



Ebbfleet
DEVELOPMENT CORPORATION



RESIDENT'S PLANNING GUIDE

EBBSFLEET CROSS, CROXTON AND GARRY



Introduction

This guide is for residents of the Ebbsfleet Cross, Croxton and Garry development, to provide an overview of the scheme and specific planning matters, as well as how it relates to the wider Ebbsfleet Garden City.





Figure 1: Croxton and Garry Masterplan Planning Layout

Croxton and Garry Overview

A summary of the approved development at Croxton and Garry is provided below:

- 232 flats and houses including a mix of private and affordable properties.
- Open spaces including an equipped play park, general open amenity space including a landscaped pond and gazebo and a naturally vegetated reptile receptor area.
- Private gardens for houses and communal open spaces for flats, including a semi-private raised garden located above a ground floor parking area serving the apartment blocks to the west of the site.
- A diverted public right of way within the southern boundary of the site with a connection to the adjacent Lovers Lane public footpath.

The residential developer for Croxton & Garry is Bellway Homes Limited (Thames Gateway). Please refer to legal and estate charge documents for your property in respect of the management company responsibilities for estate maintenance.

Additional Background Information

The development at Croxton and Garry includes a variety of different types of housing, ranging from one bed apartments to four-bedroom houses. It is located close to the new Craylands Lane development on the opposite side of London Road and directly fronts onto Tiltman Avenue which is served by the Fastrack bus service.

Ebbsfleet Development Corporation (EDC)

Ebbsfleet Development Corporation (EDC) is an organisation created in 2015 to speed up and oversee the delivery of up to 15,000 homes and create a 21st Century Garden City in North Kent. This includes using public funds to deliver facilities that would support the Garden City such as private infrastructure (electricity, water, etc) as well as public infrastructure (roads, schools etc).

The Corporation is the Local Planning Authority and so the majority of applications for planning permission within the Garden City area, which would previously have been made to the Borough Councils of Dartford and Gravesham, now need to be made to the EDC Planning Team.

The Corporation has produced the Ebbsfleet Implementation Framework which sets out our vision for the Garden City. Further information, including copies of the full and summary versions of the Framework, is available from the following page of the website: **The Vision - Ebbsfleet Garden City**.

Other Website Links

- A new page for our growing communities with items like the popular blog, the community investment fund, Edible Ebbsfleet and creative ideas fund can be found here: **www.ebbsfleetgardencity.org.uk/your-community**.
- A new events page listing things that are going on in the Garden City and beyond can be found here: **www.ebbsfleetgardencity.org.uk/whats-on**.
- The news section continues to grow and is updated almost daily. Details available here: **www.ebbsfleetgardencity.org.uk/news**.



- There is also a parks section on the website, showing what we're working on across the EDC: **www.ebbsfleetgardencity.org.uk/your-community/parks/**.



Croxton and Garry Planning History

All planning applications within the Garden City area made to the EDC Planning Team are available to view from the following page of the EDC website: **<http://applications.ebbsfleetdc.org.uk/online-applications/>**. On the page, the Simple Search tool can be used to search for planning applications by a keyword, reference number, postcode or single line of an address.

A list of the reference numbers of the principal planning applications associated with Ebbsfleet Cross, Croxton and Garry are provided below:

- EDC/17/0110 (Outline Permission) - residential development of up to 220 dwellings including new vehicular access to Tiltman Avenue.
- EDC/19/0159 (Reserved Matters) – for approval of 221 dwellings.
- EDC/21/0064 (Revised Reserved Matters) – for approval of 233 dwellings.
- EDC/22/0019 (Non-Material Amendment) – changes to layout of part of site resulting in reduction to 232 dwellings.

There have been various applications for changes to the scheme since it was originally approved, including allowing a small increase in number of originally approved homes, but the nature of the changes has been minimal and have not materially change the scheme. Full details of the site's planning history are available on the EDC website.



Householder Planning Applications

When Planning Permission is required

Planning permission is required for development of land, which is defined in *the Town and Country Planning Act 1990 (as amended)* as:

- Building, Mining, Engineering Works or other Operations; or
- Material Changes of Use.

When Planning Permission is not required

The following are some examples of works that do not constitute 'development' and therefore do not usually require planning permission:

- Works which would affect only the interior of your home (excluding change of use)
- Ancillary (secondary) use of your home/garden/outbuilding for a purpose which does not change its primary use as a home for a single household (for example a home office or studio within a spare room) and would not involve any works to the exterior of your home, garden or outbuildings, nor additional outbuildings.
- Like-for-like replacement of doors and windows within the existing openings for a similar design, material and colour. Please note that this only applies to houses, not apartments nor flat over garage units/coach houses.

Permitted Development Rights

Secondary legislation allows certain development to proceed without applying for planning permission, subject to falling within the limits and conditions specified in the following legislation. This is often called 'Permitted Development' and is set out in the *Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)* – herein referred to in this document as the GPDO.

Further information on permitted development rights is available from the following independent links:

- **<https://www.planningportal.co.uk>**
- **<https://www.gov.uk/government/publications/permitted-development-rights-for-householders-technical-guidance>**



Permitted Development Rights at Croxton and Garry

The site layout and design of properties were carefully considered, for example the size of gardens, positions of windows facing towards other properties, and the appearance that properties have on the street.

To protect living conditions of residents and the appearance of the development as a whole, some permitted development rights for Croxton and Garry were removed when planning permission was granted. The table below provides a summary of the main permitted development rights for houses at this site, indicating which rights remain and which have been removed, together with advice on applications for planning permission.

Please note that this table only applies to houses, as no permitted development rights exist for apartments or flats over garage units/coach houses (unless otherwise specified).

Part 1 Class A - Enlargement, Improvement or Alterations

Description	Covers enlargement, improvement or alterations to a house such as rear or side extensions, conservatories or amendments to existing external features such as entrance canopies, windows and doors.
General Advice	<p>Permitted Development rights in Class A are restricted for the following properties, the location as shown in Figure 2 below:</p> <ul style="list-style-type: none">Plot numbers 124, 127, 135, 138, 145, 148, 154, 157, 166, 186, 193, 202, 203 and 213. <p>The restriction to these properties, which is not applicable to the other properties, only relates to works that would involve the formation of a window, door or other form of opening above ground floor level in any side elevation of the dwelling. This is so that unacceptable impacts are not introduced which would affect adjoining properties, so any such proposals would require planning permission.</p> <p>General permitted development rights therefore apply for other enlargements or alterations to all the houses, subject to falling within the limits and conditions specified in the GPDO.</p>

Part 1 Class B - Additions to Roofs

Description	Covers additions or alterations to roofs which enlarge the house such as loft conversions involving dormer windows.
General Advice	<p>Permitted Development rights in Class B have been removed so planning permission will be required for any such works on all properties.</p> <p>Dormer Windows</p> <p>Proposals for dormer windows should preserve the character of the property, be sympathetic to the host dwelling and protect amenity of adjoining properties. Materials used externally should be similar in appearance to those of the main property. Front dormer windows are unlikely to be considered appropriate in locations where they are not present on other nearby properties.</p>

Part 1 Class C - Alterations to Roofs

Description	Covers other alterations to roofs which do not enlarge the house such as re-roofing or the installation of roof lights/windows.
General Advice	Permitted Development rights in Class C have not been removed so planning permission will not be required for such works, subject to falling within the limits and conditions specified in the GPDO

Part 1 Class D - Porches

Description	Covers building a porch outside an external door.
General Advice	Permitted Development rights in Class D have not been removed so planning permission will not be required for such works, subject to falling within the limits and conditions specified in the GPDO



Part 1 Class E - Outbuildings

Description Covers the provision of buildings and other development within the curtilage of the house.

General Advice Permitted Development Rights in Class E **have not been removed** so planning permission will not be required for such works, subject to falling within the limits and conditions specified in the GPDO.

Larger Outbuildings

Should you wish to construct an outbuilding beyond the limits and conditions allowed for the in the GPDO, planning permission will be required. Planning applications for larger outbuildings will be considered on their own merits but shall generally be expected to be sympathetic to the main dwelling house and garden in terms of size, height and scale. The design of outbuildings should also avoid impacting on neighbouring properties in terms of overlooking or overshadowing and should not have an overbearing visual impact on neighbouring properties or the street scene.

Part 1 Class F - Hard Surfaces

Description Covers the provision of hard surfaces such as paving or tarmac within the curtilage of the house.

General Advice Permitted Development rights in Class F have not been removed so planning permission will not be required for such works, subject to falling within the limits and conditions specified in the GPDO.

Replacement Hard Surfaces

Proposals would be expected to match material of the existing hard surface and relate to those of neighbouring properties.

Soft Landscaping

The soft landscaping around your home, particularly at the fronts, will often form part of the approved design of Ebbsfleet Cross and is required to be retained for at least 5 years following planting. It has been designed to provide a good quality public realm, screen car parking, and also to attenuate surface water. Should you wish to remove or alter this soft landscaping, we recommend contacting us with details of the changes you wish to undertake. We can then provide comments and guidance on whether planning permission would be required.

It is relevant to note that while planning permission may not be required, changes to the soft landscaping may require separate covenant approval from the Estate Management Company.

Part 1 Class G

Description

Covers the installation, alteration, or replacement of a chimney, flue or soil and vent pipe.

General Advice

Permitted Development rights in Class E **are restricted** for the following properties, the location as shown in Figure 2 below:

- Plot numbers 124, 127, 135, 138, 145, 148, 154, 157, 166, 186, 193, 202, 203 and 213.

Planning permission is therefore required for such works for these properties only. Planning permission will not be required for such works on the remaining properties, subject to falling within the limits and conditions specified in the GPDO.

Part 1 Class H

Description

Covers the installation, alteration, or replacement of microwave antenna such as satellite dishes and TV aerials.

General Advice

Permitted Development rights in Class H **have not been removed** so planning permission is not required for such works, subject to falling within the limits and conditions specified in the GPDO.



Figure 2: Croxton and Garry Site Layout Plan showing properties to which Part 1 Class A and G restrictions (as specified above) apply: (the red highlighted properties are the ones to which restrictions apply).



Part 2 Class A - Gates, Fences, Walls etc

Description	Covers the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure..
General Advice	Permitted Development rights in Class A have not been removed so planning permission is not required for such works, subject to falling within the limits and conditions specified in the GPDO.

Part 2 Class B - Means of Access to a Highway

Description	Covers construction of a means of access to a highway, such as a dropped kerb between a property and a road.
General Advice	<p>Permitted Development rights in Class B have not been removed so planning permission is not required for such works, subject to falling within the limits and conditions specified in the GPDO.</p> <p>It is relevant to note that while planning permission may not be required, changes to the soft landscaping may require separate covenant approval from the Estate Management Company. Separate consent will also be required from Kent County Council for dropped kerbs on adopted roads and you are advised to contact them for further advice.</p>

Part 2 Classes C, D, E and F

Description	Covers Exterior Painting (Class C), Electric Vehicle Charging points (Classes D and E) and CCTV Cameras (Class F).
General Advice	Permitted Development rights in Classes C, D, E and F have not been removed so planning permission is not required for such works, subject to falling within the limits and conditions specified in the GPDO.

Please note that the following permitted development rights under Part 14 are, in some cases, are applicable to both houses and apartments.

Part 14 Class A – Solar Equipment (Building Mounted)

Description	Covers the installation or alteration etc of solar equipment on domestic premises
General Advice	<p>Permitted Development rights in Class A have been removed insofar as they relate to installation of solar equipment on a house or a block of flats (Class A(a)). As such planning permission is required for such works.</p> <p>However, Permitted Development rights in Class A have not been removed insofar as they relate to installation of solar equipment on a building situated within the curtilage of a dwellinghouse or a block of flats (Class A(b)). As such planning permission is not required for such works subject to falling within the limits and conditions specified in the GDPO.</p>

Part 14 Class B – Solar Equipment (Stand-Alone)

Description	Covers the installation or alteration etc of stand-alone solar equipment within the curtilage of domestic premises.
General Advice	Permitted development rights in Class B have not been removed so planning permission is not required for such works, subject to falling within the limits and conditions specified in the GDPO.

Part 14 Class C and D – Heat Pumps (Ground/Water Source)

Description	Covers the installation and alteration etc of ground source heat pumps (Class C) and water source heat pumps (Class D) within the curtilage of domestic premises.
General Advice	Permitted development rights in Class C and D have not been removed so planning permission is not required for such works subject to falling within the limits and conditions specified in the GDPO.



Part 14 Class E and F – Flues

Description Covers the installation, alteration or replacement of a flue for biomass heating system (Class E) or installation or alteration etc of a flue for combined heat and power (Class F) on domestic premises.

General Advice Permitted development rights in Classes E and F **have been removed** so planning permission is required for such works.

Part 14 Class G – Heat Pumps (Air Source)

Description Covers the installation or alteration etc of air source heat pumps on domestic premises.

General Advice Permitted Development rights in Class G **have been removed** insofar as they relate to installation of air source heat pumps on a house or a block of flats (Class G(a)). As such planning permission is required for such works.

However, Permitted Development rights in Class G **have not been removed** insofar as they relate to installation of air source heat pumps within the curtilage of a house or block of flats or on a building situated within the curtilage of a house or a block of flats (Class G(b)). As such planning permission is not required for such works subject to falling within the limits and conditions specified in the GDPO.

Part 14 Class H – Wind Turbine (Building Mounted)

Description Covers the installation or alteration etc of a wind turbine on a domestic premises.

General Advice Permitted development rights in Class H **have been removed in relation to H.a)** on a detached dwellinghouse, so planning permission is required for part a, however, **have not been removed in relation to H.b)** on a detached building situated within the curtilage of a dwellinghouse or a block of flat, so planning permission is not required for part b, subject to falling within the limits and conditions specified in the GDPO.

Permitted Development rights in Class H **have been removed** insofar as they relate to installation of a wind turbine on a detached house (Class H(a)). As such planning permission is required for such works, including for any proposals relating to non-detached houses.

However, Permitted Development rights in Class H **have not been removed** insofar as they relate to installation of a wind turbine on a detached building situated within the curtilage of a dwellinghouse or a block of flats (Class H(b)). As such planning permission is not required for such works subject to falling within the limits and conditions specified in the GDPO.

Part 14 Class I – Wind Turbine (Stand-Alone)

Description	Covers the installation or alteration etc of a stand-alone wind turbine within the curtilage of domestic premises.
General Advice	Permitted development rights in Class I have not been removed , so planning permission is not required, subject to falling within the limits and conditions specified in the GDPO.

The GPDO limitations and conditions referred to above are as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The latest version of this legislation, which is revised from time to time, is available to view online via <https://www.legislation.gov.uk/>

Further Information

Pre-Application Advice

We encourage pre-application discussions where we can advise whether proposed changes to your home would likely be approved and the documentation that you would need to submit. Advice given is an officer opinion and does not confirm that a proposal would be approved at application stage, however, it can help to resolve issues and simplify processing of your application later.

Our pre-application service is currently offered free of charge. If you would like to discuss proposed changes to your home before making an application, please contact a member of the Planning Team on (telephone) 0303 444 8832 or email edcplanning@ebbsfleetdc.org.uk.

Depending on the nature of your proposal we may need further information and drawings to advise you fully, and ask you to complete a pre-application request form, which is available from the following web page and under the 'The Planning Application Process' heading: **Planning and Design - Ebbsfleet Garden City**

Submitting a Planning Application to EDC

Further information on submitting a planning application to EDC is available from the following page and under the 'The Planning Application Process' heading: **Planning and Design - Ebbsfleet Garden City**

Register for updates on Planning Applications

You can register to receive updates on planning applications within the EDC area from the following page: <http://applications.ebbsfleetdc.org.uk/online-applications/>

Lawful Development Certificates

The Planning Team can provide an informal officer opinion on whether a proposal falls within permitted development rights, or if it would require planning permission. This does not however provide immunity from enforcement action by EDC if the proposal is carried out and later considered to require planning permission.

To formally confirm whether your proposal falls within permitted development rights and therefore does not require planning permission, an application can be made for a 'Lawful Development Certificate'. This service is provided by Dartford Borough Council for Ebbsfleet Cross. Further information and details of how to apply for a Lawful Development Certificate are available from the following page:

<https://www.dartford.gov.uk/by-category/environment-and-planning2/new-planning-homepage/planning-applications/do-i-need-planning-permission>

Building Regulations

Please note that this guide does not cover Building Regulations, and separate Building Regulations Approval may be required for some works. Further information on Building Regulations is available from Dartford Borough Council on the following page: **The Building Control service – Dartford Borough Council**

Further Information

If you would like further advice on planning matters within the EDC area, please contact the Planning Team on 0303 444 8832 or email edcplanning@ebbsfleetdc.org.uk.



Important Note

This guide is intended to provide general advice. It should not be relied upon, or taken to be, a full interpretation of the law. EDC is not responsible for the content of external website links.



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