

Delegated Report

Planning Application

Planning Application No: 20230806

Location: 56A Arthur Street Gravesend Kent DA11 0PR

Description: Retention of Class E use including alterations to fenestration on side elevation'

Applicant: Mr D.S Dhillon

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Application Form;
OS Plan received 31/07/2023;
Block Plan received 31/07/2023;
Drawing Number AS-A-P2 Revision A (Floor Plans – Existing and Proposed); and
Drawing Number AS-A-P2 Revision A (Elevations – Existing and Proposed).

Relevant Planning History

Reference	Description	Decision	Decision Date
20191237	Retention of conversion of part of the ground floor retail unit into a one bedroom self-contained flat	Refused	16.01.2020
20190828	Conversion of part of the ground floor retail unit into a one bedroom self-contained flat.	Refused	07.10.2019
20181196	Conversion of part of the ground floor into a one bedroom self-contained flat and conversion of the basement into staff room/store room with underpinning and internal alterations.	Refused	22.03.2019
20040896	Change of use of A1 shop to A3 restaurant/hot food takeaway and installation of external extraction flue on south elevation.	Refused	29.11.2004
20020039	Erection of two storey rear extension to form store/workroom with bedroom and ensuite w.c./shower room at first floor level and erection of a conservatory at the rear.	Permitted	11.06.2002
19910579	Erection of a detached building at the rear to provide a single garage for the existing residential use and a store for the existing retail use.	Permitted	09.10.1991
19890133	Change of use of ground floor from retail to retail and manufacture of jewellery, installation of new shopfront and alterations to the Brandon Street elevation.	Permitted	04.12.1989

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- S7 – Hot Food Shops and Restaurants and other A3 uses

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 6 – Building a strong, competitive economy
- Section 12 – Achieving Well-designed Places

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006);

Consultations, Publicity and Representations

Consultees

GBC Highways

I cannot see any alterations to the latest proposal that will impact on the highway. I repeat my comments of the 15th August 2023

Class E has several subsections and care must be exercised to ensure that any future use does not create on street parking problems.

It is understood before the property was used for unauthorised residential accommodation, the use was and presumably is retail so A class, so if my understanding is correct equivalent to class E(a), (b), (c) and (g) and this use would seem appropriate in this area. The other 'E' class uses can generate a demand for parking as it could attract clients further afield to the detriment of highway safety.



Google Street View November 2023. Note cars parked on yellow lines.

Subject to restrictions on the type of 'E' class I have no objections.

Ward Councillors – No comment received

GBC Economic Development Management – No comment received

GBC Waste and Recycling Manager – No comment received

Neighbouring properties

20 surrounding properties were consulted and no representations were received. The consultation period ended on 08.11.2023.

Procedural Note

The application site was originally classed as A1 (for use as a shop), which was subsequently reclassified as Class E (use as a shop, financial and professional services, café or restaurant; office etc) from September 2020.

As per the planning history above, several applications were refused for the conversion from Class E business use to residential use for the ground floor of the site. Subsequently, it was then unlawfully converted into residential use during 2019. As such the application was originally, and remains of Class E use.

The agent agreed to a description change from 'Change of use of ground floor accommodation to a Class E use' to 'Retention of Class E use including alterations to fenestration on side elevation'.

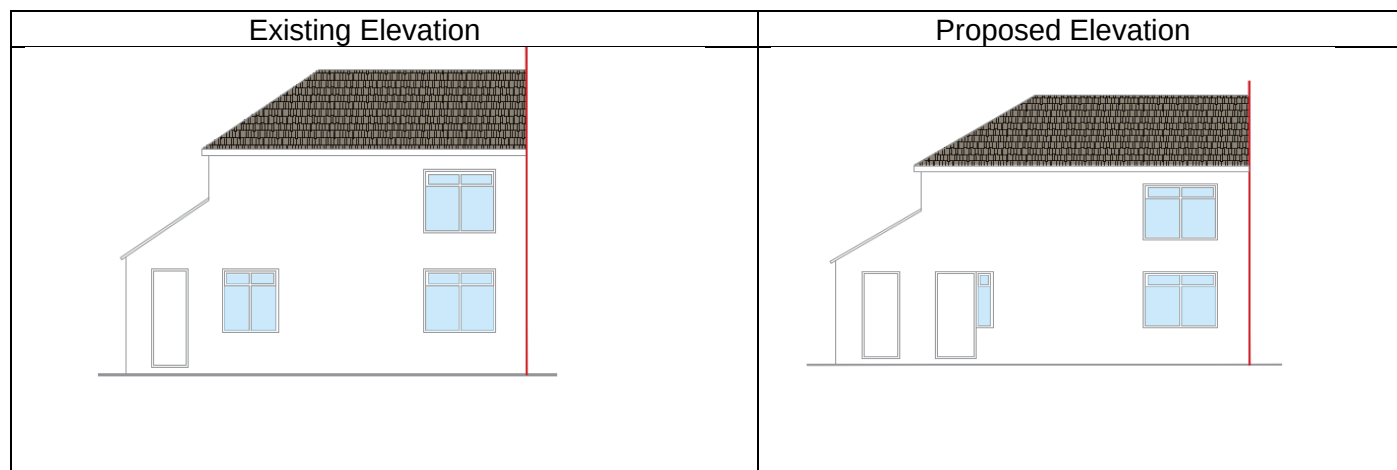
Officer's Analysis

Design, Character and Appearance

The application proposes the change to the property from the unlawful ground floor use of a residential unit to the lawful use of Class E.

The internal changes to revert the property back to a Class E include the removal of an internal door to link the stairwell of the first-floor residential unit to the ground floor. It is considered that these changes are of an acceptable design.

Externally, the application looks to replace a ground floor window with an entrance door, as shown below:



The changes to fenestration are minimal. The proposed door will be glazed to match the existing and therefore are in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2023).

Overall the development hereby proposed is not excessive in size or bulk, will be constructed using appropriate materials and will have no impact on the street scene. As such, the application is in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2023).

Neighbouring Amenity

It is acknowledged that as the ground floor of the property has recently been used for residential purposes, there will be a potential increase in movement and noise once it has been reverted back to Class E.

However, no objections can be made on these grounds as Class E is the original and lawful use for the property.

As such, the development is not considered to have any detrimental impact on the amenity of neighbouring properties and is in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Any Other Material Planning Considerations

Highways and Parking

GBC Highways officer commented that care should be taken as due various the sub-sections within Class E, and dependant on the proposed use for the unit, a larger demand for parking could be required.

However, as the original and lawful use for the property is Class E, no objections can be raised on these grounds.

As such, there are no parking and highways concerns related to the application.

Conclusion

The application has been fully considered and it is in accordance with local and national planning policy. The changes are not excessive in size or bulk, will be constructed using appropriate materials and has no impact on the street scene. The development will not harm the amenity of any adjoining property. As such, it is recommended that planning permission is granted, subject to conditions.

Recommendation

Permission

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

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	13th December 2023	Dated:	13th November 2023