



Delegated Report

Full Planning Application

Planning Application No: 20230263

Location: AP Accountax Ltd 22 Queen Street Gravesend Kent

Description: Erection of a second-floor extension to create additional 2 bedroom flat.

Applicant: Mr Singh

Site Visit Date: 14/04/23

Submitted Documents/Plans

Application Form

001 – Site Location Plan and Existing Block Plan

001 revision – Site Location, Existing and Proposed Block Plans

002 revision – Existing Floor Plans

003 revision – Proposed Floor Plans

004 revision – Existing and Proposed Elevations

Design and Access Statement

Heritage Statement

Superseded:

~~001 – Site Location, Existing and Proposed Block Plans~~

~~002 – Existing Floor Plans~~

~~003 – Proposed Floor Plans~~

~~004 – Existing and Proposed Elevations~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20230242	Change of use application from Class E (Offices) to Sui Generis (Takeaway).	Permitted	01.06.2023
20211111	Partial demolition of existing rear extension, erection of a one and an half storey detached building at the rear to accommodate two replacement flats plus an additional 4 x 1 bedroom flats. Infill of existing yard at 20 Queen Street to form enlarged retail unit, extension to outrigger at rear of 22 Queen Street to form enlarged first floor flat and an further storey/addition at second floor level to 22 Queen Street including frontage alterations to accommodate a 2 bedroom flat.	Refused (Appeal ref APP/K2230/W/3295488 Dismissed on 05.01.2023)	15.12.2021
20210506	Partial demolition of existing rear extension, erection of a one and half storey rear extension to accommodate two replacement flats plus an additional 4 x 1 bedroom flats. Infill of existing outrigger to enlarge first floor flat	Refused	09.07.2021

	and add a second floor to 22 Queen Street including frontage alterations to accommodate a 2 bedroom flat.		
19890347	Change of use of the ground floor from retail to a bookshop/cafe with office accommodation at first floor level.	Permitted	16.06.1989
19770431	Installation of new shop front alterations to shop premises and erection of first floor extension at rear to form sanitary accommodation to flat	Permitted	27.07.1977

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS13 – Green Space, Sport and Recreation
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- H3 – Increasing the Housing Stock by the Conversion of Existing Buildings
- TC2 – Policy for Listed Buildings
- TC3 – Development Affecting Conservation Area
- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards
- P5 – Exceptions to the Vehicle Parking Standards – Change of Use of Buildings

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision Making
- Section 5 – Delivering a Sufficient Supply of Homes
- Section 8 – Promoting Healthy and Safe Communities
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving sustainable development and well-designed places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 – Conserving and Enhancing the Natural Environment

- Section 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- High Street and Queen Street Conservation Area Appraisal (2009)
- Management Plan for the Gravesend Town Centre Conservation Area (2009)

Consultations, Publicity and Representations

A site notice was placed by 28th April near the site and the site was advertised in the Gravesend Messenger on 28th April.

Consultees

Ward Councillors: No response received.

GBC Conservation Officer: No response received.

GBC Environmental Protection Officer:

'The only concern with this application is the separate application currently under consideration for a change of use on the ground floor to a takeaway under reference 20230242. A separate consultation response has already been sent from Environmental Protection regarding an appropriate kitchen ventilation system and recommending conditions to deal with odour and noise associated with this.'

It will be important to ensure that this proposed flat is not impacted by noise and odour from the takeaway should both applications be granted.

To deal with this and other matters the following conditions are recommended:

Noise Control

Prior to commencement, a noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:

- *The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.*
- *The maximum internal noise levels in all habitable rooms should not exceed 45dB Lmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.*

Code of Practice on Construction and Demolition

Please apply as appropriate to minimise the impact of the construction on nearby premises.'

Officer Note: The planning agent has agreed to the inclusion of these pre-commencement conditions.

Neighbouring properties

38 surrounding properties were consulted and 0 responses were received.

Officer's Analysis

The Key Issues

The key planning considerations in the assessment of this revised application are as follows:

- The Principle of the Development
- Design and Impact of the Development on the Character and Appearance of the Area including the Queen Street Conservation Area
- Suitability of the accommodation for future occupiers and compliance with local/national standards
- Impact on Local Residential Amenity
- Parking and Highway Issues
- Other Material Considerations - ecology/refuse arrangements etc.

It should be noted that the planning agent has confirmed via email that the intention is to undertake the proposed works included in this application in conjunction with those approved under 20230242 if approved.

The Principle of the Development

The existing floor plans show that the building currently contains offices for an Accountancy firm on the ground floor and a single residential unit on the first floor. The proposed scheme would enlarge the building with a second floor. Creating an addition flat. The resultant building would therefore contain; Accountancy Firm on the ground floor, a single residential flat on the first floor and a single residential flat on the second floor.

Policy CS02 Local Plan Core Strategy (LPCS) prioritises development in the urban area as a sustainable location for development. Policy CS02 seeks to achieve this by: *Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area*

The site is within a highly sustainable location within the town centre and where there is policy support in Policy CS05 (Gravesend Town Centre Opportunity Area) to the provision of new residential development where a satisfactory living environment can be achieved, to the redevelopment of under-used sites where this makes more efficient use of the sites and improves townscape character; and support to existing retail, commercial and service functions on the ground floors and the provision of offices and residential uses on upper floors subject to achieving a satisfactory living environment.

The National Planning Policy Framework (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 121 advises that local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them.

The application site meets the definition as previously developed land.

Housing Need and Sustainability

Local Plan Core Strategy Policy CS02 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 over 6,000 new dwellings in that time. Evidence now available shows that the Council is not able to currently demonstrate a five-year housing supply.

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 2.9 year supply has most recently been calculated within the statement published here:

<https://www.gravesham.gov.uk/downloads/file/266/5-year-housing-land-supply-statement-2022-2027>)

As the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as

required by the Paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. “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
- ii. 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.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 6 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68); and
- Areas at risk of flooding or coastal change.

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 125(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.

The residential development/use of the site supports the Governments greater emphasis on delivering and prioritising housing land as set out in the current version of the NPPF (section 5 - delivering a sufficient supply of homes).

The redevelopment of sites within the urban area can help reduce the pressures for the release of fresh land in rural locations, which is of particular importance in a Local Authority constrained by Green Belt policy. This would be in conformity with paragraphs 120 and 141 of the NPPF. Evidence of land scarcity can be found in Table 7 of the Five-Year Housing Land Supply Statement 2022-2027 (dated March 2023), which identifies a shortfall in the supply of housing sites of 1,785 dwellings.

Therefore, the development of the site for a net increase of 1 unit would offer a minimal contribution towards meeting this local need and, accordingly, weighs in support of this application.

However, this has to be balanced against other requirements of the NPPF and in particular paragraphs 130 and 134 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.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole. There are a number of other material planning issues that need very careful consideration in the assessment of this application.

Density of Development

Development on this site should meet the requirements of Core Policy CS14 , where the Council expects new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area.

Core Policy CS15 requires that all new housing will be developed at a density which is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration, new residential development within the urban area will be expected to achieve a minimum density of 40 dwellings per hectare. It is clear that whilst Policy CS15 (LPCS) seeks to achieve this minimum density, this should not be at the expense of compromising the character of the surrounding area.

This site has an area of approximately 202m². 2 dwellinghouses in this area would equate to approximately 99 dwellinghouses per hectare which would be substantially over the target minimum density. This might suggest perhaps overdevelopment of the site that might not be in character with the surrounding area but there are other issues that also need to be considered. It is also a conversion scheme and is within a town centre location and therefore density calculations would be expected to show higher density.

Design and Impact of the Development on the Character and Appearance of the Area including the Queen Street Conservation Area

The application site is located in the High Street and Queen Street Conservation Area. Policy CS20 of the Gravesham Local Plan Core Strategy September 2014 and saved Policy TC3 of the Gravesham Local Plan First Review 1994 are relevant. Policy CS20 of the Gravesham Local Plan Core Strategy September 2014 places a high priority on the preservation, protection and enhancement of its heritage and historic environment. Policy TC3 of the Gravesham Local Plan First Review 1994 sets out that development within or affecting conservation areas will be carefully judged for its impact and will be expected to make a positive contribution to the conservation area.

The High Street and Queen Street Conservation Area Appraisal comments that:

The narrowness of Queen Street is accentuated by the height of the three to four storey buildings in some places, although there is a more open appearance around the single storey shops at nos. 1 and 1a and Borough Market Hall. At ground floor level there is a crowding effect of irregular shopfronts sitting directly on a narrow pavement lined by cast iron bollards and parked cars.

The proposal will change the appearance of 22 Queen Street by introducing a second floor extension. The extension will remove the existing pitched roof and create a parapet roof to the frontage (similar to nos. 18 and 20 Queen Street).

However, this is not considered to result in any harmful impact on the character or appearance of the Queen Street Conservation Area, and the extension has been designed to match the neighbouring properties. Conversely whilst the general principle of this is supported, there are no other positive enhancements to the frontage proposed that might give a visual lift to the appearance of the street scene.

In Appeal Decision APP/K2230/W/3295488, the inspector stated;

'I am satisfied that the proposal to add a further floor to the property with a parapet wall on the frontage would improve the architectural form of the building. It would enhance it in views along Queen Street and in the 'face on' view along Brewhouse Yard. This is subject to details of the materials and fenestration which could be conditioned.'

Overall, it is considered that the proposed development would not result in overdevelopment and subject to details of Materials and Fenestration would be acceptable in design terms and would positively contribute to the character and appearance of the High Street and Queen Street Conservation Area. It would also relate well to the existing buildings and the character and appearance of the area. As such, it would be consistent to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy September 2014 and saved Policy TC3 of the Gravesham Local Plan First Review 1994 and sections 12, (Achieving well-designed places) and 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (NPPF).

Suitability of accommodation for future occupiers and compliance with local/national standards

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines'

To ensure that adequate living space is provided for future residents, the units need to meet the national technical standards (Nationally Described Space Standards) and the GBC Residential Layout Guidelines.

The second floor flat forming this application would contain 2 bedrooms, a bathroom and open plan Kitchen/dining/living area. The following table compares the spaces to those required by the adopted Residential Layout Guidelines.

	Proposed Second Floor Flat (m²)	Existing First Floor Flat as altered by staircase (m²)	Minimum Space Standards (m²)
Double Bedroom	14.75	14.2	11.2
Single Bedroom	9.8	N/A	6.5
Bathroom & WC	3.56	4.74	3.5
Living Room	29 (including Kitchen/diner)	29 (including Kitchen/diner)	13.2
Kitchen/Diner	29 (including Living Room)	29 (including Living Room)	12

The proposal would require the introduction of stairs on the first floor. However, the remaining rooms would comply with the minimum space standards as detailed in the above table.

Paragraph 28 of the Residential Layout Guidelines also states that Rooms shall be arranged so that living rooms and bedrooms of different units do not directly adjoin each other, whether on separate floors, or on either side of a party wall. The proposed development would meet this requirement.

Paragraph 29 states that 'Wherever practical, all kitchens and bathrooms shall be provided with openable windows. All glazing in bathrooms shall be obscure.' The location of the proposed bathroom would prevent windows. It would be more reasonable to locate the bathroom to the rear of the flat where an openable window could be used. However, this would likely make the layout of the kitchen facilities and the location of the bathroom impractical.

It is also states under paragraph 31 that a communal garden area of a minimum of 10m² shall be provided for amenity space. There does appear to be external space to the rear which would be separated from the ground floor yard area. Access to the rear garden space is impractical. Located via a lengthy route besides 18 Queen Street. However, without the introduction of rear steps there would be no other reasonable means of access to the rear garden for the first and second floor occupiers. In any case despite the convoluted route, the amenity space would be provided.

As such the proposal would safeguard the amenity of future occupiers in compliance with Policy CS19 (LPCS) as well as Section 12 of the NPPF.

Impact on Local Residential Amenity

In considering any proposals for development it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. Policies seeking to protect amenity and ensure acceptable future living conditions are included in the Local Plan Core Strategy.

Core Policy CS19 requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.

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”.

The application site is surrounded by a mixture of commercial and residential properties. The commercial properties are mostly located at ground floor level, as would be expected in this town centre location.

The rear of the application site adjoins the rear gardens of family dwellings in Berkeley Road, separated by a 1.8m high brick wall.

At Second floor level there are no concerns regarding direct overlooking of/from the proposed openings.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Parking and Highway Issues

The proposed development needs to be considered against Gravesham Local Plan Core Strategy Policy CS11 which states that new development should mitigate their 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.

The site is in a central location in the town where public transport links are good and there are sufficient parking restrictions in the locality and public car parks available nearby. As such, the Council is prepared to accept no off-street parking provision.

Therefore, the proposed development would be in line with the provisions of Policy T11 of the Gravesham Local Plan Core Strategy September 2014 and saved Policies P3 and P5 of the Gravesham Local Plan First Review 1994 and Section 9 (Promoting Sustainable Transport) of the NPPF.

Other Material Planning Considerations

Ecology and Biodiversity

The application site falls within 6km of the Thames Estuary and Marshes Special Protection Area (SPA) classified in accordance with the European Birds Directive which requires Member States to classify sites that are important for bird species listed on Annex 1 of the European Directive, which are rare and/or vulnerable in a European context, and also sites that form a critically important network for birds on migration. It is also listed as a Wetland of International Importance under the Ramsar Convention (Ramsar Site). Studies have shown marked declines in key bird species, particularly in areas that are busiest with recreational activity. Research conducted in 2011 found that additional dwellings were likely to result in additional recreational activity, causing disturbance to protected bird species that over-winter or breed on the SPA and Ramsar Site. The studies found that 75% of recreational visitors to the North Kent coast originate from within 6 km of the SPA boundary and Ramsar Site. The impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European Sites.

The Borough Council has mitigated out the impacts of this on each and every 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 £314.05 per dwelling). This approach is approved by Natural England for all new residential developments.

It is noted that, the payment was made and, this would adequately address this issue.

Refuse Storage

Detail on the waste storage provision is required including where the bins will be placed for collection and how they will be moved from the bin store to the collection point and with separate waste storage provision for the commercial business as this needs to be kept separate from the domestic waste and details of collection regime should be provided.

Previous applications have referenced that this street has an ongoing issue with waste storage so effective waste storage is essential.

Conclusion & Recommendation

Subject to details reserved by condition, the proposed development would comply with all relevant national and local planning policies. The recommendation is therefore to approve.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Ms Lisa Williams	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	14 th June 2023	Dated:	15th June 2023