

Delegated Report

Planning and Listed Building Application

Planning Application No: 20250833 (change of use) 20250842 (listed building consent)

Location: 20 Harmer Street, Gravesend

Description: 'Retention of three one bedroom flats' and 'Application for Listed Building Consent for retention of three one bedroom flats.'

Applicant: Mr Taj Ranu

Site Visit Date: 25 November 2025

Submitted Documents/Plans

Application form
Planning, Design Access and Heritage Statement.
Drawing no. 004 rev A (existing rear and south elevations)
Drawing no. 003 rev A (existing front and north elevations)
Drawing no. 002 rev A (existing floor plans)
Drawing no. 001 rev A (existing location and block plan)

Relevant Planning History

20250842	Application for Listed Building Consent for retention of three one bedroom flats.	Pending Consideration	
20071102	Application for Listed Building Consent for internal and external alterations in connection with the conversion of the ground floor and basement into a two bedroom maisonette; installation of new ground floor front facade and external staircase on the south side elevation.	Permitted	19.05.2008
20071101	Conversion of ground floor and basement into a two bedroom maisonette; installation of new ground floor front facade and external staircase on the south side elevation.	Permitted	19.05.2008

20070606	Application for Listed Building Consent for internal and external alterations in connection with the conversion of the ground floor and basement into a two bedroom maisonette and installation of a new ground floor front facade.	Application Refused	29.08.2007
20070605	Conversion of ground floor and basement into a two bedroom maisonette and installation of new ground floor front facade.	Application Refused	29.08.2007
20060699	Application for Listed Building Consent for internal and external alterations in connection with the conversion of ground floor and basement into two one bedroom flats and installation of new ground floor front elevation.	Application Refused	23.10.2006
20060698	Conversion of ground floor and basement into two one bedroom flats involving installation of new ground floor front elevation.	Application Refused	23.10.2006
19940491	Application for the approval of joinery details and a paint scheme for the new shopfront, as required by conditions ii(a) & (b) of planning permission ref. no. GR/93/457 & Listed Building consent ref. no. GR/93/459X.	Permitted	02.09.1994
19930459	Installation of a new shopfront.	Application Refused	08.10.1993
19930458	Display of an externally illuminated double sided projecting sign at first floor level.	Application Refused	08.10.1993
19930457	Installation of a new shopfront.	Permitted	23.09.1993
19750251	Proposed use of premises as offices	Certificate Refused	05.01.1976

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS07– Economy, Employment and Skills
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change

- CS19 – Development and Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC2 – Listed Buildings
- TC3 – Development Affecting Conservation Areas
- T1 - Impact of Development on the Highway Network
- T5 - Access to the Identified Highway Network
- 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 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment
- 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);
- Design for Gravesham: Design Code (2024);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021);
- Harmer Street Conservation Area Appraisal (2009); and
- Management Plan – Gravesend Town Centre Conservation Areas (2009)

Sections 66(1) and 72(1) of the (Listed Buildings and Conservation Areas) Act 1990

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

This property falls within an Air Quality Management Area (AQMA) and as such air quality can be viewed as a material consideration. Whilst it is appreciated that there are already flats in situ, we have a responsibility to ensure that residents in the flats are not exposed to pollutants. Our standard approach for

dwelling in an AQMA is that windows in habitable rooms facing the road shall be fixed shut and an alternative means of ventilation installed. The intake vents for this must be at the rear of the property/rear side of the roof to ensure that polluted air is not drawn in. The system must also be positively pressurised.

In addition, Harmer Street is heavily trafficked, so noise is also a consideration, particularly as there are habitable rooms at the front. To address this, windows may need upgrading as well as being fixed shut and a Noise Impact Assessment will be needed to ascertain the level of mitigation needed.

To address the above, the following conditions are recommended. However, as this is a Conservation Area, the Conservation Officer may wish for the NIA and details regarding mechanical ventilation to be submitted prior to determination.

Noise Control

- 1) Within 3 months of the date of this permission, a noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:
 - 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.
 - The maximum internal noise levels in all habitable rooms should not exceed 45dB LAmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.

The noise impact assessment shall detail any required noise mitigation measures needed to comply with the above.

- 2) Subject to the approval of Condition xx (above), the approved noise mitigation measures shall be installed within 3 months of the approval and evidence submitted to demonstrate this.

Air Quality:

- a) The applicant must submit a scheme of air quality mitigation for approval within 3 months of the date of this permission. This should include the installation of an air system which positively pressurises the residential unit i.e. brings in more air than it extracts so that no air seeps into the residential unit through the fabric of the building or doors when people are entering and leaving etc. This requirement applies to the rooms on the first and second floor roadside of Harmer Street. The scheme must include the following:
 - a heat exchange unit,
 - noise attenuation
 - must bring in air from the upper most and furthest point away from the source of pollution i.e. the traffic on Harmer Street, and
 - must be sited away from other pollution sources e.g. flues, soil and vent pipes and must not bring in odour from any commercial extraction system.
 - Windows to the affected rooms on the front façade shall not have trickle vents and shall be fixed shut.

The applicant will be provided with the checklist of points that must be considered and included in the scheme and which must be adequately demonstrated to the LPA by the submission of required information, plans, commitments etc. in order for the scheme to be approved.

- b) The approved scheme must be installed within 3 months of the approval of part a) above. The installed scheme must be commissioned, before occupation, by an independent ventilation engineer to ascertain if the flow rates are correct and that it is fit for purpose i.e. that it fulfils its purpose of positively pressurising the residential units so that pollution cannot enter from the roadside and is

not drawn into the property through the air system. The commissioning report must be submitted to the LPA including a signed declaration from the engineer that they are satisfied that it is fit for purpose it has been required for i.e. prevention of air pollution entering the building.

The LPA will visit the site following commissioning to ensure the approved systems are installed, seen working and are in the correct residential units etc.

Neighbouring properties

The application has been advertised by site notice, press notice and individual letters to 26 neighbouring properties. No letters of representation have been received.

Officer's Analysis

Proposal

This report relates to two applications for the same site:

20250833 relates to the retention of three one bedroom flats.

20250842 relates to listed building consent for the retention of three one bedroom flats.

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 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 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 February 2025, it demonstrates that based on data up for the period 2024-2029, the Council can only demonstrate a land supply of 3 years.

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 National Planning Policy Framework (NPPF) (2024). 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 paragraph 194) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 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 '3' residential units would offer a minimum 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 Development Plan and NPPF (2024) which requires new development to be high quality, beautiful and create acceptable living conditions for future occupiers.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.

Background

The Design and Access Statement provided with application 20071101 for the conversion of the ground floor and basement to the building refers to the remainder of the building comprising of one bedroom flats. Therefore it would appear that the use of the first, second and third floors as flats is historic.

Design, Character and Appearance

The principal issues in the consideration of this planning application are the impact on this grade II listed building and the character and appearance of the Harmer Street Conservation Area.

20 Harmer Street is Grade II listed building, which forms a terrace from no. 2 to 48 (evens), is described by Historic England as:

'A terrace circa 1840. 4 storeys stock brick. Parapet and dropped eaves cornice between 3rd and 2nd floors. Stringcourse between 2nd and 1st floors. 2 sashes each with moulded architraves and cornices above 1st floor windows. Most glazing bars intact. Some 1st floor cast iron balconies remain. The ground floors were originally rusticated stucco with round-headed windows. The doorcases had fanlights and pilasters. Many now have modern shopfronts though a few have mid C19 shopfronts with pilasters and panelled risers.

Nos 2 to 48 (even) form a group together with Nos 1 to 45 (odd) and 47A Harmer Street, the British Tar Public House, Milton Road and Nos 1 to 9 (consec) Berkeley Crescent. (the British Tar Public House is a local interest building).'

One of the core planning principles of the NPPF is that heritage assets, such as listed buildings and conservation areas, should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life for this and future generations.

Sections 66(1) and 72(1) of the (Listed Buildings and Conservation Areas) Act 1990 states local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.

Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014) sets out that new development should conserve and enhance the character of the local built and historic environment. Proposals should make a positive contribution to the street scene, the quality of the public realm and the character of the area.

Policy CS20 (LPCS) (2014) sets out that the Council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource central to the regeneration of the area and the reinforcement of sense of place. Proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough's heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of the Borough.

At a national level, the revised NPPF (2024) at Section 16 (Conserving and enhancing the historic environment) sets out national policy on heritage matters and it states that great weight should be given to a heritage asset's conservation. Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets.

No external changes are proposed to the building and therefore the Conservation Area will be preserved.

Impact on the Listed Building

Much of the original building remains such as the chimney breasts and the timber sash windows. The landings remain and partitioning walls can be easily removed. No changes are proposed to the building however, given the site is located in an Area of Air Quality Management works will need to be undertaken to protect occupants from pollution. Mechanical ventilation will be required and can be controlled by condition. The details of the system will need to make reference to the impact on the listed building. A condition is also recommended that no changes are made to the existing windows and that full details of any secondary glazing are submitted to and approved by the Local Planning Authority.

Subject to relevant conditions the proposal to retain the three flats accords with the objectives of policies CS19 and CS20 of the Gravesham Core Strategy 2014, TC2 and TC3 of the Gravesham Local Plan 1994 and Section 16 of the National Planning Policy Framework 2024.

Amenity

Future/Current Occupiers

	Floor area	Bedroom area
National Space Standard (1 bed, 1 Person)	39sqm	7.5sqm
First floor flat:	38.6sqm	11.2sqm
Second floor flat:	38.6sqm	11sqm
Third floor flat:	42.6sqm	11sqm

As can be seen from the table above the flats fall slightly short of the national standards however, as these flats have existed since at least 2007 and also provide bedroom space over the minimum area no objections to the size are raised.

In terms of outside space, the Gravesham Residential Standards do not require any where the flats are

created from a conversion and are also in close proximity to open space. In this case, the flats are located close to the Gravesend Promenade public open space.

Neighbouring Amenity

The top three floors of the application site have been used as one-bedroom flats for many years and this is not to change. As there is no additional volume being added to the property there will be no detrimental impact on any neighbouring dwellings in terms of loss of outlook, privacy, sunlight or daylight.

Air Quality and Noise

This property falls within an Air Quality Management Area (AQMA) and as such air quality can be viewed as a material consideration. The standard approach for dwellings in an AQMA is that windows in habitable rooms facing the road shall be fixed shut and an alternative means of ventilation installed. The intake vents for this must be at the rear of the property/rear side of the roof to ensure that polluted air is not drawn in. The system must also be positively pressurised.

In addition, Harmer Street is heavily trafficked, so noise is also a consideration, particularly as there are habitable rooms at the front. To address this, windows may need upgrading as well as being fixed shut and a Noise Impact Assessment will be needed to ascertain the level of mitigation needed.

Subject to relevant conditions, the retention of the flats accords with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

Ecology and Biodiversity

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. The applicants have paid towards the mitigation.

The proposal secures a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development complies with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 193 and 194) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Parking and Highways

The site is located within the town centre and close to public transport and parking. As this is a sustainable location there is no requirement to provide off road parking and therefore no objection is raised on highways grounds.

Conclusion

The retention of the flats will have no detrimental impact on the character and appearance of the Conservation Area, Listed Building, amenities, parking or highway safety and therefore accord with the above-mentioned policies and are recommended for approval.

Recommendation:

Permit.

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	8 December 2025	Dated:	8th December 2025