

Delegated Report

Planning Application

Planning Application No: 20221075

Location: 14 Royal Pier Road Gravesend Kent DA12 2BD

Description: Internal alterations & external including a front roof dormer access alterations all to convert existing lower ground floor flat and house above into three flats including 2 x 1 bed flats and 1 x 2 bed flat.

Applicant: Mr Onk Pardesi

Submitted Documents/Plans

Application Form

2039-10 – Location Plan

2039-20 – Existing/Proposed Block Plan

2039-30A – Existing/Proposed Site Plan

2039-100 – Existing Lower Ground and Ground Floor Plan

2039-110A – Existing First and Second Floor Plan

2039-120 – Existing Roof Plan

2039-130 – Existing Front Elevation 1

2039-140 – Existing Front Elevation 2

2039-150 – Existing Rear Elevation 3

2039-160 – Existing Side Elevation 4

2039-170 – Existing Side Elevation 5

2039-200B – Proposed Lower Ground and Ground Floor Plan

2039-210 – Proposed First and Second Floor Plan

2039-220A – Proposed Roof Plan

2039-230 – Proposed Front Elevation 1

2039-240A – Proposed Front Elevation 2

2039-250B – Proposed Rear Elevation 3

2039-260B – Proposed Side Elevation 4

2039-270A – Proposed Side Elevation 5

Heritage Statement

Superseded Plans:

~~2039-30 – Existing/Proposed Site Plan~~

~~2039-110 Rev A – Existing First and Second Floor Plan~~

~~2039-200 – Proposed Lower Ground and Ground Floor Plan~~

~~2039-240 – Proposed Front Elevation 2~~

~~2039-250 – Proposed Rear Elevation 3~~

~~2039-260 – Proposed Side Elevation 4~~

~~2039-200A – Proposed Lower Ground and Ground Floor Plan~~

~~2039-210 – Proposed First and Second Floor Plan~~

~~2039-220 – Proposed Roof Plan~~

~~2039-250A – Proposed Rear Elevation 3~~

~~2039-260A – Proposed Side Elevation 4~~
~~2039-270 – Proposed Side Elevation 5~~

Relevant Planning History

No Relevant Planning History for subject dwellinghouse.

Relevant planning history for nearby property:

Reference	Description	Decision	Decision Date
19810371 (16 Royal Pier Road)	Continued use of premises as 3 flats and erection of 3 storey side extension to form bedrooms and bathrooms	Permitted	22/07/1981

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS07 – Economy, Employment and Skills
- CS10 – Physical and Social Infrastructure
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- P5 – Change of Use of Building and Vehicle Parking Standards
- TC3 – Development affecting Conservation Areas
- H5 – Conversion of Existing 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 6 – Building a strong, competitive economy

- 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 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Planning (Listed Building and Conservation Areas) Act (1990)

- Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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)
- Gravesend Riverside Conservation Area Appraisal (2009)
- Management Plan – Gravesend Town Centre Conservation Areas

Consultations, Publicity and Representations

The final date for submission of comments ended on 30.12.22

Consultees

Ward Councillors: No responses received.

GBC Highways Officer (30/11/2023):

This is an edge of centre property, so no car parking is required. I note that three cycle spaces will be provided, although these are not ideal as they are located at the bottom of some steps, I would therefore recommend their relocation to the rear garden and with this change there would be no objections.

Conservation Officer: No responses received.

Neighbouring properties

12 surrounding properties were consulted, and 1 response was received.

Summary of neighbour objection/s:

- Concern regarding the parking access and adequate parking provision.

Officer's Analysis

Note on Amendments

It is noted that the proposed plans were altered following comments made by the highways officer regarding the practicality of locating the cycle provision to the front of the property at the bottom of the set of steps. The proposed cycle provision was amended to be located to the rear garden. The plans were also altered to remove the elevated terrace to the rear and to alter the proposed front fencing changes to retain the low boundary wall with railing above instead following concerns raised regarding impact to the Conservation Area.

Principle of Development

This dwellinghouse is located in an urban area, near Gravesend Town Centre, in the Riverside Conservation Area, in the Gravesend Town Centre Opportunity area (3.4 East of Town Centre & Riverside).

It is also considered that local adopted policies CS02 (Scale and Distribution of Development); CS15 (Housing Density); and CS19 (Development and Design Principles) provide together an assessment framework in line with the guidance provided by paragraph 53 of the National Planning Policy Framework (NPPF) (2021). Therefore, these policies are key to the whether the scheme is appropriate.

The principle considerations in the assessment of this application are:

- Housing Need
- Location
- Design, Character and Appearance
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways

Housing Need

Paragraph 11 of the National Planning Policy Framework (2021) requires that *'Plans and decisions should apply a presumption in favour of sustainable development'*.

The most recent assessment of Gravesham's Housing Land Supply was calculated at 3.27 years supply. This falls substantially below that required by the Housing Delivery Test. Given the inability to demonstrate a 5 Year Housing Land Supply, the housing delivery element of Gravesham's Local Plan Core Strategy (2014), Policy CS02 must be disregarded, as out of date, in accordance with Paragraph 11(c) and (d) of the National Planning Policy Framework (2021).

This requires that for 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 relation to part i. those relevant are set out in footnote 7 as follows:

- Habitats sites (and those sites listed in [paragraph 181](#))
- Sites of Special Scientific Interest;
- land designated as Green Belt
- Local Green Space,
- Area of Outstanding Natural Beauty,
- a National Park (or within the Broads Authority) or defined as Heritage Coast; Irreplaceable habitats;
- Designated heritage assets (and other heritage assets of archaeological interest referred to in [footnote 68 in chapter 16](#))
- Areas at risk of flooding or coastal change

Therefore, there is a 'tilted balance', in favour of planning permission involving housing. However, development should still be assessed against other relevant planning policies within the development plan.

This proposal would result in an increase of 1 residential unit. The existing property contains a 3-bedroom dwellinghouse and a 1-bedroom flat above. The proposed development would result in 2no. 1-bedroom flats and 1no. 2-bedroom flat. This would provide a minimal contribution to the housing supply, although minimal, this would be a positive contribution, but the extent of the contribution should be reflected in the

weight it is given, keeping in mind the tilted balance.

Location

Policy CS02 (Scale and Distribution of Development), identifies first tier settlements, including Gravesend as the most sustainable parts of the borough.

Paragraph 4.6.38 of Local Plan Policy CS05 (Gravesend Town Centre Opportunity Area) States:

'The remainder of the area is largely residential. This includes a mix of modern flatted developments alongside the river, terraced houses to the north and south of Milton Road and around Royal Terrace Pier, and some post war flatted development to the west of Harmer Street. These areas are likely to remain in residential use over the plan period...'

Policy CS05 also states that in these areas the council will *'support the provision of new residential development where a satisfactory living environment can be achieved.'*

It is therefore evident that the location proposed for flatted development is sustainable in principle. Particularly when it is also considered that nearby properties have previously been converted to flats and so this forms part of the existing character of the area and the ways in which the buildings within it are used.

Design, Character and Appearance (Including Heritage)

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Section 12 (Achieving well-designed places) of the NPPF sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Policy CS20 (LPCS) sets out 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. Saved Policy TC3 (LPFR) expects development to make a positive contribution to Conservation Areas.

Section 16 of the NPPF (2021) sets out national policy on heritage matters and it states that great weight should be given to a heritage asset's conservation. Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets.

The dwellinghouse forms part of the Riverside Conservation Area and so greater weight is placed on preserving the character and setting of the area.

These proposed alterations will include several alterations to the exterior of the building including; a new dormer to the front roof slope, alterations to the front boundary wall and relocation of external stair to lower ground level, creation of rear external steps.

In the heritage statement it is indicated that this row of three dwellinghouses are of lesser heritage value than the larger row of dwellinghouses fronting the riverside. However, I would disagree with this assessment. Although not positionally prominent to the river, this dwellinghouse is located in the Conservation Area and contributes to it. As can be seen in the below map taken from the Conservation Area appraisal, this row of three terraced building are considered to be buildings positive to the Conservation Area.



It appears that the heritage statement bases its conclusions that the proposal would be of minimal harm to the Conservation on this assumption that these buildings are of lesser contribution. It does also state that the front dormer is similar to the existing on neighbouring properties and other aspects of external changes are located to the rear with lesser visibility.

Unfortunately, the Conservation Officer has not responded for comment on this application. However, it has been ascertained that these dwellinghouses are of heritage value and contribute to the Conservation Area and so those features which provide a positive contribution to the special character of the area should be preserved. One such feature is the characteristic boundary treatment. On Royal Pier Road it is stated that the properties 'have front gardens with dwarf walling with inset railings or metre high walling with flood gates.' The proposal originally would replace this characteristic boundary treatment. However, following conversations with the planning agent, the plans have been amended to retain the front boundary as it.

However, it should be noted that as can be seen from this google street image taken from 2008, with regular maintenance these front boundaries walls with railings have a distinct and pleasing appearance characteristic of its time, and the applicant is advised that repair works and maintenance to the front boundary should be considered to improve the aesthetic appearance of the building and its contribution to the Conservation Area.



The other feature changed to the front would be the inclusion of a dormer window to the front roof slope. This would be reflective of the neighbouring windows and whilst front dormers are generally not acceptable (and have been resisted elsewhere on Pier Road), given the existing visual relationship of the row of three terraces, it would be reflective of the two other buildings which are viewed together from this part of Royal Pier Road and would likely not be significantly harmful in this particular instance, given the improved symmetry, and the positive design features and scale.

The rear alterations would be less visible from the streetscene and so would have a more limited impact. Given that these minor alterations would not be significant in scale nor uncharacteristic for a residential property where the materials used would be of a high quality as would be required for buildings in the Conservation Area, it would be appropriate in this setting.

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF (2021) in terms of design, character and appearance.

In respect of the Conservation Area, the proposal is considered to be compliant with Sections 15 and 16 of the NPPF, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, CS20 of the Gravesham Local Plan Core Strategy 2014 and Saved Policy TC3 of the Gravesham Local Plan: First Review (1994).

Amenity of Future Occupiers

The proposed rooms comply with the residential internal space guidelines within the Residential Layout Guidelines SPD with the existing of the lower ground bathrooms and wc which fall below the limit. However, this is not changed from the existing wc and bathroom facilities currently serving the house which extends over 2 floors, as such it would be unreasonable to refuse the application based on this alone.

The SPD also requires that no unit of accommodation shall be wholly below ground level, yet the the lower ground floor flat would be. The rear shared garden would have an area of 67.6m², exceeding the minimum required of 10m².

The rooms meet the required minimum space standards and would have adequate rear garden depth and area as per SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020, with the exception of the existing lower ground floor bathroom and wc. Whilst it is not ideal that the lower ground floor flat would be entirely below ground, it would not be

considered significantly harmful so as to warrant a refusal alone.

Neighbouring Amenity

The subject property adjoins 8-13 Royal Pier Road, located to the north. Their rear gardens face the rear garden and side elevation of the subject building. To the south, attached is 15 Royal Pier Road. The proposed dormers are not of a scale or position which would likely result in harm to the amenity of the adjoining neighbours, given the oblique angles. The resulting staircase alterations would not be prominent or result in direct overlook. The elevated terrace originally proposed to the rear was removed, following concerns that it would be obtrusive, uncharacteristic and harm the amenity of residential neighbours.

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

Parking and Highways

Given the close proximity to the Town Centre and therefore also public transport routes, provision of additional parking spaces would not be required. However, as advised by the GBC Highway officer 3 cycle spaces would be required and following the comments received from the officer these have been located to the rear garden, in a more appropriate and practical position.

Adequate parking provision is therefore available despite the increase in occupation of the dwellinghouse and lack of increased parking spaces provided, in compliance with policies T1 and P3 of the Local Plan First Review 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Ecology and Biodiversity

Paragraph 174 and 177 of the NPPF (2021) requires planning decisions to ensure that the natural and local environment is enhanced by minimising impacts on and providing net gains for biodiversity and this is reflected in Section 40 of the Natural England Commission Rural Communities (NERC) Act (2006) and the Environmental Act (2021).

Policy CS12 (LPCS) indicates that sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, and that there will be no net loss of biodiversity in the Borough.

The existing garden will not alter as part of this proposal, therefore there would be no biodiversity net loss.

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £275.88 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

Where there are no other contributions required for a development applicants generally have chosen to submit the payment of £275.88 per dwelling by filling in the Strategic Access Management and Monitoring Strategy (SAMMS) Agreement. By filling in this form there are no legal fees to be paid by the applicant and refund mechanisms are in place in the event of a refusal.

The applicant has completed the SAMMS Mitigation Contribution Agreement and made the required payment, addressing this issue.

Therefore, the development would comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 175 and 176) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Conclusion & Recommendation

On balance, the proposed development would not be considered significantly harmful so as to warrant a refusal. The tilted balance in presumption of favour for creation of residential units, the appropriate design, and impact to the conservation area, the lack of significant harm to neighbours and appropriate cycle parking facilities, outweigh the minor concern regarding space standards for the lower ground floor flat, and so the development would be considered appropriate when weighed against all relevant national and local planning policies and the recommendation is 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:	11 th January 2022	Dated:	11 th January 2022