



Delegated Report

Full Planning Application

Application No:	20241052
Location:	Robinson Michael And Jackson First Floor 21A - 21B King Street, Gravesend, Kent, DA12 2EB
Description:	Change of use from Class E to Residential Use Class C3 to to the first floor by introducing 2 x 1 B2P Flats along with alterations to front elevation to include the introduction of 2 [no] additional windows at first floor level and associated shopfront alterations.
Applicant:	Mr Pavanjit Nijjer
Site Visit:	17 April 2025

Positive and Proactive Decision Making

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 39 of the National Planning Policy Framework (NPPF) (2024), the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area.

The application site has shared access to the rear service yard, which is included in the redline plan and is required for the bin storage. The Local Planning Authority are aware of anti-social behaviour and had concerns with security/safety of future occupiers. It was also considered a potential opportunity to enhance the appearance of the Queen Street Conservation Area.

As part of the negotiations, the Local Planning Authority and architect explored options to achieve these objectives and revised plans/details were submitted with security cameras, lighting and signage in the service area. The strategy was the best outcome achievable given the shared access rights over the space and were considered to safeguard future occupier amenity.

Submitted Documents/Plans

- Application Form – dated 20 November 2024
- Design and Access Statement (dated November 2024)
- Rear Service Area Management Strategy (dated March 2025)
- Supplementary Information – Pre-Application Response (PRE20140740)
- Supplementary Information – Pre-Application Plans (PRE20140740)
- Drawing no. D-01 – Floor Plans, Elevations, Section and Location Plans as Existing
- Drawing no. D-04 – Rev. D – Floor Plans, Elevations, Section and Location Plans as Proposed
- ~~Drawing no. D-04 – Rev. C – Floor Plans, Elevations, Section and Location Plans as Proposed~~
~~SUPERSEDED~~

Relevant Planning History

No relevant planning history

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Types and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage & the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

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 5 – Delivering a Sufficient Supply of Homes
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-Designed Places
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Section 15 – Conserving and Enhancing the Natural Environment
- 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
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

External Consultees

Kent Fire and Rescue Service – Upon reviewing the Gravesham planning portal, I have compared the existing with the proposed block plan and note that vehicular access to the building appears to be largely

unaffected by the change of use from Class E to Class C. Therefore, it is in my opinion that the emergency access requirements for the Fire and Rescue service under the above act appear to have been met.

Please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

Kent Police Designing Out Crime – 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. Perimeter, boundary and divisional treatments should be a minimum of 1.8m high. Any alleyways must have secure side gates, which are lockable from both sides, located flush to the front building line to optimise surveillance.
2. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including internal flat entrance and individual bedroom doors 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.
3. Windows 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. If mail is to be delivered within the lobby, there must be an access-controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas. 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. For cycle storage, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable shed or 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. 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 ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided,

SBD Residential Guide 2025 states: “19.3 SBD does not advocate the use of bollard lighting to achieve lighting uniformity. Bollard lighting is purely for wayfinding and can be easily obscured or damaged. It should be avoided, as it can increase the fear of crime, because it does not project sufficient light at the right height to recognise facial features.” Lighting should conform to standard BS5489-1:2020.

10. For the commercial unit we also recommend alarms be installed, preferably with an autodial function, as an additional layer of security.

11. 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

12. CCTV is advised for all communal entry points (both commercial and residential buildings) including emergency exits, and the mail delivery area to monitor who enters/ exits the buildings. CCTV should also cover any till areas, storage areas with high values and safes. 13. Access control. Adequate access control is required for entrances used by staff only such as storage rooms and other restricted areas.

14. To minimise the opportunity for crime, especially out of hours the physical security standard should meet current standards as shown in SBD Non-Residential Guide 2025:

www.securedbydesign.com

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.

Internal Consultees

GBC Environmental Protection – The premises is in Gravesend Town Centre and in this respect, it can be noisy particularly late at night. King Street is one of the main routes used by people to access late night licensed and takeaway premises. People using this route will not be quiet and statutory nuisance legislation (the legislation this team uses to deal with noise) does not cover noise on the street. In addition, noise is likely from other sources - there is various plant and equipment at the rear of the building, noise associated with early morning deliveries to nearby commercial uses and the property is also close to bars, pubs and late night food premises and noise levels from these could also impact on future residents particularly at night time.

Although the current use on the ground floor is an estate agents and pawn brokers, so less noise is associated with these uses, it will still be important to ensure that suitable sound insulation is provided between the ground and first floor. The noise insulation standards contained in the Building Regulations are the minimum criteria for use between separate residential uses and therefore Building Regulation noise insulation standards are likely to be less than adequate for protecting an adjoining residence from a commercial use.

In order to address these issues, a noise assessment needs to be undertaken by a suitably qualified person and submitted. This can be addressed by way of a pre-commencement condition for this application. The assessment must address the impact of the following on the residential amenity of any future residents of the proposed flats and be undertaken in accordance with the relevant standards and guidance such as BS 8233:2014 and BS4142:2014:

- Noise from fixed building services/mechanical plant/equipment etc located at the rear of the property and any other nearby commercial uses
- People noise associated with the use of the late-night town centre uses at night.
- Early morning delivery noise to nearby commercial uses

- Internal noise/sound insulation
- nearby commercial uses (including the use on the ground floor)

The quality and the standard of the sound insulation properties of the building should be assessed to ensure that future residents are not impacted by internal noise eg noise from the commercial premises and plant room on the ground floor. To address this, the noise assessment should include details of the assessment methodology and any enhanced sound insulation performance of the construction that separates the residential and ground floor commercial use. This should resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) is not less than 53 decibels (i.e. an enhancement of the minimum levels stated in the Building Regulations of 10dB).

The assessment should look at any required mitigation measures to ensure that internal noise levels are appropriate. Overheating and ventilation must also be considered in the design of any mitigation measures.

The following conditions are therefore recommended.

- *External Noise:*
 - a) A noise impact assessment (including appropriate mitigation measures) shall be carried out and submitted to the LPA for approval demonstrating that:
 1. The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014
 2. The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
 3. The rating noise from fixed building services/mechanical plant/equipment, including any air systems, associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

The noise impact assessment must take into account traffic noise, mechanical plant and equipment associated with commercial activities, noise from early morning deliveries, any air systems that are required and noise associated with the night-time economy.

Where compliance with these criteria will rely on closed windows, the development must include sufficient and suitable ventilation to affected residential dwellings by means other than opening windows to ensure that the internal noise levels required by the above conditions can be retained all year round.

- b) Prior to first occupation of the flats, a suitable post-completion demonstrating compliance with a) shall be submitted to and approved, in writing, by the Local Planning Authority

The approved details shall be maintained for the lifetime of the development.

- *Internal noise:*

Prior to the first occupation, a sound insulation assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority. The Assessment shall include details of the

assessment methodology and the sound insulation performance of the internal wall partitions, internal floor/ceiling partitions and also adjacent party wall partitions. The sound insulation performance of these shall resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) is not less than 53 decibels (i.e. an enhancement of the minimum levels stated in the Building Regulations of 10dB). The assessment will also include details of any proposed works to achieve these levels.

- Code of Practice on Construction and Demolition: - Please apply as appropriate to minimise the impact of noise and dust and smoke nuisance from demolition and construction work causing a nuisance. This is especially important bearing in mind the close proximity of the building to other properties. There should be no burning of waste materials associated with this development.

GBC Conservation Officer – The proposal will improve the appearance of the building by inserting windows into the blank façade and there are no concerns with the split shopfront, subject to conditions. The conditions should include:

- External Facing Materials (ideally white painted render)
- External Joinery (shopfront, windows and doors)
- Details of Lighting

The proposal has the potential to enhance the Queen Street Conservation Area by securing the rear service area, and engagement with the application is encouraged.

Local Ward Councillors – The Ward Councillors initially expressed concern with the rear service area and sought improvement through the development to improve the area and address anti-social behaviour. Following negotiations with the architect, revised plans and a management plan for the service area were submitted, these have been reviewed by Councillors who confirmed they are happy with the outcome.

Neighbouring properties

An advert was published in the Gravesend Messenger and a notice displayed on site.

In addition, eighteen surrounding properties were consulted and no representations were received. The consultation period expired 19 March 2025.

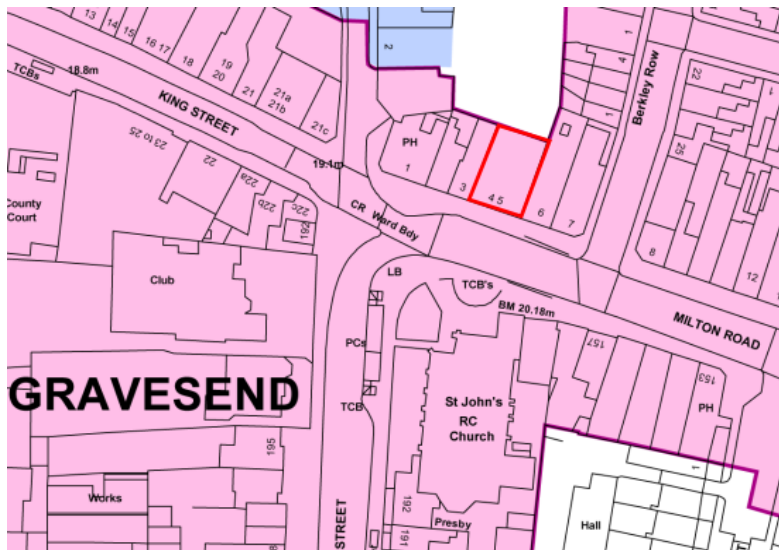
Officer's Analysis

Site Description

The application site consists of a two storey mid-terrace building located towards the north side on King Street.



The site is situated within the King Street Conservation Area.



The proposal is located within the King Street Conservation Area.

Development Proposal

This application proposes the change of use of the first floor of the building from Class E to Class C3 residential, to form two self-contained 1bedroom, 2person flats.

Existing Elevations

Proposed Elevations



Principle of Development

The principle issues for consideration with this application are as follows:

- Housing Need
- Density of Development
- Design and Impact on the Conservation Area
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Any Other Material Planning Considerations

Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework (NPPF) (2024) is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF (2024) expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

"It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than "guidance" and as such a "material consideration" for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme."

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5-year housing land supply statement in March 2023, it demonstrates that based on data up for the period 2022-2027, the Council can only demonstrate a land supply of 3 years. More recent data collated on the Borough's housing completions and supply, also indicates that the Borough's housing land supply position continues to be challenging, and that the Council cannot demonstrate a 5-year land supply.

Given the Council's current inability to demonstrate a 5-year housing land supply, 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 NPPF (2024). This requires that in regard to housing development, planning permission should be granted unless:

1. 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
2. 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 (2024) at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, a National Landscape, 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 75);
- 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 129(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 contribution towards meeting this local need and, accordingly, officers considers that this should be accorded significant weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2024) 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.

Design and Impact on the Conservation Area

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 135 of the NPPF (2024) seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 (LPCS) reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The NPPF (2024) also places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 216). This is echoed in Policy CS20 (LPCS), which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC2 of the Local Plan 1994 sets out that for development affecting the setting of listed buildings, the primary consideration is

the maintenance of the integrity of the original listed building, and whether the character or appearance of the listed building will suffer as a result. Proposals must be sympathetic in terms of their appearance and materials.

Saved Policy TC3 of the Local Plan 1994 also states that development is expected to make a positive contribution to the conservation area. As the application site lies within the King Street Conservation Area, in close proximity to Listed Buildings, these policies are all relevant to the consideration of this application.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 124 of the NPPF (2024), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF (2024). Relevant to this proposal, paragraph 129 of the NPPF (2024) which states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

The Conservation Area Appraisal highlights King Street as containing a variety of architectural styles, noting that original structures could be behind later facades at nos. 19-21 and that modern plate glass/plastic signage shopfront are dominant. Therefore, a development to improve the existing appearance of the application site would be welcomed.

The application site has a blank brick facing façade at first floor level, which offers little contribution to the Conservation Area, albeit serving a more brutalist architectural language. The proposed development would create more interest in the first floor façade, transforming the blank appearance via the introduction of traditional sash style windows which is supported by the Local Planning Authority and Conservation Officer.

The alterations to the shopfront, involves splitting the existing single unit into two smaller units and creating the residential access for the flats. This is not considered to have a detrimental impact on the character or appearance of the Conservation Area, subject to the submission of joinery details, lighting, etc. which will be secured by condition.

The Conservation Officer reviewed the proposal as originally submitted and requested a number of conditions, which include the following:

- Materials – recommended that the first floor level is rendered and painted;
- External Joinery Details – Shopfront, Windows, Facia
- Details of Lighting

Therefore, conditions will be attached to ensure that notwithstanding the supporting information, details are submitted to and approved in writing by the Local Planning Authority.

Further to the recommended conditions, the Conservation Officer contended that the rear service area could be improved, suggesting enclosing the vehicular and pedestrian access onto Queen Street which would enhance the appearance of Queen Street Conservation Area. The negotiations that followed have improved the security of the service area for future occupiers and would deter anti-social behaviour, however the shared ownership meant that the scope of works were limited (this is explained further in the Amenity of Future Occupiers section below).

The proposed development will preserve and enhance the character of the Conservation Area by virtue of providing interest in the blank façade with appropriate materials and details to be secured through conditions. Therefore, subject to conditions, the proposal meets the statutory requirement of S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), and is in accordance with saved policy TC3 of the Local Plan (1994), Policies CS19 and CS20 (LPCS) and Section 16 of the NPPF (2024).

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 Nationally Described Space Standards (NDSS) came into effect on 1 October 2015.

The Nationally Described Space Standards (2015) require a single storey dwelling containing one bedroom for two persons to have gross internal floor area of 50m². The flats hereby proposed would provide 51.1m² (Flat 1) and 49.7m² (Flat 2). While Flat 1 meets the NDSS minimum, Flat 2 falls below the requirement by 0.3m² which is a marginal deficit. The Planning Inspectorate have determined a number of appeals where minimum standards set out in the NDSS are not met, and in such instances have concluded that internal space standards should be applied with a degree of flexibility and in a manner that recognises their overall aims and objectives. In this case, the apartments provide a good level of accommodation for future occupiers whilst taking into consideration the constraints of the existing property, the modest shortfalls identified are not sufficient in themselves to withhold planning permission if the scheme is otherwise acceptable. These units are therefore, on balance, considered to provide acceptable amenity for future occupiers.

Notwithstanding the NDSS, Gravesham’s RLG seeks to secure good quality living environments for new development, by setting out minimum floor area for individual rooms. The table below compares the flats with the RLG:

	Gravesham RLG (2020)	Flat 1	Flat 2
Kitchen/Living/ Diner	25.2m ²	26.65m ²	26.2m ²
Bedroom (double)	11.5m ²	12.9m ²	12.8m ²
Bathroom & w.c.	3.5m ²	4.85m ²	4.8m ²

Table 1 – Internal Room Sizes

As demonstrated in Table 1, all rooms within the flats comply with the RLG and the flats would provide good quality living environment for future occupiers. The plans demonstrate that all habitable rooms would receive adequate natural light to the benefit of amenity.

The development does not provide any private external amenity space for future occupiers, however this is not required for one bedroom self-contained units, and given that the application is a change of use in a town centre location with access to public open spaces available in the vicinity, the amenity of future occupiers is safeguarded.

Overall, the proposed change of use will provide a good quality living environment for future occupiers in accordance with local and national residential layout guidelines, Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

As aforementioned in this report, negotiations were carried out with the architect to improve the rear service area for future occupiers in terms of safety and security. The revised plan (D-04 – Rev. D) and ‘Rear Service Area Management Strategy (March 2025)’ show new security lighting, cameras and signage, in addition to a dedicated path to access the bin store. This is considered to be an improvement on the existing arrangement and to be a deterrent for anti-social behaviour to the benefit of amenity in accordance with Policy CS19 (LPCS).

Neighbouring Amenity

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and the NPPF (2024) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

The proposed development is not considered to impact the amenity of any adjoining property. The application does not propose any extensions to the building and there would be no overlooking, loss of light, loss of outlook or sense of enclosure for any neighbouring property.

As such, the proposed development is considered to safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Parking and Highways

Gravesham's adopted parking standards (SPG4) (2006) states that a single bedroom dwelling within the urban area should provide one off-street parking space and one secure cycle space. The proposal will not provide any cycle parking for future occupiers. It is acknowledged by the Local Planning Authority that the service area is a shared space with other properties and the bin store is a priority for proposed the residential use. Therefore, on balance, the lack of cycle parking is not considered sufficient grounds to refuse a change of use in the town centre, where public bicycle lock-ups are available.

Any Other Material Planning Considerations

Noise

The application site is in Gravesend Town Centre and King Street is one of the main routes used by people to access late night licensed and takeaway premises. It is known that people using this route will not be quiet and statutory nuisance legislation does not cover noise on the street. In addition, noise is likely from other sources - there is various plant and equipment at the rear of the building, noise associated with early morning deliveries to nearby commercial uses and the property is also close to bars, pubs and late night food premises and noise levels from these could also impact on future residents particularly at night time.

Therefore, the potential for noise disturbance for future occupiers is a material consideration. The application has not been supported by a noise impact assessment and Environmental Protection have recommended that planning conditions are attached to ensure that noise impacts do not harm the amenity of future occupiers.

Therefore, subject to these matters being secured by condition, the proposal will safeguard the amenity of future occupiers through acceptable noise management in accordance with Policy CS19 (LPCS).

Waste Management and Refuse

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

The plans show that the bin store would be located in the rear service yard for the properties, which is a similar arrangement for the commercial properties. There is adequate space to accommodate bins, which would be dragged by occupiers to the edge of the highway on collection days. Therefore, the proposal accords with Policy CS19 (LPCS) and would provide suitable waste and recycling provisions.

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 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 £337.49 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 £337.49.

The applicant has paid the SAMMS Mitigation Contribution Agreement and therefore meets the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 193 and 194) of the NPPF (2024) and Policy CS12 (LPCS) (2014).

Biodiversity Net Gain

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

The proposed development would not affect 25m² of onsite habitat and does not impact an onsite priority habitat and therefore is a de-minimis exception. The land affected has a biodiversity value of zero and mandatory biodiversity net gain is not applicable to sites which have a biodiversity value of zero, and no linear habitats would be affected by the development. Therefore, no additional information is required under Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Conclusion

The application has been fully considered and is in accordance with local and national planning policy.

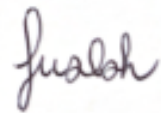
Subject to conditions the proposal would not cause harm to the character, architectural or historic interest of the Conservation Area. Although there are a number of changes to the appearance of the building, the proposal brings interest to the front façade and would enhance the appearance of the Conservation area, subject to conditions for additional details to be submitted. Furthermore, the development will safeguard the amenity of future occupiers, by providing acceptable living conditions, subject to introducing noise and adequate waste storage. There is no impact for neighbouring residents nor the highway network.

As such, it is recommended that permission is granted subject to conditions.

Recommendation

Permission – subject to conditions

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	02 May 2025	Dated:	13 May 2025