

Delegated Report

Full Planning Application

Planning Application No: 20260460

Location: Balas Little Mart 2 - 8 Gateway Parade Whinell Way Gravesend

Description: Change of use of existing single shop into two separate units, each with a new shopfront and entrance door.

Applicant: Mrs Komathy Arunathevan

Site Visit Date: 26th June 2026

Submitted Documents/Plans

Planning Application Form;
Drawing No. 2-8 DA12 4RU – 000001 Rev A 02 – Existing Shop Floor Plan & Elevations;
Drawing No. 2-8 DA12 4RU – 000002 Rev A 02 – Proposed Shop Floor Plan & Elevations; and
Drawing No. 2-8 DA12 4RU – 000003 Rev A 01 – Block & Location Plan.

Relevant Planning History

Reference	Description	Decision	Decision Date
20080056	Display of internally illuminated fascia sign above proposed ATM	Permitted	15.08.2008
20080055	Installation of an ATM in the shopfront.	Permitted	25.03.2008
20060249	Change of use of premises from car sales to a retail shop.	Permitted	12.07.2006
19980307	Change of use of shop to car showroom with ancillary retail sale of car accessories incorporating the installation of two sets of sliding glazed doors and a roller shutter door to the side elevation.	Permitted	01.09.1998
19840620	Erection of single storey extension at the rear	Permitted	10.08.1984

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- Policy S6: Local Centres
- Policy TC1: Design of New Development
- Policy TC9 - Shopfronts

Paragraph 34 of the NPPF (2024) sets out that 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.

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 that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 8 – Promoting healthy and safe communities
- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)
- SPG 4 – Security Measures for Shopfronts and Commercial Premises (2020)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan

has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

External

Kent Police Designing Out Crime Officer

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. CCTV is advised, especially at entry points, till areas and safes, areas with limited natural surveillance, storage areas containing high-value equipment and loading bay. Please ensure the CCTV supports the lighting plan.
2. We strongly recommend alarms, with an auto-dial function, be installed on all external doors, including emergency exits.
3. If new external doorsets and windows are proposed, we recommend these to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please note PAS 24 is a minimum-security standard, and entrance doorsets may require a higher standard, such as STS or LPS. Existing rear doors and windows that are not being replaced may require limiters/ restrictors to help maintain security.
4. Access control. Adequate access control is required for entrances used by staff only such as storage rooms and other restricted areas.
5. Waste bins associated with this proposal should be kept in a secure enclosure, ideally away from the building as bins can become a climbing aid or even an arson hazard.
6. Any Shutters should be as close to the building line as possible and must avoid the creation of a recess. Shutters must be certificated to LPS 1175: Issue 7, SR2; STS 202: Issue 3, BR2; Sold Secure Gold or PAS 68:2013.

To note, as Designing Out Crime Officers we use Secured By Design Guidance in our recommendations. Whilst our comments may be standardised within this letter, we encourage the applicant to contact us to discuss the plans in further detail.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Internal

GBC – Environmental Protection

There is no objection to this application, however the following to be considered:

Noise

There are flats above so disturbance could be caused if opening hours are excessive. I'm not sure what the existing hours of use for the shop are, but hours should not be extended beyond these. (We haven't had any noise complaints regarding the current premises). The following condition is advised to cover any new plant/equipment to be installed:

Noise Control

1. Prior to commencement, a noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:
 - The rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

Code of Practice on Construction and Demolition

Please apply as appropriate.

Neighbouring properties

The application was advertised by the displaying of a site notice, together with individual letters sent to seven surrounding properties with an overall expiry date of 3rd July 2026. No comments have been received.

Officer's Analysis

Proposal

The proposal is for the change of use of existing single shop into two separate units, each with a new shopfront and entrance door.

The existing shop is in lawful use under Use Class E (Commercial, Business and Service).

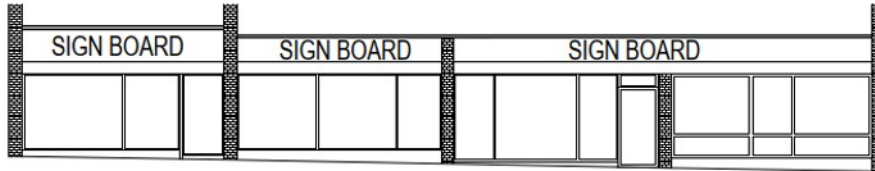
In terms of shopfront alterations, these are mainly limited to the creation of two new doors and the removal of the existing centrally located door, as shown in the following plans:

Existing Elevational Plans



EXISTING SHOP FRONT ELEVATION & SHOP FRONT

Proposed Elevational Plans



PROPOSED SHOP FRONT ELEVATION & SHOP FRONT

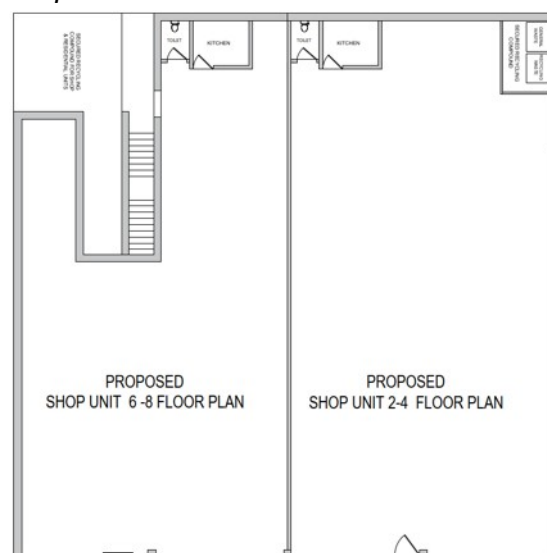
Internally, the existing shop will be divided centrally and a new kitchen, toilet and refuse area will be created to serve the new shop area.

Existing Floor Plan



EXISTING SHOP FLOOR PLAN

Proposed Floor Plan



PROPOSED SHOP FLOOR PLAN

Principle of Development

The application site is located within the urban area of Gravesend within a Local Centre where the principle of development is acceptable.

Policy CS08 states that Gravesend town centre will be maintained as the highest order centre within the Borough and retail, leisure, entertainment facilities and the more intensive sport and recreation uses will, unless otherwise allowed for under this policy, be directed as to the Primary Shopping Area as shown on the Policies Map.

Saved Policy S6 was superseded by Local Plan Core Strategy (2014) policy CS08 on Retail, Leisure and the Hierarchy of Centres. This seeks to reinforce a sustainable network and hierarchy of centres and affords protection to existing local centres to safeguard their retail character and function. Development that would adversely affect their vitality and viability is to be resisted under the policy.

The site lies within a defined local centre where commercial and service uses are supported in principle. The existing unit is within Use Class E which is for commercial, business and service which includes retail. The proposal only includes the separation of the unit into two separate units and no proposed change of use from Use Class E.

Design, Character and Appearance

As stated above in the principle section, the application site is located within the urban area of Gravesend within a Local Centre. It is not within a conservation area and is not a listed building.

Existing Streetscene



Policy CS19 of the Gravesham Core Strategy 2014 states that new development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards.

Policy TC9 of the Gravesham Local Plan 1994 states:

The Borough Council will resist developments which would result in:-

- (i) Existing Shopfronts of traditional design and materials being lost.
- (ii) The installation of security grills and shutters on the exterior of Shopfronts.

The existing shop is large. The other shops in the parade are single units. Therefore the principle of separating this unit would not be out of keeping with the existing parade of shops. The external works would be limited to the creation of two new doors which would replace the existing centrally located door. The remaining alterations would be minimal and the overall alterations would be acceptable and suitable in

their context.

Overall it is considered that the proposed shop alterations are suitable and would not detract from the character of the area or have a negative impact on the visual amenity of the existing shopping parade.

The development would therefore accord with Policy CS19 of the Gravesham Core Strategy 2014, saved policy TC9 of the Gravesham Local Plan 1994 and paragraph 135 and Section 16 of the National Planning Policy Framework 2024.

Amenity

The proposed shopfront and external alterations will have no detrimental impact on the amenities of neighbouring properties in terms of loss of outlook, privacy, sunlight or daylight.

The proposed use would remain as Use Class E and therefore would pose no further impact than the existing.

The existing permission for the retail use of the shop, permitted under planning application 20060249, had opening hours imposed (condition 2). This will be carried forward to this current application and imposed on any forthcoming decision.

With regard to noise, a condition will be imposed for the submission of a noise impact assessment. These details shall be submitted to and approved by the local planning authority prior to any works commencing.

With regard to waste, a new area has been proposed to serve the new unit. This would be a similar arrangement to the existing shop.

Overall, it is considered that, subject to conditions, the proposed development would have no significant adverse impacts on the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014), Saved Policy S7 of the Gravesham Local Plan First Review (1994) and paragraph 135f of the National Planning Policy Framework 2024.

Parking and Highways

Paragraph 115(b) of the NPPF 2024 requires new development to ensure that safe and suitable access can be achieved for all users and paragraph 115(d) requires any significant impacts on the transport network or on highway safety to be cost effectively mitigated to an acceptable degree. Paragraph 116 sets out that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

Policy CS11 of the Gravesham Local Plan Core Strategy (2014) requires new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

Saved Policy P3 of the Gravesham Local Plan Core Strategy (2014) requires development to make provision for vehicle parking in accordance with adopted parking standards unless justified as an exception and states that parking provision should normally be provided on the development site.

The site benefits from existing parking and access to serve the local centre. Any uplift in vehicle movements would be modest in scale and would not result in unacceptable parking or highway safety impacts.

Adequate vehicle parking provision is therefore available in accordance with paragraphs 109 to 114 of the National Planning Policy Framework (2024), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

Any Other Material Planning Considerations

Ecology and Biodiversity

Biodiversity Net Gain

Biodiversity net gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development.

As this application does not involve any loss of habitat, BNG is not applicable.

Conclusion

The proposed change of use to provide two separate units and shop front alterations will have no detrimental impact on the character and appearance of the area, amenity, parking or highway safety and therefore accords with the abovementioned policies and is recommended for approval.

Recommendation

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	17 th July 2026	Dated:	17th July 2026