

PP ref: PP-11601703
Our ref: PR3568/SC

Date: 18 November 2022

Mr Richard Hart
Development Manager
Gravesham Borough Council
Civic Centre
Windmill Street
Gravesend
DA12 1AU

Dear Mr Hart,

**Demolition of existing detached dwelling and erection of replacement dwelling and associated works including removal of existing outbuildings and swimming pool, a re-sited pedestrian and vehicular access from Pear Tree Lane and the stopping-up of the existing access.
Long Acre Pear Tree Lane Shorne Gravesend Kent DA12 3JT.**

On behalf of the applicants and landowners Mr and Mrs King this application relates to land at Long Acre Pear Tree Lane Shorne and seeks full planning permission for the;

Demolition of existing detached dwelling and erection of replacement dwelling and associated works including removal of existing outbuildings and swimming pool, a re-sited pedestrian and vehicular access from Pear Tree Lane and the stopping-up of the existing access.

The application comprises the following plans and documents

- Covering letter
- Application form
- Planning, Design and Access Statement (GSP)
- Preliminary Ecological Appraisal (Calumma Ecological Services)
- Bat and Reptile Survey Report (Calumma Ecological Services)
- Countersigned IACPC certificate for Great Crested Newt DLL scheme
- Drawing nos.

3568.01 Site Location Plan
3568.02 Existing Block Plan
3568.03 Existing Ground Floor Plan
3568.04 Existing First Floor Plan
3568.05 Existing Elevations 1
3568.06 Existing Elevations 2
3568.07 Proposed Ground Floor Plan
3568.08 Proposed First Floor Plan
3568.09 Proposed Basement Plan
3568.10 Proposed Roof Plan
3568.11 Proposed Block Plan

3568.12 Proposed Elevations 1
3568.13 Proposed Elevations 2
3568.14 Proposed Section A-A
3568.15 Comparison of Proposed and Existing with LDC
3568.16 Comparison of Proposed and Existing Elevations
Landscape Masterplan 1:200 @ A1 (Millhouse Landscapes)
Topographical Survey (22-04A-Model)

Permission is sought for a two-storey dwelling with a basement. The application has been prepared following pre-application advice earlier in the year (Gravesham ref: PRE20220073) and in the light of ecological surveys that have also been undertaken on the site.

The existing house can best be described as ‘of its time’ in the architectural approach and detailing. It is fair to say that the existing dwelling and its original design approach have not aged well. The house extends at a height of two-storeys across almost the full width of the 36.7m wide plot being 30m in width plus a 3.0m wide single-storey car port on its western side.

The land to the rear falls steeply towards the site’s northern boundary, so much so, that views of the Thames Estuary are available over the woodland beyond the northern site boundary. Given the views to the north towards the Thames Estuary, the emphasis of the original design was to take advantage of these through the extensive rear terracing and glazing at ground and first floor level. This was at the neglect of the elevation facing Pear Tree Lane.

The proposed dwelling will be positioned in a broadly similar location to the existing dwelling. The design of the proposed dwelling has taken a more traditional approach as have the proposed materials. They reflect elements of the ‘traditionally designed’ dwellings (of varying ages) found elsewhere along Pear Tree Lane. Unlike the existing dwelling, the proposed house has been designed with a dual aspect that addresses both the street and the views to the north. Opportunity has also been taken to centralise the dwelling within the plot and significantly increase the separation from and openness at the site boundaries.

The replacement house will be two-storeys above ground level with two sections of double-pitched roof and central valley and incorporate a basement. Changes to the roof design, basement and the rear elevation were made following the receipt of the pre-application advice.

The basement will be entirely screened from view from outside the site but will take advantage of ground levels within the site and have access to a sunken terrace area immediately at the rear of the property leading upwards via steps into the wider garden beyond. This is most clearly shown on the cross section drawing 3568.14.

The existing pedestrian and vehicular access is tight-up against the boundary on the eastern side of the site frontage to Pear Tree Lane. The centralised new access will particularly allow for significantly improved visibility in the direction of the Gravesend Road (A226).

In terms of the site’s Green Belt location, the Council’s saved Policy C12 in the 1994 Local Plan is at odds with the very much more recent policy guidance in the NPPF as to what constitutes appropriate development.

Policy C12 refers to a ‘strong presumption against allowing the replacement of existing dwellings’ whereas the specific exceptions set out in paragraph 149 of the NPPF specifically allows for the

replacement within same use of an existing building subject to the caveat that it is not materially larger than the one it replaces.

Furthermore, Policy C12 refers to the original dwelling (as first built in this case with it being post 1948) and sets a limit on further expansion from that point, whereas the NPPF does not make that distinction and makes no reference to the dwelling being original simply referring to the replacement of an existing building.

This approach is on the face of it is more logical as an existing building (prior to its replacement) has an impact on the Green Belt in the form in which it currently exists, and which has been allowed through permissions granted or has been (or could be) achieved through 'permitted development' entitlements.

However, as set out in the accompanying Planning Design and Access Statement given the site's Green Belt location it is necessary to demonstrate Very Special Circumstances as the proposed house is larger than the one it replaces albeit that the replacement of an existing building is considered to be appropriate development in the Green Belt (NPPF para.149).

As recommended in the pre-application advice a comprehensive fall-back position has been formally secured through the consents obtained for a larger rear extension (8m projection from original rear wall of the house) and a detached outbuilding over the existing swimming pool that also contains additional facilities incidental to the enjoyment of the dwelling (which have subsequently been incorporated into the basement of the proposed dwelling.) In addition it is also clear on assessment of the planning history of the site that permission remains extant for the erection of two and single-storey front extensions to the existing house as well as the provision of a pitched roof to the dwelling (application 19780341 refers).

As a consequence of this confirmed fall-back position, it is clear as set out in the table below (**Appendix Two** of the Planning Statement) the proposed dwelling will have a smaller overall floorspace and volume than the existing dwelling and its approved and extant alterations in both scenarios.

	Floorspace (m ²)	Volume (m ³)
Existing dwelling	430.51	1504
LDC Outbuilding	144.14	470.67
8m rear extension	115.96	389.565
TOTAL (A)	690.61	2364.2
19780341	79.49	577
RESULTANT TOTAL (B)	770.10	2941.2
PROPOSED DWELLING	600.92	2260
Difference to new dwelling Scenario (A)	+89.69	+104.2
Difference to new dwelling Scenario (B)	+169.18	+681.20

In addition, it is considered that the proposed design and siting of the dwelling will have a benefit in terms of the openness of the site and hence the Green Belt given the substantial set-in from the east and west boundaries of the two-storey section of the new house compared to the existing dwelling.

The proposals will provide a well-designed bespoke family dwelling for the applicants and enhance the character and overall appearance of the site and area whilst safeguarding the amenities of adjacent occupiers. There will also be benefits to highway safety arising from the improved vision splays provided by the new site access.

The landscape masterplan also shows how the existing garden will be enhanced and gains to biodiversity provided. Appropriate replacement bat roost provision has been provided as an integral part of the new dwelling alongside the various measures indicated on the Landscape Masterplan. The applicants have been accepted onto the Great Crested Newt DLL scheme as shown by the certificate submitted alongside the application. As there will be no net increase in the number of dwellings on the site is not necessary in this instance to make a SAMMS payment in mitigation of potential impact on the Thames Estuary and Marshes Special Protection Area and Ramsar sites. Sufficient information is provided within the application in any event, that will enable the Council to undertake an Appropriate Assessment under the Habitat Regulations 2017 as the competent authority, if one is required.

We and the applicants are of course willing to provide further clarification on any points with regard to the application and would request that contact is made as early as possible if that is deemed to be necessary. It is contended that due account has been taken of the pre-application advice received and the scheme design modified as a result alongside a formal and clear fall-back position having been secured and identified as recommended in that advice. Very Special Circumstances exist for permission to be granted to a scheme that will also enhance the openness of the Green Belt.

The Council is requested therefore requested to approve the application without delay. We look forward to receiving notification of the registration of the application and details of the allocated case officer in due course.

Yours sincerely,



STEVE CLARKE
Associate Planner