



Delegated Report

Full Planning Application

Application No:	20211315
Location:	50 Wrotham Road, Gravesend, Kent, DA11 0QF
Description:	Erection of a rear dormer and installation of roof light windows to front roof slope. Conversion from a 3 bedroom dwelling to 3 self contained flats (2 x 1 bed and 1 x 2 bed).
Applicant:	Mr Kenneth And Karren Doku
Site Visit:	N/A Desktop Assessment

Site Description

50 Wrotham Road is a two storey mid-terrace property. The property forms one of a pair of matching dwellings, characterised by two storey bay windows. The buildings are set back from and above the highway with steps and paths providing access.



The application property has three bedrooms and is in use as a single family dwelling. It has been extended by single storey at the rear to form an enlarged kitchen. There is no off-street parking available, however the site is within the urban area and in close proximity to Gravesend Town Centre.

Submitted Documents/Plans

Application Form - dated 16/10/2021;
Ordnance Survey Site Location Plan (scale - 1:1250);
Drawing no. WR001 - Existing Plans, Elevations and Sections;
Drawing no. WR002 - Proposed Plans, Elevations and Sections;
Drawing no. WR003 - Existing Block Plan (scale - 1:200);
Drawing no. WR004 - Proposed Block Plan (scale - 1:200).

Relevant Planning History

Application No.	Description	Status	Decision
19870583	Erection of single storey rear extension to form enlarged kitchen	PERMITTED	02.09.1987

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS11 - Transport
- CS12 - Green Infrastructure
- CS14 - Housing Types and Sizes
- CS15 - Housing Density
- CS18 - Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 - Vehicle Parking Standards
- H5 - Increasing Housing Stock by Conversion

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 5 - Delivering a sufficient supply of homes
- 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

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);
- Technical Housing Standards: Nationally Described Space Standards (2016);
- Householder Extensions/Alterations Design Guide SPD (2021).

Consultations, Publicity and Representations

Consultees

KCC - Heritage - The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that these proposals will have a significant below-ground archaeological impact and have no further comments to make in this case.

Natural England – no comment received.

Neighbouring properties

Seven surrounding properties were consulted and no representations have been received. The consultation period expired 16th November 2021.

Officer's Analysis

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published here), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2021). 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 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 182)
- 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 proposed development for a net increase of '2' residential units would offer a minimal but important contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2021) which requires new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Policy CS02 (Scale and Distribution of Development) (LPCS) prioritises development in the urban area as a sustainable location for development by bringing forward a range of suitable sites on other parts of the urban area for residential. The application site lies within the urban area of Gravesend and is not subject to any specific local planning policies or constraints that restrict the principle of development, other than general policies that seek to protect the character of the area and the amenity of existing and future residents.

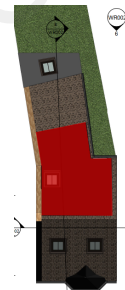
It is considered that local adopted Policies CS14 (Housing Type and Design), CS15 (Housing Density) and CS19 (Development and Design Principles) (LPCS) together provide an assessment framework in line with the guidance provided by paragraph 71 of the NPPF (2021). The proposal shall be assessed against these policies in the following section reviewing the character and appearance of the scheme.

Description of the Proposal

This application proposes the construction of a rear dormer and roof lights to create habitable rooms within the loft space, and the conversion of the property into no.3 flats. The ground floor flat will be a two bedroom unit with access to the garden, while the two upper flats will be one bedroom units.

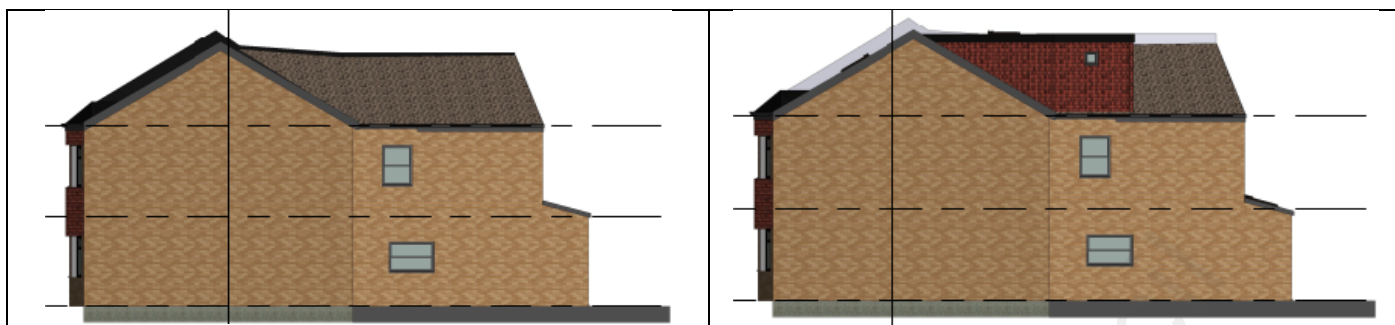
The dormer extension will have the following dimensions:

- Depth (max) - 6.15m
- Depth (min) - 3.8m
- Width - 4.9m
- Height - 2.18m



The only changes to the front elevation of the property is the installation of two velux winodws into the front roof slope. The screenshots below demonstrate the proposed dormer extension and allow for a visual comparison with the existing property:

Existing	Proposed



The schedule of accommodation proposed is as follows:

Flat no.	Bedroom(s)	Floor space
1 (ground floor)	2 (2 person)	50.4m ²
2 (first floor)	1 (1 person)	43.3m ²
3 (second floor)	1 (1 person)	47m ²

Table 1 - Schedule of Accommodation

The flats are all accessed through the main entrance, with the first and second floor units accessed by the internal staircase. Each unit has a kitchen/living area, a shower room and bedrooms. The ground floor unit has access to the garden.

There are no details on the refuse arrangements and no details of any cycle parking provision.

The principle considerations in the assessment of this application are:

- Design, Character and Appearance
- Principle of Redevelopment
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Any Other Material Planning Considerations

Design, Character and Appearance

The proposed development will not materially change the character or appearance of the property. The dormer extension is located on the rear roof slope and the only alteration to the front would be the two new velux windows. These are not considered to impact on the street scene.

As such, the development hereby proposed is considered to be in accordance with Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).

Principle of Redevelopment

The site is located within an established residential area located close to the Town Centre. The property is in existing residential use. The majority of the properties on this section of Wrotham Road are in use as flats, with the exception of the identical neighbour (no. 48 Wrotham Road). There is a mix of type of property in the area and although a family sized unit is being converted to smaller dwellings, it is not out of keeping in this town centre location, which provides a range of type and sizes of dwellings.

The application therefore accords with Policy H5 of the Gravesham Local Plan First Review 1994 (LPFR) and Policy CS14 of the Local Plan Core Strategy 2014 (LPCS). However, notwithstanding that the principle

of conversion is acceptable, it is important to assess the quality of accommodation and the amenity of future occupiers (see 'Amenity of Future Occupiers' section below).

In terms of housing density, Policy CS15 of the Local Plan Core Strategy (LPCS) states that new residential development will be expected to achieve a minimum density of 40 dwellings per hectare. The development meets this requirement.

Amenity of Future Occupiers

Policy CS19 (LPCS) 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' (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These standards came into effect on 1 October 2015.

The flats within the proposal are a mixed in terms of size and, according to the submitted documents, will be inhabited by different number of persons (refer to Table 1 - above). The national housing standard guidance provides minimum gross floor areas for single storey dwellings, breaking down the number of bedrooms and bed spaces (persons). However, the guidance does not provide a figure for a two bedroom, two person dwelling. The figure for two bed, three person dwelling will be used to compare to the proposed floor area, this is due to the bedrooms having double beds depicted on the floor plans. Similarly, the one-bedroom units will be assessed as units for two persons as a maximum.

Flat no.	Bedroom(s) /Person(s)	National Housing Standard Guidance	Unit Floor space
1 (ground floor)	2 (3 person)	61m ²	50.4m ²
2 (first floor)	1 (2 person)	50m ²	43.3m ²
3 (second floor)	1 (2 person)	50m ²	47m ²

Table 2 - Unit Floor Area Breakdown

As shown in Table 2, if the flats are assessed at maximum capacity all units proposed are undersized. This suggests that the development proposed is a cramped form of development that fails to safeguard the amenity of future occupiers by providing substandard, undersized properties.

The substandard and poor quality accommodation provided is reinforced by Gravesham's RLG. The RLG breaks down the Council's individual requirements for certain rooms, these have been formulated into a table to compare with the floor area of rooms within the three proposed flats.

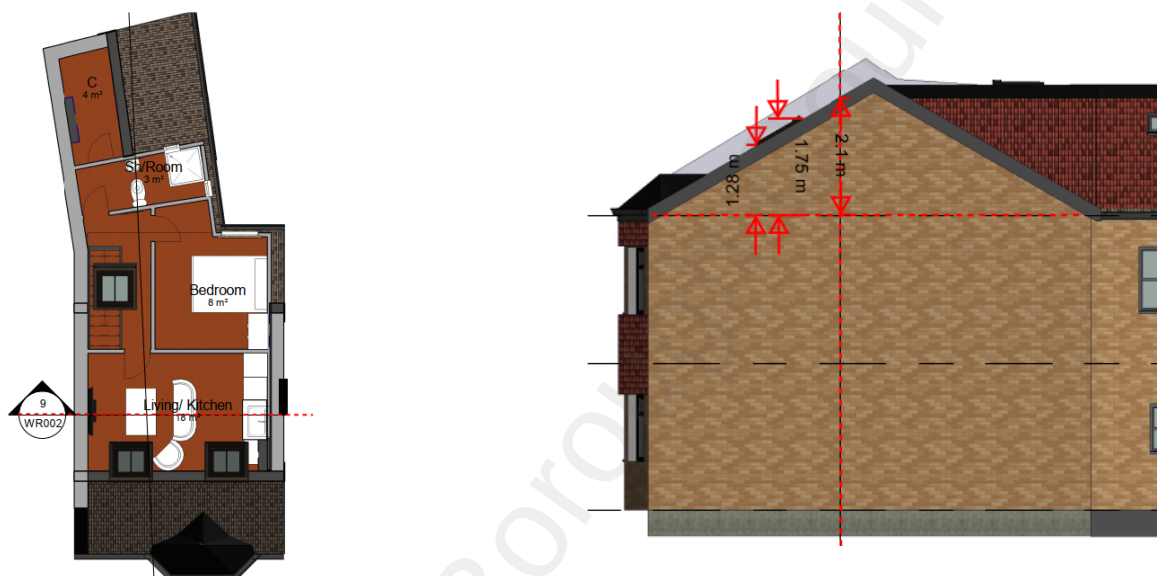
Note:- the RLG does not provide specific floor areas for 'Kitchen, Living and Dining rooms, nor Kitchen and Living rooms. As such, these figures shown in Table 2 are sums of the Kitchen and Living/Diner and the sum of the Kitchen and Living.

	Gravesham RLG (2020)	Flat 1 (ground floor)	Flat 2 (first floor)	Flat 3 (second floor)
Kitchen and Living/Diner	25.2m ²	22m ²	-	-
Kitchen and Living	20.4m ²	-	21m ²	18m ²
Bedroom (double)	11.2m ²	12m ²	9m ²	8m ²
Study	-	7m ²	4m ²	-
Bathroom & w.c.	3.5m ²	3m ²	3m ²	3m ²

Table 3 - Flat Floor Area Breakdown

Table 2 has been colour coded (green complies, red fails) to show which rooms within each flat meet the guidance within the RLG. The table demonstrates that the majority of rooms are substandard and will provide poor quality living conditions for future occupiers. In addition to the substandard rooms, a number of the corridors, hallways and landings are undersized with widths below 0.9m, contrary to the RLG.

Moreover, the usable floor area of the second floor flat is considered to be significantly lower than the figures provided due to the shallow pitch of the roof. A comparison of the floor plan and elevation drawing shows that the living area and part of the kitchen of the second floor unit will have a maximum head height of 2.1m, down to 1.28m under the velux windows, which is considered unusable. Therefore, this reinforces that the accommodation provided is undersized and poor quality (see annotated screenshots below).



Notwithstanding the rooms provided within the development being poor quality and undersized, each of the habitable rooms are served by windows and should require adequate levels of natural light and ventilation.

In terms of amenity space, only the two bedroom unit at ground floor level has access to the rear garden area. The RLG states that 10m² amenity space should be provided for communal units. This is not achieved in this development for the first floor and second floor flats.

Overall, the development proposal represents overdevelopment of the site and fails to safeguard the amenity of occupiers by providing undersized, cramped and poor quality units that future residents could expect to enjoy. The conversion of this property fails to comply with recommendations in the nationally described space standards and Gravesham's RLG, and is therefore contrary to Policy CS19 (LPCS) and Section 12 (NPPF).

Neighbouring Amenity

The development is not considered to impact on the amenity of any adjoining property in terms of loss of light, overlooking, sense of enclosure or outlook.

The dormer extension will not impact on the amenity of neighbours. Nevertheless, a similar dormer extension could be constructed under permitted development without planning consent or considerations for amenity.

In terms of noise resulting from the subdivision of the property and proliferation of use as flats, given the surrounding properties are mostly flats this is not considered to be a material impact that harms amenity.

As such, the development proposed safeguards the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 (NPPF).

Parking and Highways

There are no parking or highway issues related to this proposal. The property is located within the Gravesham urban area and is in close proximity to the town centre, which provides strong public transport links. As such, no vehicular parking is required within this location.

However, the application does not provide any cycle storage.

Overall, the proposal is considered to be acceptable in terms of highway policy. Although cycle storage should be provided for this development, given the proximity of the property to the town centre this is not sufficient grounds to refuse the application.

Any Other Material Planning Considerations

Refuse - Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.

The submitted plans do not show or detail any bin refuse areas. As the development will increase the number of residents within the property a suitable refuse area should be shown on the plans or detailed within a planning statement.

As such it is not possible to comment on the refuse arrangement or collection strategy, however this is not considered sufficient grounds of refusal for the application.

Ecology and Biodiversity (Bird Mitigation) - 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 water birds 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 £ 253.83 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.

In this instance, the proposed development would result in the creation of an additional residential property and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £ 253.83 per new dwelling unit.

The applicant has not completed the SAMMS Mitigation Contribution Agreement and therefore fails to comply with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the NPPF and Policy CS12 (LPCS).

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The proposed conversion of the property fails to provide acceptable living conditions for future occupiers. The units are all undersized with substandard rooms, which are contrary to both the nationally described space standards (2016) and Gravesham's Residential Layout Guidelines (2020). As such the proposal is overdevelopment of the property, which provides cramped, poor quality accommodation contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).

In addition, the proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Recommendation

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	20 th December 2021	Dated:	20 December 2021