wider area and will not impact the street scene. Therefore, the proposal is in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024) in terms of design.

Amenity for Future Residents

- 6.16 Policy CS19 (LPCS) seeks to protect amenity and ensure acceptable future living conditions are included in the LPCS. The NPPF also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to “secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.
- 6.17 Internally, all of the room sizes meet the Council’s residential layout guidelines and the overall space standards for a 4-bedroom 7-person dwelling of 121m² as set out in the nationally described space standards. The following table has been taken Design and Access Statement submitted with the application.

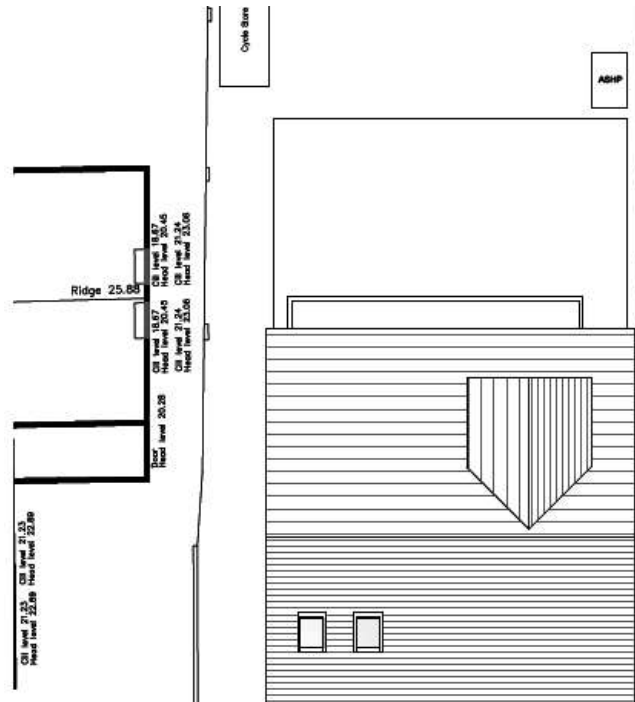
Room	Proposed Room Sizes	RLG (Minimum Floor Area)
Front Reception	16.6 m ²	13.2 m ²
Kitchen/Living/Dining	32.8 m ²	12 m ² (Kitchen/Diner)
Utility	3.8 m ²	
WC (Ground Floor)	2.5 m ²	1.3 m ²
Storage (Ground Floor)	2.5 m ²	
Bedroom 1	11.5 m ² (double)	11.2 m ²
Bedroom 2	11.5 m ² (double)	11.2 m ²
Bedroom 3	8.5 m ² (single)	6.5 m ²
Bedroom 4	13.7 m ² (double)	11.2 m ²
Bathroom (First Floor)	4.5 m ²	3.6 m ²
Bathroom (Second Floor)	3.9 m ²	3.6 m ²

- 6.18 Externally, 135m² of amenity space is provided to the rear of the dwelling with an external side access and access from the kitchen/living area. The proposed external amenity area is sufficient private amenity space for future occupiers and complies with the council's residential layout guidelines, which require 100m² of amenity space. The garden depth would exceed the minimum depth of 10m as required by SPG 4.
- 6.19 The location and distance of the existing windows of the surrounding properties will not harm the amenity of future occupiers of the proposed dwelling.
- 6.22 The full details of the hard and soft landscaping will be conditioned (This will include boundary treatments).
- 6.23 Subject to the above details being secured by conditions, it is considered that overall the proposal provides acceptable living conditions for future occupiers and complies with Policy CS19 (LPCS).

Impact on Surrounding Properties

- 6.24 Development should not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 135 of the NPPF which requires the amenity of existing residents to be protected.
- 6.25 To the east of the application site is the rear garden of No.13 First Avenue. To the south of the site is No.109 Vale Road. To the north of the site is No. 105 Vale Road. These are the neighbouring properties most likely to be impacted by the proposed development.
- 6.26 Approximately 36m is maintained between the rear-facing habitable windows of the proposed dwelling and properties to the east, fronting First Avenue. The resultant separation would meet the requirements of the Council's Residential Layout Guidelines. It is considered that the separation would ensure that there is no harmful impact on the neighbouring properties to the east.

- 6.27 There are no habitable room windows to the side elevations of the proposed dwelling. The proposed ground floor single windows to each side elevation serve a storage area and utility room, and a condition would be placed on the decision requiring these windows to be obscure-glazed and fixed shut to mitigate potential overlooking.
- 6.28 The neighbouring property to the north, no.105 Vale Road, has first-floor windows on its southern side elevation facing onto the application site. The windows serve as primary windows to the two first-floor bedrooms. The extract below from the submitted plans show the windows to the primary bedroom in red;



- 6.29 Due to the siting of the proposed dwelling, the windows serving the primary bedroom would retain outlook and would not be harmfully overshadowed. At first floor level there is a second bedroom with primary windows to the facing side elevation of the property. It is noted that this not a typical relationship between properties as the first floor windows of this property overlook the application site and are reliant on it for amenity. It is noted that outlook from this window is somewhat limited, and is presently restricted by the flank of the application property and the neighbouring 109 Vale Road to some degree. Nonetheless, given that the proposal is replacing a bungalow with a two-storey property, there is likely to be further reduction in the outlook from this window. Whilst it is noted that policy CS19 seeks to protect neighbouring amenity, the amenity of the window serving bedroom 2 of this property is solely reliant on the application site remaining single-storey. As such, the two-storey element of the proposed dwelling has been designed not to protrude unacceptably in front of these windows. A Daylight and Sunlight report has been submitted, which identified a relatively low impact on the light receivable by its neighbouring properties. However, since this assessment was undertaken, the plans have been amended, which removed a two-storey rear projection from the proposed dwelling, further minimising the impact on 109 Vale Road.

- 6.30 At the ground floor level, it is noted that this property benefits from two windows facing the application site. From the case officer's site visit, it was confirmed that these windows serve a habitable room, there is a primary opening for this room to the rear elevation of the property. Therefore, whilst the proposed development is likely to impact the ground floor side windows, as the room in question would retain acceptable levels of daylight and outlook through the rear-facing opening, the impact on the side-facing windows is considered acceptable.
- 6.31 The property to the south, no.109, is a two-storey semi-detached dwelling; there is a single first-floor window to the facing northern side elevation of this property. The window serves a landing area. Given the siting and two-storey nature of the proposed dwelling, it is likely that this window would experience some loss of amenity. However, as the window is a non-habitable room window, its impact is unlikely to harm the amenity of the property's occupants.
- 6.32 The proposed dwelling would project approximately 1.55m beyond the rear elevation of no.109 at first floor level. There would be a separation of approximately 3.5m between the side elevations of the dwellings, whilst no.109 would be angled away from the application property. It is considered that the separation distance, and angled relationship would ensure there is no harm to the rear facing first floor windows of this property. The ground floor rear projection would project 2.3m beyond the existing ground floor rear projection to this property. As no.109 is angled away from the application property, the modest height of the rear projection, coupled with the modest projection beyond the rear elevation of no.109, would ensure that there is no significantly harmful impact on this property.
- 6.33 In summary, subject to conditions, the proposal would not have a materially adverse impact on the amenity or privacy of surrounding properties and is in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Refuse Storage and Collection Arrangements

- 6.34 Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.
- 6.35 The submitted plans include details of refuse storage, showing two bins to the front of the property.
- 6.36 However, as this is all the information provided, in order to ensure that the future bin storage area is acceptable in size, capacity, design and location, details of the refuse storage area will be conditioned.
- 6.37 In summary, subject to conditions, the refuse arrangements for the development complies with Policy CS19 (LPCS).

Contaminated Land

- 6.38 Policy CS19 (LPCS) and Paragraph 196 of the NPPF require new development to avoid adverse environmental impacts of land contamination and remediating contaminated land.
- 6.39 It is noted that the site is located within a Historic Landfill Site buffer, and as such, a contaminated land watching brief condition will be attached.
- 6.40 As such it is considered that there is no conflict with Policy CS19 (LPCS) and Paragraph 196 of the NPPF.

Noise (Air Source Heat Pump)

- 6.41 Due to the proposal including an air source heat pump (ASHP), a Noise Impact Assessment Report has been submitted with the application. GBC's Environmental Protection team have reviewed the report and have observed that it is likely that acoustic mitigation by way of an enclosure around the ASHP will be needed in order to achieve the set noise emission limit. Provided the recommendations are followed, noise should not be an issue. A condition will be attached to ensure post completion testing is undertaken.

Highway Impacts and Vehicle Parking

- 6.42 Policy CS11 (LPCS) states that new development should mitigate its impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards, which will reflect the availability of alternative means of transport accessibility to services and facilities. This stance is reflected in the NPPF, which states at paragraph 116 that development should only be prevented or refused on transport grounds where the cumulative impact of development is severe. In this instance the nature and scale of the development does not require a transport statement or transport assessment.
- 6.43 The application proposes a vehicular crossover, and one off-street car parking space, cycle storage would also be provided within the rear garden of the property.
- 6.44 Kent County Council's Highway's Officer has reviewed the proposal and has confirmed that following the submission of amendments they have no objections to the proposal, subject to the imposition of conditions.
- 6.45 One of the conditions suggested by the Highway Officer, requires a physical barrier to be installed within the visibility splays to prevent vehicles parking in this area. It is considered that if a barrier is put in place to ensure that the visibility splays remain open, the parking provision would be acceptable.
- 6.46 The full list of conditions suggested by the Highway Authority are set out above. The relevant suggested conditions will be attached.
- 6.47 In summary, with regard to highways and parking arrangements, the development complies with Policy CS11 (LPCS), Saved Policies P3 and T1 (LPFR) and SPG 4 - KCC Parking Standards (2006).

Ecology and Biodiversity (BNG)

- 6.48 Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy indicates that there will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought, in particular within the Biodiversity Opportunity Areas shown on the Strategic Green Infrastructure Network map and within new development, and that where a negative impact on protected or priority habitats/species cannot be avoided on development sites and where the importance of the development is considered to outweigh the biodiversity impact, compensatory provision will be required either elsewhere on the site or off-site, including measures for on-going maintenance. This is reinforced at national level in the NPPF (Paragraphs 187 and 192).

- 6.49 The applicant has submitted both a BNG metric and Preliminary Roost Assessment in support of the application. Both documents have been reviewed by Kent County Council Ecology Officers.
- 6.50 The submitted Preliminary Roost Assessment concludes that it is unlikely that bats are roosting within the building, as such there is no requirement for further emergence surveys. The Case Officer and Ecology Officer agree with the conclusions of the assessment. The presence of bats in the locality cannot be ruled out, as such the Ecology Officer has recommended that a condition be imposed requiring the applicant submit details of proposed lighting. However, as the plans do not include any lighting and the modest nature of the development, it is considered reasonable to make such condition a compliance condition. It is considered that subject to a condition requiring lighting to comply with the Institute of Lighting Professionals Guidance on lighting affecting bats the development would be acceptable in regard to its impact on bats.
- 6.51 The applicant has submitted a small sites metric assessment, which suggests a 42.14% gain in habitat units. However, it is noted that the gain is achieved primarily through the planting of new trees. However, as biodiversity gains in private gardens cannot legally be secured for 30 years. As such, when the trees are discounted it is likely that there would be a small unit deficit onsite. This deficit would need to be offset, as such a condition requiring the applicant to submit a biodiversity gain plan is suggested.

Ecology and Biodiversity (Bird Mitigation)

- 6.52 The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering water birds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites, which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £328.27 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.
- 6.53 In this instance, the proposed development would not result in the creation of an additional residential property and as such, no additional recreational activity would result. Therefore, it is considered that there would be no adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS).

Other Matters

Human Rights

- 6.54 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out his/her rights

in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

Equalities

- 6.55 The application has been considered in accordance with the Council's Equality Policy, which seeks to prevent unlawful discrimination, promote equality of opportunity and good relations between people in a diverse community. In this case the proposed development is not anticipated to have any potential impact from an equality perspective.

7 Conclusions and Balancing Exercise

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act provides that planning decisions should be in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 The proposal is a sustainable form of development that accords with national and local policy planning policy and will provide an acceptable scheme within the urban area. The design is considered to be appropriate for the site and location. There will be no adverse impact on the surrounding highway network and all consultee comments have been considered and addressed.
- 7.3 The proposal is considered to accord with the Development Plan when read as a whole, whilst taking into account material considerations, in this instance the NPPF Dec. 2024, and it is recommended that the proposed development is GRANTED planning permission, subject to conditions.

RECOMMENDATION

That the application be DELEGATED to the Head of Planning to grant Planning PERMISSION subject to the finalisation of planning conditions (including making any necessary modification, deletion or addition to the proposed conditions)

CONDITIONS AND REASONS

Time Limit

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans and Documents

2. The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans and documents:

Planning Application Form Dated 20 December 2024;
Design and Access Statement;
Drawing No. 100 Rev 0 – Site Location Plan;

Drawing No. 110 Rev U and 140 Rev U – Proposed Site (Roof) Plan;
Drawing No. 100 Rev E – Existing Site Plan;
Drawing No. 110 Rev E – Existing Floor Plans;
Drawing No. 201 Rev E – Existing Elevations;
Drawing No. 112 Rev U – Proposed Floor Plans;
Drawing No. 210 Rev U – Proposed Elevations;
Drawing No. 210 Rev E – Proposed Elevations;
Drawing No. 111 Rev U – Proposed Ground Floor Site Plan
Drawing No. 220 (Existing Sunlight Analysis)
Daylight and Sunlight Report Dated 14 April 2025
Highways Response from Motion Dated 05 June 2025
Highways Technical Note from Motion Dated 09 September
Energy Statement by Consult Sustainability Dated September 2024
Preliminary Bat Roost Assessment by Consult Sustain Dated 21 October 2025
Drainage Impact and Flood Risk Assessment by Tridax Dated October 2025
Noise Impact Assessment by dBA Acoustics Dated 03 September 2024

Reason: For the avoidance of any doubt and in the interest of proper planning in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Prior to above ground works

Materials

3. Notwithstanding the details shown on the approved plans and application form before any above ground works commence, additional details (and samples where requested by the Local Planning Authority) of all the external facing materials to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To maintain the character and appearance of the building and to ensure a satisfactory visual relationship between the existing and new development in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Hard Surface and Boundary Treatments

4. Prior to above ground works commencing, scheme of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall be completed in accordance with the approved details prior to the completion of the development or the first occupation of the residential unit whichever is sooner. The scheme shall include:
 - proposed boundary treatments,
 - proposed finished levels and contours,
 - details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Prior to occupation

Obscure Glazing

5. The building hereby permitted shall not be occupied until the side facing windows at ground floor level have been fitted with obscured glazing, and no part of that/those window[s] that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing shall be retained thereafter.

Reason: In the interest of neighbouring amenity and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Soft Landscaping Scheme

6. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans a scheme detailing the proposed soft landscaping shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of the dwelling. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Refuse Arrangements

7. Prior to the first occupation of the development hereby approved and notwithstanding details on the approved plans details of the refuse arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The approved refuse arrangements shall be provided prior to first occupation of the dwelling and thereafter be retained for such purposes at all times.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Air Source Heat Pump Completion Testing

8. Prior to first operation of the ASHP when operating at its maximum speed and output hereby approved, a post completion noise survey must be undertaken at the maximum operating speed by a competent qualified acoustic consultant. The results of the survey report shall be submitted to and approved in writing by the Local Planning Authority.

The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in the report 'Noise Impact Assessment Report' dated 3 September 2024 by dBA Acoustics (Report Ref: 1621.NIA.01).

If the post completion survey reveals that the noise emission limit as set out in the above report has not been met further noise mitigation shall be implemented.

The final noise mitigation scheme shall be operated and maintained thereafter.

Reason: To safeguard neighbour amenity, in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014).

External Lighting

9. All external lighting shall be in accordance with Bat Conservation Trust / Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'. The lighting shall be retained as such thereafter.

Reason: In order to ensure the development does not cause harm to local bio diversity by reason of the installation of intrusive lighting and in accordance Policy CS12 Gravesham Local Plan: Core Strategy (September 2014).

Electric Vehicle Charging Point

10. Prior to the first occupation of the development hereby approved, details for provision of cabling to enable charging facilities to be installed for an electric vehicle for the future occupants of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first occupation of the dwelling hereby approved to which the cabling applies.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policy CS11, CS18 and CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Visibility Splays

11. Notwithstanding the details shown on the approved plans, prior to any part of the development first coming into use full details of visibility splays for the vehicular access onto Vale Road shall be submitted to and approved in writing by the Local Planning Authority. The plans should also include details of physical barriers less than 0.6m in height to be erected within the pedestrian visibility splay, to restrict vehicular encroachment. The development shall be carried out in accordance with the approved details prior to the access first being brought into use and retained as such thereafter.

Reason In the interests of highway safety in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014).

On-going conditions

Permitted Development Rights (Extensions, Dormers)

12. No development under the provisions of Article 3 of and Classes A and B and of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any provision equivalent to those Classes in any Statutory Instrument replacing, revoking or re-enacting that Order with or without modification) shall be carried out on the dwelling or within the curtilage of the site unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development of the site and in the interests of local amenity and in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Permitted Development Rights (additional openings)

13. Notwithstanding the provisions of Article 3, and Part 1 Classes A and G of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order, with or without modification, no window, door or other form of opening shall be formed in any elevation of the dwelling hereby permitted.

Reason: In order to protect the amenity and privacy of the occupants of the neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

Watching Brief

14. A watching brief during construction in case any unexpected contamination is encountered during the groundwork phase. Workers on site during construction should be advised by the applicant that there is a possibility of finding contaminated material. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and development shall be suspended and a risk assessment carried out and submitted to the Local Planning Authority for written approval. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. Construction work shall not continue until written agreement is provided by the Local Planning Authority that appropriate measures to resolve the matter, including the measures in the remediation and verification schemes, have been completed.

Reason: To safeguard human health and the natural environment, in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

- 1 REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS
- 2 BNG INFORMATIVE
- 2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION- TAKING
- 3 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION
- 4 BUILDING REGULATIONS AND PARTY WALL ACT
- 5 NAMING AND NUMBERING
- 6 DEVIATION FROM APPROVED PLANS
- 7 SMOKE CONTROL INFORMATIVE
- 8 DRAINAGE/SEWERAGE INFORMATIVE