



Delegated Report

Planning Application

Planning Application No: 20211207

Location: Fashion Scene 4 - 5 The Parade Wrotham Road Meopham

Description: Change of use and conversion of first floor from commercial (Class E) to residential (Class C3), and erection of a two storey rear extension and loft conversion with front and rear dormers to create enlarged commercial unit on ground floor together with bin and cycle storage, and 2 x studio and 2 x 2 bedroom self-contained flats on first and second floors.

Applicant: Mr Halil Ersunger

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

The application comprises the following documents and plans:

- Location Plan, plan no. 21-29-01 A;
- Block Plan Existing & Proposed, plan no 21-29-02;
- Existing Floor Plans, plan no. 21-29-03;
- Existing Elevations, plan no. 21-29-04;
- Existing Elevations & Sections, plan no. 21-29-05;
- Proposed Floor Plans, plan no 21-29-06A;
- Proposed Elevations, plan no 21-29-07; and
- Proposed Elevations & Section, plan no. 21-29-08A.

Relevant Planning History

<u>Application No.</u>	<u>Description</u>	<u>Status</u>	<u>Decision</u>
20210246	Change of use and conversion of first floor from commercial (Class E) to residential (Class C3), and erection of a two storey rear extension and loft conversion with front and rear dormers to create enlarged commercial unit on ground floor together with bin and cycle storage, and 1 x 1 bedroom and 1 x 2 bedroom self-contained flats on first and second floors.	Refused	30.06.2021
19860356	Change of use of ground and first floor to offices	Permitted	21.07.1986
19850875	Installation of new shopfront	Permitted	22.01.1986

19580031	Use of premises for the boarding, training and breeding of dogs	Refused	05.03.1958
19530281	Use of shop for sale of birds and aquaria	Permitted	09.12.1953

Three properties in this parade have already had permission for similar conversions/extensions: 2 The Parade (19970269), 3 The Parade (20090337), and 7 The Parade (20180860).

Development Plan

Gravesham Local Plan Core Strategy 2014

CS01 – Sustainable Development

CS02 – Scale and Distribution of Development

CS08 – Retail, Leisure and the Hierarchy of Centres

CS11 – Transport

CS12 – Green Infrastructure

CS14 – Housing Type and Size

CS15 – Housing Density

CS18 – Climate Change

CS19 – Design and Development Principles

Saved Policies in the Gravesham Local Plan First Review 1994

S3 – Maintenance of Shopping Frontages

T1 – Impact of Development on Highway Network

P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF 2021 sets out that those 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.

Given Gravesham'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 Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the 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 2021 at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF 2021, paragraph 180)
- Sites of Special Scientific Interest;
- Green Belt;
- Local Green Space;
- Areas of Outstanding Natural Beauty;
- Irreplaceable habitats;
- Designated heritage assets (and other heritage assets of archaeological interest, see NPPF 2019, footnote 63); 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 123(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.

Other Material Considerations

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 well-designed places
Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

SPG2 – Residential Layout Guidelines (2020)
SPG4 – KCC Parking Standards (2006)
Kent Design Guide Review: Interim Guidance Note 3 Residential Parking (2008)
Technical Housing Standards - Nationally Described Space Standards (2015)
Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

GBC Highways

Concerns raised in relation to the quality of the cycle storage and car parking provision.

The plans show 4 cycle storage spaces which requires some bicycles to be lifted to extract them out of storage which is considered a hazard.

The dimension of the 4 car parking spaces are inadequate and, furthermore, parking provisions should be retained for the commercial units.

Meopham Parish Council

The Parish Council has no objection to this application, but concerned about the parking spaces.

Dickens Country Protection Society

Comments on insufficient parking provisions.

Neighbouring properties

The application has been advertised by individual neighbour letters to 26 properties and site notice. The consultation periods expired on 26 October and 5 November 2021 respectively.

Neighbour comments summarised below;

- Comments in relation to the soundproofing the properties;
- Works currently ongoing at unsociable hours.

Officer's Analysis

Site and Surrounding Area

The application site is situated on the western side of Wrotham Road, Meopham, within an existing varied parade of shops, cafes, restaurants/takeaways and a Tesco Express. Further north of the parade lies a row of large detached properties. The parade of shops where the site is located appear to be characterised with first floor residential accommodation above the ground floor commercial units.

Directly opposite the application site are large agricultural fields, however, the surrounding locality to the north and west is mostly residential in character. Within the immediate locality there have been a number extensions to the first floor residential accommodation above the shops/commercial units and the applicant has highlighted numbers 3 The Parade (20090337) and 7 The Parade (20180860) have had fairly recent approvals for similar conversions/extensions.

Recent history

The current application is a resubmission of a similar refused application from earlier this year (20210246) which sought permission to change the use of the first floor from commercial to residential use and the extensions to accommodate the additional commercial space on the ground floor and residential space on the upper floors. The total units generated by the previous proposal were two units 1no. 1bed unit and 1no. 2bed unit.

For the refused application (ref 20210246), the following refusal reasons were applied;

1. The proposed front and rear dormers are unacceptable in terms of their design, in particular their *excessive size, and off-centre positioning and fenestration, which would result in obtrusive roof extensions that would harm the character and appearance of the application building and surrounding area, and would fail to comply with the requirements of Policies CS14 and CS19 of the Gravesham Local Plan Core Strategy 2014, and paragraphs 117, 122, 124, and 127 of the National Planning Policy Framework 2019.*
2. *The proposed development would result in a poor and cramped living environment for future occupants as a result of the small size of the 1 bedroom flat. The proposal would therefore fail to provide a high standard of amenity for future users, which would conflict with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014, paragraph 127 of the National Planning Policy Framework 2019, and the Technical Housing Standards - Nationally Described Space Standard 2015*
3. *The excessive depth of the two storey rear extension is considered to be unacceptable and would have an overbearing impact on the neighbouring flat at No. 3, harming the outlook of this property at the rear. The proposal therefore fails to comply with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014, and paragraphs 124 and 127 of the National Planning Policy Framework 2019.*

It is worth mentioning that while the site address of the above refused scheme references 'Fashion Scene, 4 – 5 The Parade' the actual plans referred only to 'no. 4, The Fashion Scene' and not the entirety of the site at no. 5. Under the current scheme, the revisions account for both 4 and 5 The Parade which includes the two adjoining units at the Fashion Scene and the associated residential units above.

Proposal

This application seeks full planning permission for the change of use and conversion of first floor from commercial (Class E) to residential (Class C3), and erection of a two storey rear extension and loft

conversion with front and rear dormers to create enlarged commercial unit on ground floor together with bin/cycle storage and car parking spaces to the rear. The extensions to the rear, loft conversion and front and rear dormers would facilitate additional residential accommodation above the commercial units at ground floor and also extend the commercial units on ground floor. The quantum of residential development proposed amounts to 4 flats comprising of 2no. 1bed studio flats to the rear of the site and 2no. 2bed flats fronting Wrotham Road which would be over first and second floors.

The application form states the property is currently in retail use on the ground floor and residential on the first floor, despite stating the first floor was in commercial use in the previous application. It is not clear when, or why this change occurred, but it is assumed that the inclusion of no. 5 on the plans accounts for the first floor now being identified as residential accommodation. Therefore, the ground floor is currently occupied by a fashion retailer.

The proposed two storey extensions at the rear vary between approximately 4.3m and 8.6m deep from the existing rear walls, and would extend the size of the ground floor retail unit at the back, as well as include bin and bike stores (to be accessed from the rear), as well as provide space for the proposed flats.

The entrance to the proposed flats would be to the rear from external staircase to proposed. The staircase would lead to the studio flats on the first floor at the rear. Then a main entrance to the flats fronting Wrotham Road with the dormer accommodation above first floor. The studio flats would have habitable space/bedrooms towards the rear windows while the two storey flats would have bedrooms on the first floor fronting the main road within living space in the loft space proposed by the dormers.

There are 4 parking spaces shown to the rear of the site within an existing area of hardstanding.

Principle Issues

The main issues for consideration in the determination of this application are as follows:

- Principle of development
- Design and impact on character and appearance of surrounding area
- Residential amenity
- Highways and parking

Principle of Development

At the heart of the NPPF 2021 there is a presumption in favour of sustainable development (paragraph 11), which for decision-taking means that planning permission for applications involving the provision of housing should be granted, unless, in line with the requirements of paragraph 11(d):

- i. the application of policies in this Framework (the NPPF) 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 this case, the application site is part of a parade of mixed commercial units forming a Local Centre (Camer Parade). The site is inset from the Green Belt within the rural settlement boundary of Meopham, and therefore the principle of residential development in this area is generally supported (Policy CS02 of the Core Strategy 2014).

The proposed development would provide a net increase of 4 dwellings, which would offer a small contribution towards meeting local housing need and, accordingly, this weighs in support of the application. The NPPF 2021 also encourages the effective use of land in meeting the need for homes, in particular by making as much use as possible of previously developed or 'brownfield' land (paragraph 121), which this site would be considered to be. However, this has to be balanced against safeguarding and improving the environment and ensuring safe and healthy living conditions, matters which are sought throughout the

NPPF 2021, including in particular in paragraphs 124, 126 and 130, which respectively require development to maintain an area's prevailing character and setting; achieve high quality buildings and places; add to the overall quality of the area, be visually attractive, and create a high standard of amenity for existing and future users. These matters will be considered further below.

In terms of the proposed change of use of the first floor from commercial to residential, Policy CS08 of the Core Strategy 2014 is relevant, which seeks to safeguard the retail character and function of existing Local Centres such as this, by resisting development that would adversely affect their vitality and viability. Policy S3 of the Local Plan 1994 also resists changes of use to alternative uses other than shopping at ground floor level. This proposal will not affect the existing ground floor retail use (the unit is in fact proposed to be enlarged as part of this proposal), and therefore complies with the requirements of this policy. Residential uses above the commercial units are also characteristic of this parade.

Design and Impact on Character and Appearance of Area

Whilst it is recognised that development which makes effective use of land should be supported, this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF 2021 (paragraph 119). Relevant to this proposal, paragraph 124 of the NPPF 2021 states that developments that make efficient use of land should take 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 buildings and places. This latter point is fundamental to what the planning and development should achieve.

Paragraph 126 of the NPPF 2021 states that good design is a key aspect of sustainable development, creates better places and helps make development acceptable. Paragraph 130 of the NPPF 2021 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 of the Core Strategy 2014 reflects these aims and requires that new development is well designed, and respects the character and appearance of the surrounding area.

In a similar vein, Policy CS14 of the Core Strategy 2014 sets out that new housing development is expected to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.

The parade consists of mixed commercial units, with some residential properties above those units. A number of the properties in the parade have been extended considerably, including roof and rear extensions, and the first floors and above contain or have been converted to flats which are material considerations.

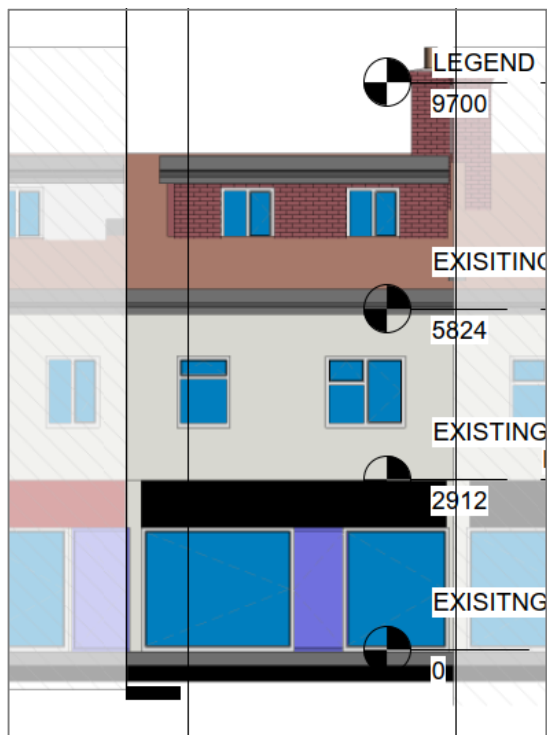
Notwithstanding the nearby approved developments, in terms of assessing the impact on the character and appearance of the area, the external alterations proposed include front and rear dormer extensions, a staggered two storey rear extension with dormer style pitched roofs and includes an external staircase and the creation of roof terraces above ground floor.

It is apparent the revised plans in the current application seek to address the reasons for refusal of the previous application, earlier this year, in terms of design, the front and rear dormers have been rectified and appear more subservient in the current proposal and centred better in the front and rear roof slopes.

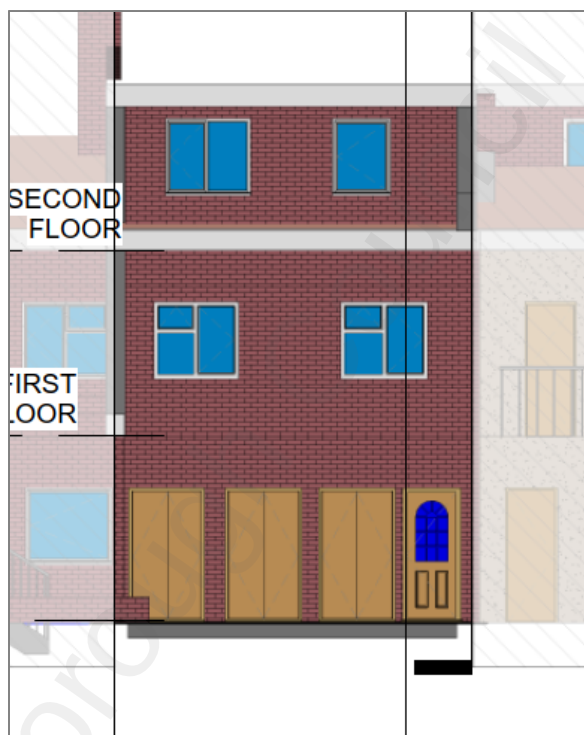
Below compares the elevations of the front/rear elevations of both the refused application and the current application;

Refused application 20210246:

Proposed front elevation:



Proposed rear elevation:



Current application 20211207:

Proposed front elevation:



Proposed rear elevation:



In the refused application, there was discussion that flat roof two storey extensions and front facing dormers were usually considered poor design/unacceptable but given the prevailing character in the immediate locality it was considered the principle of these extensions were acceptable. However, it was considered that the off-centre position of the front dormer, width and fenestration to be considered inappropriate design and

not subservient. Evidently, the revised plans actively seek to address the first reason for refusal of 20210246.

Evidently from the plans the design of the two storey rear extension which comprise of the two dormer style extensions at first floor which has pitched roofs above the eaves over the host property. The roof design of the two storey extension is staggered which appears to have been done to minimise the harm to the adjoining first floor residential properties. Overall, while the design approach is appreciated the subsequent proposal results in a more incongruous and contrived design within a very confined space. This is further demonstrated in the rear extension having approximately 5 different depths, the dormer styles extension raising above the eaves of the main property and the creation of an external staircase all, of which contribute to visual clutter and to the detriment of visual amenity. It is acknowledged that there is another property to the rear with an external staircase, although, this is not consider a design approach that should be replicated in the interest of achieving well designed places.

On this basis, the quantum of residential development from proposed is excessive resulting in the unacceptable rear extensions in design terms and fail to respect the character and appearance of the application building and surrounding area. Furthermore, in light of the design concerns, the proposed development is considered overdeveloped and fails to comply with the requirements of Policies CS14 and CS19 of the Core Strategy 2014, and paragraphs 119, 122, 126, and 130 of the NPPF 2021.

With regard to the impact on the landscape, Policy CS12 of the Core Strategy 2014 is also relevant to this application, relating to green infrastructure. This policy states that the overall landscape character of the Borough will be conserved, restored and enhanced and that the Gravesham Landscape Character Assessment (LCA) 2009 will be taken into account in determining applications. The site is located within the Meopham Downs Landscape Character Area. The LCA recognises the overall condition of the landscape as good and sensitivity of the area as moderate. It is recommended that the key landscape elements should be conserved and reinforced. As this site is within the rural settlement of Meopham and comprises an existing commercial site, the development would have no adverse impact on the wider landscape character of the area.

Residential Amenity

The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land.

Future Occupiers and Neighbouring Properties

The two storey extension has been extended at different lengths to ensure each studio apartment, 4A and 5A, to the rear both meets the minimum Technical Housing Standards – Nationally Described Space Standards (NDSS) 2015 and overcome the bearing impact to residential accommodation above no. 3 The Parade. Each apartment is 39sq.m which is the NDSS requirement for 1 storey, 1 bedroom, 1 person dwelling and would be single aspect flats with unusual layout apartments. The layout of the studio flats forces the bedroom areas by the windows along with the other living area spaces to ensure these areas obtain natural daylight light.

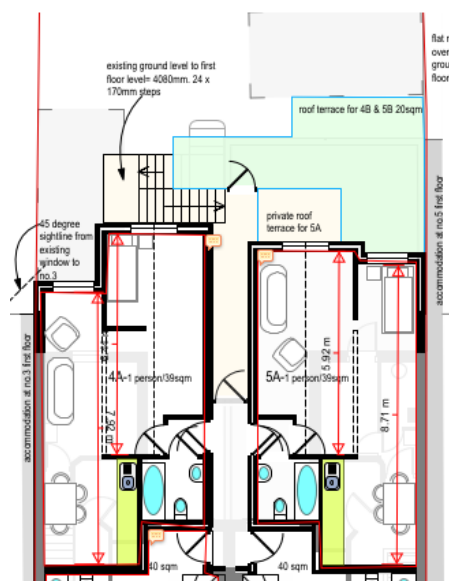
Likewise, the proposed two bed flats would be over two floors, which at first floor, front Wrotham Road and again meet the minimum (NDSS) 2015 for 3 persons flats. Each of the two bed flats would be 70sq.m. Again, the design/layout for these flats has been reconsidered to overcome the previous reasons for refusal in term of meeting the NDSS standards and the provision of private amenity space for the 2 bed units. A roof terrace has been created for flats 4B, 5B and 5A which are both two bed flats and one of the studio flats adjacent to the roof terrace.

However, in addressing the poor living environment of the 2 bed flat (reason for refusal 1) has generated

different issues in that the roof terrace extends 1.27m beyond the rear wall of no. 6 The Parade which also has first floor residential accommodation. Furthermore, the creation of the first floor roof terrace, designated for flats 4B and 5B, inadvertently creates direct overlooking into the living and bedroom areas of studio flat 5A. Also, the creation of the external staircase also harms the privacy of the future occupiers since there would be residents/visitors walking directly in front of the living / bedroom areas with little privacy in these habitable spaces and loss of amenity in terms of noise from residents and visitors passing by flat 4A.

Therefore, the long and narrow design and layout of the studio flats, together with the external staircase and creation of a roof terrace creates an adverse impact on the proposed properties in terms of loss of privacy to both studio flats to the rear of the site. Also, this harm also impacts no 6 The Parade as the roof terrace extends beyond the rear wall of the first floor extension adjacent.

A partial floor plan showing how the studio flats layout is below demonstrating the position of the roof terrace in relation to the flatted accommodation at no. 6 and the relation to studio flats 4A and 5A.



In terms of the bin and cycle storage, these have been separated into separated at the ground floor to the rear of the property which is considered preferable.

Overall, the loss of amenity/privacy harms resulting from the proposed roof terrace is also a further indicator that the site is overdeveloped and conflicts with Policy CS19 of the Core Strategy 2014 and paragraph 130f of the NPPF 2021 in respect of the standard of amenity and living conditions for future occupants of proposed studio flats on site and adjacent residential accommodation above no. 6 The Parade.

Parking and Highways

Given the rural location, in order to comply with Kent Design Interim Guidance Note 3, the new flats would each require a parking space and a secure bicycle parking space, which is proposed at the rear. No car parking provision is required for the existing commercial unit as maximum vehicle parking standards apply.

It is noted that the drawings show 4 parking spaces at the rear of the property, but the Highways Officer indicates that because of the position of the car spaces adjacent to an enclosed boundary the parking spaces need to be larger than the usual 2.5m x 5m (i.e. 2.7m x 5m). Notwithstanding the attempts to provide parking spaces for each residential unit proposed, in reality the spaces are not of the appropriate dimensions. Therefore, it is likely the parking spaces at most times would be inaccessible. The reality of being able to use parking space C4 on the proposed block plan is highly unlikely given the layout of the site.

Overall, the parking provisions at the site are considered inadequate and a further indicator the site would be overdeveloped. The lack of parking provision would lead to adverse highways impact, and the proposal fails comply with Saved Policies T1 and P3 of the Local Plan 1994 and Policy CS11 of the Core Strategy.

Conclusion

The proposed front and rear dormers have been redesigned to address the previous design concerns which are now more subservient on the front and rear roof slopes. Each of the flats meet the NDSS (2015), however, given the constraints of the site being allocated a commercial develop on ground floor and with residential units proposed above, the quantum of residential units proposed is considered excessive.

Therefore, with a total of 4 residential units proposed above the commercial units above ground floor results in poor design and visual clutter to rear of the property to the detriment of visual amenity. Furthermore, as a result of the overall design and layout further harms are generated in relation to loss of privacy and amenity to the residential accommodation above no. 6 The Parade and to the future occupiers of studio flats 4A and 5A to the rear of the site.

In light of the design concerns, the harms to amenity/loss of privacy and lack of adequate parking provision on site, overall, the proposal is considered overdevelopment of the site.

Recommendation

Refusal

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

Case Officer:	Ms Genna Henry	Team Leader:	Miss Faye Hobbs
Signed:	<i>G. Henry</i>	Signed:	
Dated:	10th December 2021	Dated:	10 December 2021