

Delegated Report

Full Planning Application

Planning Application No: 20260292

Location: Danslow Quality Butcher 164 Windmill Street Gravesend Kent

Description: Change of use of ground floor from commercial use to a takeaway. Re-location of entrance door to residential unit above.

Applicant: Ms Valentina Borovska

Site Visit Date: 24th July 2026

Submitted Documents/Plans

Planning Application Form;
Site Location Plan;
Drawing No. GRAV164WS001 – Existing Floor Plans;
Drawing No. GRAV164WS002 – Existing Elevations;
Drawing No. GRAV164WS003 – Proposed Floor Plans;
Drawing No. GRAV164WS004 – Proposed Elevations;
Supporting Information: Design and Access Statement – LGS (March 2026); and
Supporting Information: Design Heritage Statement – LGS (March 2026).

Relevant Planning History

None.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- 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
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- S6: Local Centres
- S7: Hot Food Shops and Restaurants and other A3 uses
- TC1: Design of New Development
- TC3: Development affecting Conservation Areas

- 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
- 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
- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)
- King Street Conservation Area Appraisal (2009)
- Security Measures for Shopfronts and Commercial Premises SPG4

Other material considerations

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

Section 72(1) of the Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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. We recommend the applicant review current site security and boundary treatments. Perimeter, boundary and divisional treatments should be a minimum of 1.8m high.
2. If new external doorsets are proposed (a doorset is the door, fabrication, hinges, frame, installation and locks) including internal flat entrance and individual bedroom doors, 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 communal doors may require a higher standard, such as STS or LPS.
3. If new windows are proposed on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.
4. We recommend "A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019" for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.

5. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.
6. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. This standard would also be suitable for the commercial units, if there will be no dedicated personnel responsible for accepting mail.
7. Unrestricted egress from a landing into the stairwell and from the stairwell to the communal lobby/emergency fire exit must be provided at all times.
8. If cycle storage is proposed, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable storage area. Bin storage must also be secure with access control. Please note commercial and residential bin and cycle stores must be segregated to prevent conflict.
9. For the commercial unit we also recommend alarms be installed, preferably with an autodial function, as an additional layer of security.
10. 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.
11. CCTV is advised for all communal entry points (both commercial and residential buildings) including emergency exits to monitor who enters/ exits the buildings. CCTV should also cover and the mail delivery area, any till areas, storage areas with high values and safes.
12. Access control. Adequate access control is required for entrances used by staff only such as storage rooms and other restricted areas.
13. To minimise the opportunity for crime, especially out of hours the physical security standard should meet current standards as shown in SBD Non-Residential (Commercial) 2025 Guide: [NON RESIDENTIAL GUIDE 2025 3425.pdf](#)

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.

Internal

GBC Environmental Protection

Insufficient information has been submitted to be able to assess this application properly. Comments as follows:

Kitchen extract system

A full kitchen extract system will be needed, and none is shown on the plans.

The plans indicate that there will be grilling, frying and also a kebab stand. This indicates that the type of cuisine will be both odours and greasy. It is advised that an odour risk assessment in accordance with the EMAQ/DEFRA guidance 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' is undertaken in order to fully assess the levels of filtration and odour control required.

In order to ensure adequate fume dispersal, the termination of the flue will need to be vertical and at least above eaves level.

Consideration of noise and vibration from the extract system will need to be made in order to ensure that any nearby residential premises (including the proposed flat above).

Installation of the extract flue through the building and vertically the flat above should be avoided.

A noise impact assessment will be needed in order to ensure that there is no impact from the noise.

Hours of use

No hours of use of the takeaway have been given. A takeaway will have extended hours as compared to a butcher's shop and the impact of this needs to be considered on the flat above and any other residential premises in the vicinity.

Internal noise transmission

As above, noise will be greater with a takeaway than a butchers. It will be important to ensure that the ceiling/floor partition between the ground and 1st floors is sufficiently robust. A sound insulation test should form part of the noise impact assessment. For partitions between commercial and residential we usually require an uplift of 10dB over the levels required by Building Regulations.

Equipment/plant noise

The plans indicate that the walk-in fridge at the rear is to remain. If there is any change to the plant/equipment, noise levels will need to comply with our standard criteria of being 10dB below existing background levels when measured in accordance with BS4142.

The odour risk assessment and noise impact assessment is needed prior to determination in order to fully assess any impact.

Our standard conditions relating to odour and noise for food premises are copied below as a reference point for the applicant as to what is needed.

Restaurant/Takeaway Odour

1) Submit a scheme in writing to the Local Planning Authority for approval in relation to cooking odour/fume control. The extraction system must be designed and installed in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)". Full details of proposed extraction system to deal with grease and odour control should include:

- a) Plans and details of all duct work (internal and external) and equipment.
- b) Plans showing the location/position of the external flue/discharge stack, including its position in relation to neighbouring properties and window openings.
- c) Details of all grease filtration and odour control including the manufacturer's specification/data sheets. This includes the canopy.
- d) Details, including manufacturer's specification/data sheets of the fan.
- e) Details of proposed routine cleaning and maintenance of the system, and the service requirements of the installed odour control system, including details of system access panels and confirmation that they will be grease tight.
- f) Details of the type of food to be cooked, the cooking time per day; and the type of cooking appliances to be used.

Where the end user is not yet known, the extraction system shall be designed for a 'very high' grease content, a 'very high' level of odour potential and a 'very high' smoke content (EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)).

2) Install and commission the extract system using a competent ventilation engineer in accordance with approved details. Provide a commissioning report to the LPA to verify the installation, ensuring minimum discharge rates are included.

The extraction and odour/fume control equipment shall be maintained and operated in compliance with the approved scheme. After installation of the approved plant, no new plant or ducting system shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of protecting the amenity of adjoining/nearby residential properties and safeguarding the amenities of the surrounding area

Restaurant/Takeaway Noise

1) Submit a scheme in writing, including a noise survey, to the Local Planning Authority for approval in relation to noise control. The extraction system must be designed and installed in accordance with the

"EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)". The noise survey should assess the worst-case scenario noise impact from the proposed extract and ventilation system, on nearby residential properties and must:

- a) Assess the whole system and any tonal elements associated it; a 1/3 octave band analysis may be necessary.
- b) Assess structural transmission with the use of anti-vibration mounts where necessary, linings to ductwork to prevent noise transmission, any inline silencers and provide details of where they have been installed.
- c) Use the results of the noise survey to ensure that the noise generated at the boundary of any noise sensitive property meets the requirements laid down in BS4142:2014 "Method for Rating and Assessing Industrial and Commercial Sound".
- 2) Install and commission the extract system using a competent ventilation engineer in accordance with approved details. Provide a commissioning report to the Local Planning Authority to verify the installation, including post completion noise levels.

The equipment shall be maintained and operated in a condition such that the requirements of BS4142:2014 continue to be met. After installation of the approved plant, no new plant or ducting system shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of protecting the amenity of adjoining/nearby residential properties and safeguarding the amenities of the surrounding area

GBC Conservation Officer

No comment received.

Neighbouring properties

The application was advertised by way of the displaying of a site notice, press notice, together with individual letters sent to seven surrounding properties with an overall expiry date of 15th June 2026. No comments have been received.

Officer's Analysis

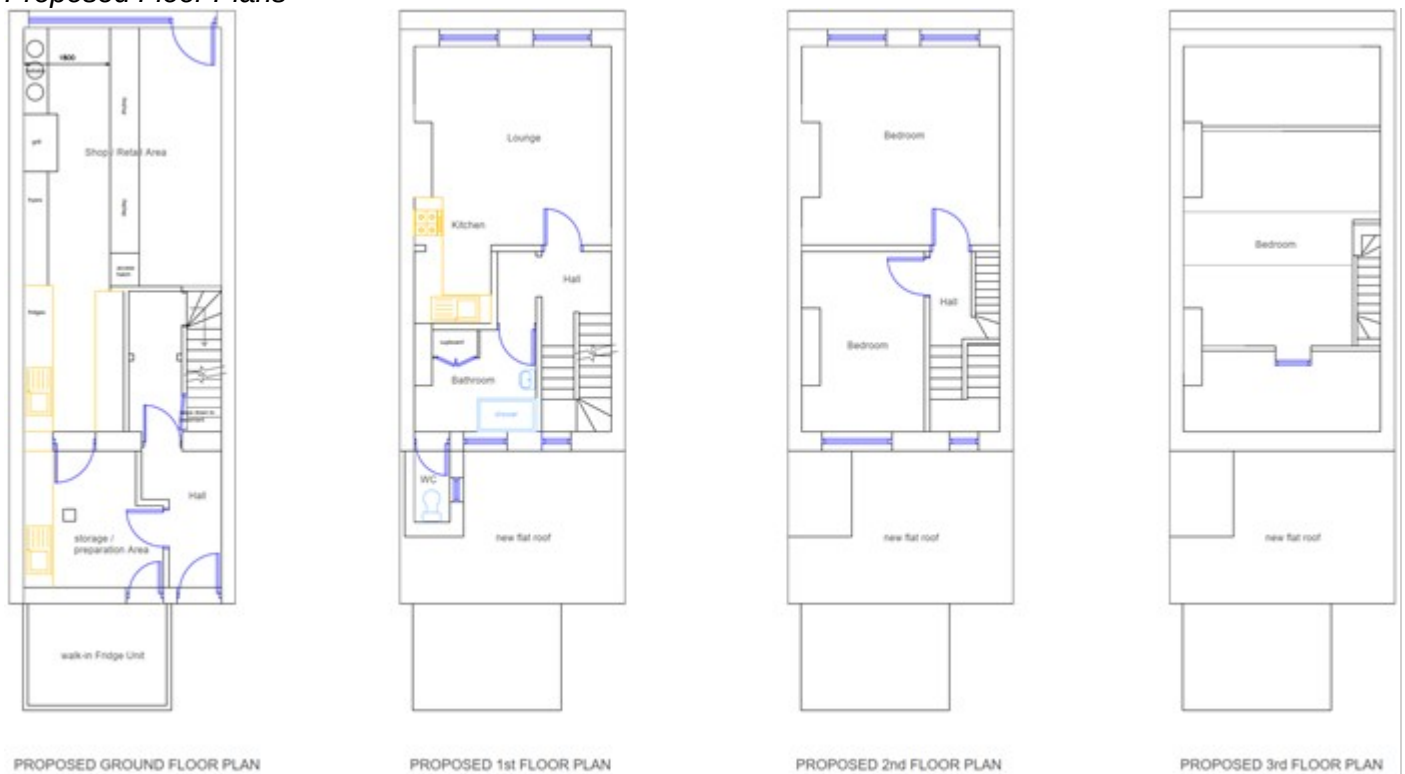
Proposal

This application seeks planning permission for the Change of use of ground floor from commercial use to a takeaway. Re-location of entrance door to residential unit above. The current use is a shop (Class E (a)) and the proposed use will be a hot food takeaway (sui generis). The works also include the refurbishment and redecoration of the existing shop front with no proposed alterations and the relocation door at the rear to access the existing three-bedroom self-contained residential unit above, with only reconfiguration of the kitchen and bathroom. The existing and proposed plans are shown below:

Proposed Elevations



Proposed Floor Plans



The proposal does not include the signage which would be subject to a separate application.

Principle of development

The application site is located within Gravesend Town Centre where the principle of such a development is acceptable.

Policy CS05 states that the town centre is the principle focus for town centre related economic and social activity in the Borough.

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.

Whilst policy S7 was 'saved' and remains material in determining any application, with the weight accorded it dependent on its consistency with the NPPF, 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. Saved policy S7 (Hot Food Shops and Restaurants and other A3 units) states that such uses should not cluster with other similar uses to create a dead frontage, should not have a detrimental effect on the amenity of any nearby residential accommodation, should have adequate parking and ventilation trunking should be as discreetly located on the building. Saved Policy S7 remains part of the adopted development plan and carries material weight, subject to consistency with the National Planning Policy Framework.

The site lies within a defined town centre location where commercial and service uses are supported in principle. As a town centre location, where there is no evidence of food uses having an adverse impact on local health, pollution or anti-social behaviour, the application site is considered acceptable under paragraph 97 of the NPPF (2024).

The surrounding area is characterised by a varied mix of town centre uses. Although food and drink premises are present nearby, with only one takeaway, and they are not concentrated to the extent that would amount to over-clustering. The proposed use would therefore sit comfortably within the existing pattern of development and would not harm the character or function of the town centre.

Overall, it is considered that the proposed development would be an appropriate use in the town centre and would not harm the retail function of Gravesend. As such, the proposal would be acceptable in principle and be broadly in line with Policies CS05 and CS08 of the Gravesham Local Plan Core Strategy (2014) and Saved Policy S6 of the Gravesham Local Plan First Review (1994).

The proposal would also be in line with the first criteria of Saved Policy S7 of the Gravesham Local Plan First Review (1994). The following paragraphs will assess the detailed impacts of the proposal, in line with the rest of the Saved Policy S7 criteria.

The principle of a takeaway (sui generis) use in the town centre is acceptable and therefore the application needs to be assessed against the policies below.

Design, Character and Appearance and Impact on the Conservation Area

King Street Conservation Area

As stated above, the application site is located within the King Street Conservation Area where development should preserve or enhance the area's special architectural and historic character. Windmill Street runs directly north across King Street, into High Street, the medieval heart of Gravesend. The King Street Conservation Appraisal states *"At the southern end of Windmill Street some cohesive appearance is restored on the western side, although the eastern side continues in a characterful muddle around the corner into Manor Road. Although the appearance at street level is dominated by predominantly modern shopfronts, the street features some of the finest original pub and shopfronts in Gravesend. The early 20th century shopfront of Munns, nos. 8-9 Windmill Street, is the best preserved example of its time and date, while the delicate glazed tiles at the entrance to the Trocadero Public House, dating from around 1898, are unmatched in quality within the town."* The application site is near to principal landmarks such as the Gravesend Library and Munns. Negative features of the Conservation Area include poor quality shopfronts and signage, loss of architectural features (notably on refronted buildings), under-utilised and under-maintained upper floors and empty shops.

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 CS20 states that the Council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough's heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of the Borough.

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 application relates to the change of use from shop to takeaway. The shopfront will not be altered and any works will be restricted to the refurbishment and redecoration. The proposal also includes a new door to the rear to access the residential unit above. As this is to the rear, there is no objections to this. As such, the proposed works would not have a detrimental impact on the existing shopfront of the character and appearance of the streetscene or the King Street Conservation Area.

The proposal would accord with Policies CS19 and CS20 of the Gravesham Core Strategy 2014, policies TC3 and TC9 of the Gravesham Local Plan 1994 and paragraph 135 and Section 16 of the National Planning Policy Framework 2024.

Amenity

The proposed shopfront maintenance and new door to the rear will have no detrimental impact on the amenities of neighbouring properties in terms of loss of outlook, privacy, sunlight or daylight.

The proposed change of use has the potential to impact amenity in terms of noise, disturbance and odour.

Insufficient information has been provided in relation to odour and therefore a condition is recommended that a scheme for odour and noise shall be submitted to and approved by the local planning authority prior to any works commencing.

No details have been provided in relation to waste however there is ample storage to the rear and the photos within the supporting planning statement shows some bin storage at the rear. Therefore a condition is recommended to ensure details of waste storage and collection are provided prior to the bringing into use of the property.

No opening hours have been proposed, however the opening hours of similar uses within the area, will be drawn upon and a condition added to this affect.

The property contains an existing three-bedroom residential unit on the upper floors. With exception of the proposed reconfiguration of the bathroom and kitchen, the layout and accommodation of this unit will remain unchanged. At present, access to the residential unit is gained through the existing shop. The proposal includes the provision of a new entrance door at the rear, allowing independent access to the dwelling. This arrangement is consistent with that of other properties within the same terrace. As discussed above, concerns have been raised regarding the potential impact of noise and odour arising from the proposed takeaway use. Details of the required extraction and ventilation systems, together

with any necessary noise mitigation measures, will be secured by planning condition to ensure there is no detrimental impact on the amenity of the occupiers of the residential unit.

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.

Saved Policy S7 of the Gravesham Local Plan First Review (1994) seeks to ensure that hot food shops are located where there is sufficient car parking available to ensure that the proposal will not harm highway safety.

The site benefits from a highly accessible town centre location with nearby public car parking facilities, including Parrock Street Car Park. Any uplift in vehicle movements would be modest in scale and would not result in unacceptable parking or highway safety impacts. Given the town centre location of this site adequate parking provision is available.

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 and new door to the rear will have no detrimental impact on the character and

appearance of the conservation area, amenity, parking or highway safety and therefore accords with the abovementioned policies and is recommended for approval.

Recommendation

Permission

(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:	24 th July 2026	Dated:	27 th July 2026