



Delegated Report

Full Planning Application

Planning Application No: 20241048

Location: 149 Parrock Street Gravesend Kent DA12 1EY

Description: Retrospective change of use from a barber shop to a cafe with outdoor seating area

Applicant: Ms Vilma Lapi

Site Visit Date: 3rd February 2025

Submitted Documents/Plans

- Planning Application Form;
- Drawing No. 001 – Rev B – Location Plan, Existing Block Plan, Proposed Block Plan;
- Drawing No. 002 – Rev B – Floor Plans; and
- Drawing No. 003 – Rev B – Front Elevations.

Relevant Planning History

Reference	Description	Decision	Decision Date
19881059	Change of use of the ground floor from offices to retail.	Permission	20.01.1989
19840861	Continued display of internally illuminated fascia sign	Consent	18.12.1984

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS11 – Transport
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- S7 - Hot Food Shops and Restaurants and other A3 uses (now Class E)

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 8 – Promoting Healthy and Safe Communities
- Section 9 – Promoting Sustainable Transport
- Section 12 – Achieving sustainable development and well-designed places

Supplementary Planning Guidance

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

External

KCC Highways and Transportation

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

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. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation, and locks) including folding or sliding to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.
2. Windows on the ground floor 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.
3. CCTV is advised for all areas, especially at entry points, till areas, and other areas with limited natural surveillance or storage areas containing high-value equipment. Please ensure the CCTV supports the lighting plan.
4. We recommend alarms be installed, preferably with an autodial function, as an additional layer of security.
5. Please note if there will be any external furniture, we strongly recommend this be taken inside at the end of the day or otherwise fixed to the ground to prevent misuse, ASB and criminal damage.
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

7. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the Institution of Lighting Professionals), particularly where a lighting condition is imposed, to help avoid conflict and light pollution.
8. Adequate access control is required for entrances used by staff only such as the office, storage areas and other restricted areas.

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

The proposed opening hours are appropriate for this location.

Although the premises is small, it includes a kitchen and as such a kitchen extract system will be needed and no details have been provided regarding this. It will be important to ensure that this is installed carefully in order to avoid any issues to the neighbouring property which is residential. In addition, there is likely to be residential use above the café.

To address this, the following conditions are recommended.

Kitchen Extract - Odour

Prior to any works commencing on site, the applicant shall:

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

Extract System – Noise

Prior to any works commencing on site, the applicant shall:

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 – Licensing

The following to be considered:

No comment.

GBC Waste Services

I have reviewed this planning application and the application does not detail any waste storage for the café.

The business will need provision for waste, recycling and food waste.

Neighbouring properties

The application was advertised on site and individual letters sent to four surrounding properties with an overall expiry date of 21st March 2025. No comments have been received.

Officer's Analysis

The application site relates to the ground floor of a two-storey building, which forms part of a terrace of Victorian properties in mixed residential and commercial use. The property is situated on the junction of Parrock Street and Edwin Street, in the Town Centre Opportunity Area, as defined in the Gravesham Local Plan Core Strategy (2014). The ground floor of the unit is already in use as the proposed restaurant with outdoor seating area but was previously a barbers; the upper floors contain a self-contained flat and do not

form part of this application.

Appropriateness of the development in principle

The application site is located within the Town Centre Opportunity Area. Policy CS05 states that this area will be the principal focus of town centre related economic and social activity in the Borough and that this will be achieved by consolidating the existing retail area, encouraging a mix of employment and residential uses, improving its role as a transport hub by the creation of a public transport interchange, promoting an evening economy though giving support to the provision of leisure uses and taking full advantage of its heritage and riverside setting. Within the Opportunity Area it states the Council will support and enhance retail, leisure, entertainment, cultural and tourism provision in accordance with the sequential approach.

Saved Policy S7 of the Gravesham Local Plan First Review November 1994 sets a number of criteria which must be met for changes of use of retail units to restaurants and takeaways to be considered acceptable. These include not clustering with similar uses to create a dead frontage, not being detrimental to residential amenity, having sufficient parking and for ventilation to be discreetly located.

The parade of shops of which the application site is situated includes:

- No. 149 – (Application site) Mima Coffee Shop (Class E)
- No. 148 – Keen Fork takeaway (sui generis)
- No. 147 – The Authentic Turkish Kitchen takeaway (sui generis)
- No. 146 – Vape Shop (Class E)
- No. 145 – Chicken Roost takeaway (sui generis)
- No. 144 - Medivet Vets (Class E)
- 142 – 143 - ATN Partnership (Class E)
- 141 – Residential (C3)

Therefore, out of the 8 units in the parade there are four Class E uses, three takeaways (sui generis) and one residential. The proposed café/restaurant use is the fourth added to the parade. There is not another café in the parade and therefore the proposed use has not amount to clustering and so the proposal is compliant with criterion (i) of Saved Policy S7 and does not affect the vitality or viability of the Opportunity Area. Therefore, it is considered that the proposal is in line with Policy CS05 of the Gravesham Local Plan Core Strategy (September 2014).

The following sections will consider the proposal against the other criteria in Saved Policy S7 of the Gravesham Local Plan First Review November 1994.

Character and Appearance

The proposed development has comprised of a change of use, with external alterations being new signage (which is also already there without consent), raised decking area with seating and canopies over.

Existing Streetscene (proposed use already in operation)



The signage consists of illuminated 3D lettering signage with LED lighting, constructed from AluPanel with vinyl cut stickers and mounted using nylon locators, which is being assessed through Advertisement Consent (planning application 20241063) and will not be assessed or dealt with in this application.

The proposal has not included any kitchen ventilation system and therefore its impact on the visual amenity cannot be assessed under this application. The GBC Environmental Protection Team have provided suggested conditions to address the lack of detail of a kitchen extraction system prior to commencement of works on site or first operation. However as this application is retrospective, this information should have been provided as part of the application in order to fully assess the impact of the development on the streetscene and surrounding area (together with its impact on noise and odour, which will be addressed in the amenity section).

The agent was contacted to provide the additional information relating to the extraction system. However they have been unable to engage with their clients in order to obtain this.

No changes are proposed to the new shop front itself, with the exception of it being repainted. Awnings, decking and seating area are new changes. These changes have not resulted in a detrimental impact on the visual amenity or streetscene or surrounding area and are considered an acceptable alteration.

Based on the timing of the Environmental Protection officer's comments and suggested conditions, due to the proposed use already operating and lack of engagement/response from the applicant to provide the additional requested information, it is not considered acceptable to request the relevant details to be submitted through the imposition of a time sensitive condition to address the matter.

Therefore, whilst the proposed use and alterations to the shop front, including the seating area are considered to be acceptable in design terms, the proposal cannot be fully assessed without the submission of details relating to the kitchen extraction system and its impact on the visual amenity of the area. therefore, it is considered the proposal, due to lack of sufficient information, the proposal is contrary Policy CS19 of the Core Strategy and paragraph 135 of the National Planning Policy Framework (NPPF) 2024.

Neighbouring Amenity

The majority of the units in the parade have flats above them and the surroundings of the site are

predominantly residential to the rear.

Typically a café would generate less vehicular traffic and footfall than a takeaway use generates, and as the café provide breakfast, lunch and cakes, it is unlikely to be trading late into the evening. On the application form it is stated that the use will open from 08:00 – 17:00 Monday – Saturdays and 08:00 – 16:00 on Sundays and Bank Holidays. GBC Environmental Protection have stated that the proposed opening hours are appropriate for this location.

The application is not accompanied by details of kitchen extraction system, or a noise impact assessment and therefore the impact of the proposed use cannot be adequately assessed. The GBC Environmental Protection Team have provided suggested conditions to address the lack of detail of a kitchen extraction system. However the wording of the conditions are 'prior to commencement'. As this application is retrospective, this information should be provided as part of the application in order to fully assess the impact of the development on residential amenity.

The agent was contacted to provide the additional information relating to the extraction system, however they have been unable to engage with their clients in order to obtain this.

Whilst the Environmental Protection officer's comments and suggested conditions are acknowledged, as the proposed use is already operational and lack of engagement/response from the applicant to provide the additional requested information, it is not considered acceptable to request the relevant details to be submitted through the imposition of a time sensitive condition to address the matter.

In respect of neighbour amenity, it is considered the proposal has the potential to result in additional noise and odour from the café/restaurant use and details of a kitchen extraction system needs to be provided as part of the assessment. The application has been accompanied by insufficient information to demonstrate that neighbouring properties would not be impacted on by either odour or noise from the ventilation extraction system. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 135 of the National Planning Policy Framework (NPPF) 2024

Parking and Highways

Due to the town centre location, there are no private parking facilities for the commercial units. Directly opposite the application site is the Parrock Street car park.

The propose use would not give rise to additional parking needs over the previous barber shop. The opening hours are restricted between 08:00 and 17:00. Given the on street waiting restrictions and large public car park opposite, it not considered that the proposed use would have a detrimental impact in terms of parking and highways.

As such it is considered there are no issues regarding parking or highway safety and the proposal is compliant with Policy CS11 of the Core Strategy and saved Policy P3 of the Local Plan First Review.

Waste Storage

No details of waste storage have been provided for the café. This information was requested through the agent, however the applicant has not engaged with their agent and no information has been provided. As the application is retrospective and the applicant has not responded to requests of additional information, it is considered that a time sensitive condition to secure these details would not be appropriate and the information would need to be provided through the application process.

As such, it is considered the proposal, due to lack of information, would be contrary Policy CS19 of the Core Strategy.

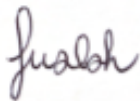
Conclusion

Although the change of use of the premises to a café is acceptable in terms of the principle of the use, character and appearance of the café frontage and parking, due to the lack of information relating to kitchen ventilation system and waste storage, the proposal cannot be adequately or fully assessed in terms of impact on visual amenity of any external extraction system, and the impact on residential amenities resulting from any noise and odour. As such, it is considered the proposal, due to lack of information, would be contrary Policy CS19 of the Gravesham Local Plan Core Strategy, September 2014, Policy S7 of the Gravesham Local Plan First Review 1994 and paragraph 135 of the National Planning Policy Framework (2024).

Recommendation:

Refusal

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

Case Officer:	Ms Amanda Cue	Team Leader:	Mrs Faye Walsh
Signed:	<i>A Cue</i>	Signed:	
Dated:	27 th May 2025	Dated:	10 June 2025