

A20280 – WILBERFORCE WAY, GRAVESEND

1500 – DESIGN, ACCESS AND PLANNING STATEMENT

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1.Introduction

1.1 This Design and Access Statement has been prepared on behalf of Mr. and Mrs. S. Burles, the applicant, in support of a Full planning application for the proposed development of the existing side garden of 48 Wilberforce Way, Gravesend, Kent DA12 5DQ to provide a single-storey, two-bed single family dwelling.

1.2 The proposal is wholly compliant with Gravesham Borough Council (GBC) Development Plan policy and will deliver social and regeneration benefits including the provision of a new dwelling which would:

- contribute towards the GBC's housing supply, particularly given that GMBC is currently unable to demonstrate a deliverable supply of sites for housing against its housing requirement over the next five years from 2020 to 2025, as noted in the GBC Five Year Housing Land Supply Statement 2020-25, January 2021, and
- help satisfy the particular need for two-bedroom housing, as indicated by the GBC Strategic Housing Market Assessment, June 2016.

1.3 This proposed development has been prepared with specific reference to the proposed and directly comparable development of a two-storey, three-bed single-family dwelling at 16-18 Wilberforce Way for which planning consent, reference 20190724, was granted in October 2019, to which due reference should be made in the consideration of this application.

1.4 This planning application has been prepared following the refusal of the previous planning application for similar proposals by the same applicant for the same site, reference 2021101 dated 2nd November 2021, and the proposals have been revised to directly address and respond to the specific reasons stated for the refusal in the respective Delegated Report as follows:

1. The proposal is an inappropriate overdevelopment of the site and cramped form of development which is out of character with the area, resulting in substandard, poor quality amenity space for future occupiers and is an unneighbourly form of development. As such the proposal is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

Notwithstanding that it is not considered that the proposals are inappropriate, cramped and sub-standard with poor quality amenity space and an unneighbourly form of development, the proposals have been specifically revised to respond to the respective supporting arguments for this reason stated in the Delegated Report.

2. The proposed dwelling and associated driveway are unacceptable in terms of inadequate access. The driveway and gates will result in encroachment onto neighbouring land, there is limited space for turning meaning vehicles have to reverse excessive distances and the access is substandard for fire engines to reach the dwelling in the event of an emergency. As such the proposed development is contrary to Policies CS11 and CS19 (LPCS), saved policies P3 and T5 of the Gravesham Local Plan First Review 1994, the Adopted Kent Vehicle Parking Standards (SPG4) and Section 9 of the National Planning Policy Framework (2021).

The revised proposals wholly omit the provision of vehicle access to and from the site, of car parking on the site, and of emergency vehicle access with the latter substituted with the provision of Building Regulations compliant internal sprinkler/misting system to enable compliance with the consequent increased fire tender water hose length constraint.

3. The proposal fails 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, the development fails to comply with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2019 and Policy CS12 of Gravesham's Local Plan Core Strategy (2014).

As clearly stated in the previous application, the applicant is fully aware of and prepared to make the respective financial contribution but no attempt was made by Gravesham BC to contact the applicant and formalise this agreement. The applicant has therefore separately and independently submitted the respective SAMMS payment application in support of this subsequent planning application.

1.5 It should be noted that, should there be any queries or concerns with any aspect of the application, the first application clearly expressed the willingness of the applicant to review the proposed development with Gravesham BC in order to achieve an agreed and acceptable proposal prior to determination. No such respective engagement was offered by Gravesham BC. The applicant is, nonetheless, willing to extend this offer for this revised application and, for example, to consider the provision of a hipped, in lieu of gable end, pitched roof in order to reduce the perceived bulk and massing of the proposed dwelling, should this be deemed appropriate by Gravesham BC.

1.6 This Design and Access Statement has been prepared in accordance with the requirements of Section 42 of the Planning and Compulsory Purchase Act 2004 and the guidance set out at Section 3 of Circular 01/2006: Guidance on Changes to the Development Control System.

1.7 As set out in paragraph 62 of Circular 01/2007, Design and Access Statements should be concise and their length and content *"should be directly proportional to the scale and complexity of the proposals."*

2.Site and Surroundings

2.1 The application site comprises an unwanted, unused, unkempt, and poorly maintained part of the side garden of the existing dwelling, for which the total plot area, including the existing building footprint, is 396 sq.m and a garden area of 359.25 sq.m.

2.2 The site for the proposed development has total plot area of 204 sq.m, the retained dwelling of 179 sq.m and the shared pedestrian path of 13 sq.m. The proposed development therefore equates to a density of 49 units per hectare for the proposed dwelling, and 52 units per hectare for the retained dwelling, commensurate with local planning policies for a minimum density of 40 dwellings per hectare in an urban area, and with the density and character of the surrounding area.

2.3 The immediate and wider contexts of the site are primarily two-storey semi-detached and terraced residential houses and flats of tiled pitched roof, and brick and render construction, mainly of a cul-de-sac layout with separate front garden pedestrian access and rear or side garden vehicle and service access. Car parking is provided on the public highway and to the rear or side of individual properties, some with substantial single-storey garages, comparable to the footprint of the proposed dwelling.

2.4 There are extensive recreation and playing fields to the west of the site.

3. Principles

3.1 Use

3.1.1 The proposed use is solely residential with associated external garden amenity space, garden storage, refuse and recycling storage.

3.2 Amount

3.2.1 The retained dwelling is a two-storey two-bed unit comprising circa 73.5 sq.m GEA and 63 sq.m GIA. The proposed dwelling is a single-storey two-bed unit comprising 75 sq.m GEA and 63 sq.m GIA, with 4.5 sq.m of external storage space.

3.2.2 The main living space of the proposed development provides 28.5 sq.m GIA with 1.25 sq.m of built-in storage space, excluding kitchen storage, with two bedrooms each comprising 11.5 sq.m, with 1.25 sq.m of built-in storage space. All the internal room sizes meet the current GBC SPG2 residential layout guidelines and overall space standards for a three-person dwelling as set out in the DCLG Technical Housing Standards-Nationally Described Space Standards.

3.2.3 The garden of the proposed dwelling comprises 129 sq.m of hard and soft landscaping, and that of the existing retained dwelling, 142.25 sq.m, well in excess of the GBC minimum requirements of 37.2 sq.m, and it is considered that the predominantly front and rear garden disposition and provision for the proposed dwelling, with a planning policy compliant minimum rear garden depth of 7.6m, are wholly acceptable and appropriate, particularly given the similar provisions for many of the surrounding existing dwellings.

3.3 Scale

3.3.1 The scale of the proposed development, commensurate with the typical size of a single-storey dwelling, is significantly smaller than the surrounding context, comprising mainly two-storey dwellings with associated single-storey garage and storage accommodation, some substantial and of a comparable footprint to the proposed dwelling. It is, however, considered that a flat roofed proposal, similar to that of the latter existing ancillary accommodation, would not be appropriate. The applicant is also willing to consider the provision of a hipped, in lieu of gable end, pitched roof in order to reduce the perceived bulk and massing of the proposed dwelling, should this be deemed appropriate.

3.4 Appearance

3.4.1 The pitched roof form, together with the proposed external materials palette of roof tile, brickwork, white framed windows and doors, and black rainwater goods, all to match existing, are wholly appropriate for the location of the proposed dwelling.

3.5 Layout

3.5.1 Early sketch studies considered options locating the proposed dwelling to the north and to the south of the site, primarily in response to achieving the 7.6m minimum depth of rear garden requirement, and, whilst the previous proposals placed the proposed dwelling centrally within the site, the latter of these early options has been adopted for the current revised proposals

3.5.2 The revised disposition of the proposed dwelling on the site, however, still optimises the size and use of all parts of the external garden space and, being located close to the existing adjacent single-storey garage, minimises overlooking both to and from the adjoining properties.

3.5.3 The ground floor entrance and kitchen windows to the flanking elevations of the existing adjoining properties and all the windows to the proposed dwelling are screened by the proposed site boundary fencing, and the first floor windows to the flanking elevations of the adjoining properties are obscured glazing to WCs only. All windows to the proposed development adhere to the local authority's guidelines with regard to windows to adjoining properties, with the possible exception of the east window to the main living area which, if required, could be obscured.

3.5.4 The internal layout of the proposed dwelling provides highly flexible modern internal spaces with vaulted ceilings, maximising the spatial perception of individual rooms, with both the principal living spaces and the bedrooms opening via double doors into fully useable garden areas, offering the option of both open and sunlit or sheltered and shaded external spaces, depending on the time of day and season.

3.6 Refuse and Recycling

3.6.1 External, and internally within kitchen, refuse and recycling storage is provided with easy access to and from the existing vehicle and service road. As with the existing and surrounding properties, the occupiers of the proposed dwelling are required to place their refuse containers on Wilberforce Way on collection day and return them to the property following collection.

3.7 Access

3.7.1 The site is located approximately two miles from the centre of Gravesend and approximately half a mile from local shops and amenities. Public bus services serve these, the mainline railway station, and many other destinations, from Wilberforce Way.

3.7.2 Pedestrian access to the site is via the existing footpath and the existing service road, both from Wilberforce Way. Unrestricted car parking, with the capacity for additional vehicles, is provided on Wilberforce Way and the proposed development, therefore, does not necessitate the provision of on-site car parking, similar to recent planning consents within the immediate vicinity.

4.Sustainability

4.1 The proposed development represents the optimum use of underused land to provide much needed residential accommodation, is in an established and very good location for access to public transport and is close to a variety of shops and amenities. The proposed development will fully meet and exceed Building Regulations requirements by the provision of:

- highly insulated external roof, walls, and ground floor,
- high standard of air tightness of the building envelope to ensure minimal heat loss through air leakage,
- high specification glazed windows to reduce heat loss,
- Air source heat pump with electric panel heating, or high efficiency condensing gas fired combination boiler, hot water and heating provision,
- mechanical heat recovery extract/input ventilation system to obviate heat loss through extract ventilation,
- low energy lighting, both externally and internally,
- recycling facilities for metal, paper, glass, and food waste, and
- low water usage fittings to reduce water demand with water butt collection of rainwater.

4.2 The revised proposals also comprise a substantial increase of soft landscaping, including additional tree planting, and decrease of hard landscaping, with the latter all of a water permeable nature.

5. Planning

5.1 Relevant Planning History

5.1.1 With the notable exception of the previous planning application for this site, there is no relevant planning history since the construction of 48 Wilberforce Way.

5.2 Relevant Planning Policies

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- 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

Saved Policies in the Gravesham Local Plan First Review (November 1994):

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

Other material considerations

National Planning Policy Framework (NPPF) (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- 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 14 – Meeting the challenge of climate change, flooding and coastal change.
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (1996)
- SPG 4 - KCC Parking Standards (2006)
- Housing Standards Policy Statement, 1st October 2015; and
- Technical Housing Standards: Nationally Described Space Standards.

5.3 Principle of Development

5.3.1 Policy CS02 of the Local Plan Core Strategy (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages NPPF Para 11(d) and the first part of footnote 8 and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the NPPF Para 11(d) unless:

- the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
- 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.

5.3.2 The proposed development for a net increase of one dwelling may be perceived to offer a minimal contribution towards meeting this local need. However, this has to be balanced against other requirements of the NPPF which requires development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

5.3.3 Policy CS02 (LPCS) prioritises development in the urban area as a sustainable location for development. Policy CS02 (LPCS) seeks to achieve this by:

- Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area.

5.3.4 The NPPF is explicit that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 120 (d) states that "Planning policies and decisions should:

d) 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.....”

5.3.5 Where there is an existing or anticipated shortage of land for meeting identified housing needs, as is currently the case in Gravesham BC, the local authority should seek to make optimal use of this site through residential development.

5.3.6 The application site does not meet definition of previously developed land as the application site is an existing garden within an urban area. However, this site is currently unwanted, unused, unkempt, and poorly maintained, and Paragraph 124 of the NPPF states that:

“124. Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) 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;
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive, and healthy places. “

5.3.7 It is considered that the principle of development here should be deemed acceptable subject to the dwelling complying with the relevant policies relating to design, amenity, parking provision and any other material planning considerations.

5.3.8 The key issues to be considered, therefore, are as follows:

- Design, Character, and appearance,
- Amenity for future residents,
- Impact on surrounding properties,
- Refuse Storage and Collection Arrangements,
- Drainage,
- Contaminated Land,
- Highway Impacts and Vehicle Parking, and
- Ecology and Biodiversity.

5.4 Design, Character, and appearance

5.4.1 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.

5.4.2 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 proposed densities

are commensurate with planning policy, with the density and character of the surrounding area, and appropriate for the physical constraints of the site.

5.4.2 Policy CS14 (LPCS) seeks to ensure that new housing development provides a range of dwelling types and sizes. The proposed two-bed dwelling will contribute to the well-established and well-known need for residential dwellings of this size.

5.4.3 With the proposed dwelling disposition on the site now fully compliant with the local authority's guideline garden dimensions, it should be deemed acceptable, given the size and organisation of the garden spaces in relation to the internal spaces, and the existing provision of similar gardens in the immediate locality.

5.4.4 The proposed internal layout of the proposed dwelling is of a high standard, meeting and exceeding both local and national guidelines and space standards, and is fully and successfully integrated with the external garden spaces design and disposition.

5.4.5 In summary, the proposed development complies with local and national planning policy in relation to design and the overall design of the scheme should be deemed acceptable.

5.5 Amenity for future residents

5.5.1 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".

5.5.2 Internally, all the room sizes of the proposed development meet the local authority's residential layout guidelines and the overall space standards for a two-bedroom three person dwelling as set out in the nationally prescribed space standards.

5.5.3 Externally, 129 sq.m of amenity space is provided for the proposed dwelling with direct access with the main living spaces and both bedrooms through double doors. The retained dwelling comprises 142.25 sq.m of external amenity space, primarily to the front and rear as is currently the case in the immediate context. This is sufficient private amenity space for future occupiers and complies with the local authority's residential layout guidelines which require a minimum of 37.2 sq.m of amenity space. With a rear garden depth of 7.6m for the proposed dwelling, the garden disposition and provision both for the proposed dwelling and for the existing dwelling, given the similar provisions for many of the surrounding existing dwellings, should be deemed wholly acceptable and appropriate.

5.5.4 The existing obscured windows at first floor level on the flank wall of the adjacent properties of 46 and 48 Wilberforce Way will not harm the amenity of future occupiers of the proposed dwelling, nor will the proposed development harm the amenity of adjoining properties.

5.5.5 The proposed hard and soft landscaping, including trees and boundary treatment, is indicative only and it is accepted that this aspect will be conditioned as part of a planning consent.

5.5.6 Subject to the above details being secured by condition, it is considered that overall, the proposal provides acceptable living conditions for future occupiers and complies with Policy CS19 (LPCS).

5.6 Impact on surrounding properties

5.6.1 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 127 of the NPPF requires the amenity of existing residents to be protected.

5.6.2 To the west of the site are open playing fields. To the north and east of the site are adjoining properties with north and south facing windows to habitable rooms at ground and first floor but these

are in excess of 22m distance or beyond the 90 degree field of view to and from windows to habitable rooms in the proposed development, which meets the requirements of the local authority's Residential Layout Guidelines, with the exception of the east window to the living space of the proposed development which should be considered as being as those existing for, for example, 46 and 48 Wilberforce Way. If not, an appropriate planning consent condition requiring obscured glazing to this window would be acceptable.

5.6.3 To the east and south of the site, the existing properties of 46 and 48 Wilberforce Way have flank windows to non-habitable rooms at ground and first floor level serving entrance halls and kitchens, and obscurely glazed WCs respectively only, which, again, meets the requirements of the Council's Residential Layout Guidelines.

5.6.4 Given the size and disposition of the proposed development, no loss of sunlight and daylight, or of outlook of any significance results to any adjoining property.

5.6.5 It is understood and accepted that a pre-commencement condition requiring details of a construction management plan will be included in a planning consent.

5.6.6 In summary the proposal would not have a materially adverse impact on the amenity of surrounding properties and there is no conflict with local or national planning policy.

5.7 Refuse Storage and Collection Arrangements

5.7.1 Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.

5.7.2 The proposed development includes space for two wheelie bins and a shelving area for stacking recycling items.

5.7.3 Occupiers of the proposed development will be required to place their refuse containers on Wilberforce Way on collection day, and return them to the property following collection, as for the existing and neighbouring properties.

5.7.4 It is understood and accepted that to ensure that the refuse and recycling storage area is acceptable in size to provide storage for general waste bin, recycling bin, gardening waste and food caddy, details of the refuse storage area will be conditioned.

5.7.5 In summary with regard to refuse arrangements, the proposed development complies with Policy CS19 (LPCS).

5.8 Drainage

5.8.1 Policy CS18 (LPCS) sets out the requirements for dealing with sustainable drainage and surface water run-off.

5.8.2 It is understood and accepted that the standard KCC, as Lead Local Flood Authority, condition on sustainable surface water drainage will be included in a planning consent.

5.8.3 In summary, subject to the suitable conditions, there is no conflict with Policy CS18 (LPCS).

5.9 Contaminated Land

5.9.1 Policy CS19 (LPCS) and Paragraph 170 of the NPPF require new development to avoid adverse environmental impacts of land contamination and remediating contaminated land.

5.9.2 There is no reason to believe that contamination may be present, but the site has been identified as a high-risk area for unexploded ordnance (UXO) and, as such, a specialist assessment is recommended.

5.9.3 It is understood and accepted that the provision of an appropriate UXO survey, risk management, mitigation and programme report in this respect will be conditioned as part of a planning consent.

5.9.4 Subject to this assumed condition, the proposed development does not conflict with Policy CS19 (LPCS) and Paragraph 170 of the NPPF.

5.10 Highway Impacts and Vehicle Parking

5.10.1 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 109 development should only be prevented or refused on transport grounds where the cumulative impacts of development are severe. In this instance the nature and scale of the development does not require a transport statement or transport assessment.

5.10.2 Any development proposal with no off-street car parking being provided, while compliant with Gravesham Borough Council's parking guidance, would not conform with Kent County Council's guidance as Highway Authority.

5.10.3 It is considered that as there is sufficient on-street parking available and, as other properties within the vicinity rely on this on-street parking, the lack of an on-site provision will not have an adverse impact on the surrounding transport network. Recent planning consents in the immediate vicinity have been granted on this basis.

5.10.4 Emergency access for fire appliances in the event of a fire is indicated by the respective drawings and should be deemed acceptable to the Kent Fire & Rescue Service, as the provision of a domestic sprinkler/fire suppression system is now proposed, and it is understood that this aspect will be conditioned as part of the planning consent.

5.10.6 Subject to these possible conditions, the proposed development is compliant with Policy CS11 (LPCS).

5.11 Ecology and Biodiversity

5.11.1 The application site falls within 6km of the Thames Estuary and Marshes Special Protection Area (SPA) and is also listed as a Wetland of International Importance under the Ramsar Convention (Ramsar Site).

5.11.2 The local authority has mitigated out the impacts of this on each planning application for a new residential development of one or more units within the 6km zone since September 2015 by accepting a Strategic Access Mitigation and Monitoring Strategy (SAMMS) (tariff) payment (currently £253.83 per dwelling). This approach is approved by Natural England for all new residential developments.

5.11.3 For every planning application for a new dwelling (including new flats) which does not require any other contributions to be secured through a s106 legal agreement or unilateral undertaking, the tariff has been secured through a contribution agreement.

5.11.4 An application for the agreement and contribution of £253.83 has been independently and separately submitted by the applicant and a screening for Appropriate Assessment (AA) should be undertaken at the appropriate time.

5.11.5 Whilst the application does involve the development of an undeveloped garden area and the proposal does include the provision of more than adequate and increased soft landscaped garden space, a biodiversity net gain is unlikely to be provided. Given the delivery of much needed family housing, combined with the limited constraints of the site, however, it is considered that this impact is not cause to warrant the refusal of planning permission.

5.11.6 It is understood at a high-quality soft landscaping and planting scheme will be conditioned as part of a planning consent.

5.12 Permitted Development

5.12.1 As set out in the MHCLG document Permitted Development Rights for Householders Technical Guidance September 2019, Class E provides permitted development rights within the curtilage of a house for:

- a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or
- b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

5.12.2 Development is not permitted by Class E if:

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use),
- b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse),
- c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse,
- d) the building would have more than a single storey,
- e) the height of the building, enclosure or container would exceed - (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or (iii) 3 metres in any other case,
- f) the height of the eaves of the building would exceed 2.5 metres,
- g) the building, enclosure, pool or container would be situated within the curtilage of a listed building,
- h) it would include the construction or provision of a verandah, balcony or raised platform,
- i) it relates to a dwelling or a microwave antenna,
- j) the capacity of the container would exceed 3,500 litres.

5.12.3 Given that this property is not within a World Heritage Site, a National Park, an Area of Outstanding Natural Beauty, the Broads or on article 2(3) land, there are no further restrictions to any development under Class E permitted development rights.

5.12.4 These rights therefore would permit the development of a building providing ancillary accommodation "incidental to the enjoyment" of the existing dwelling, of the same location and footprint of that of the proposed development but of a maximum height of 2.5m, effectively with a flat roof.

5.12.5 It is therefore considered that these permitted development rights represent a significant aspect, or 'fall back' position, that should be given due weight in the consideration of this application.

6. Conclusion

The proposed development is a sustainable form of development that accords with national and local planning policy and will provide an acceptable scheme within the urban area of Gravesend.

The proposed development is wholly compliant when assessed against local policies and those of the NPPF taken as a whole and, accordingly, in line with the NPPF, it is considered that planning permission should be granted.