



Delegated Report

Planning Application

Planning Application No: 20231109

Location: 31 Shrubbery Road Gravesend Kent DA12 1JW

Description: Change of use of public house to a single family dwelling with associated access, parking and amenity space and partial demolition of single storey side extension (including revisions to planning permission 20191193).

Applicant: Thanh And Binh Duong, NBS Distribution

Site Visit Date: 17 November 2023

Submitted Documents/Plans

- Application form;
- Drawing no. 01 – Site Location and Existing Block Plan;
- Drawing no. 02 – Existing Ground Floor Plan;
- Drawing no. 03 – Existing First Floor Plan;
- Drawing no. 04 – Existing Cellar Plan;
- Drawing no. 05 – Existing Elevations;
- Drawing no. 06 – Proposed Block Plan;
- Drawing no. 07 – Proposed Ground Floor Plan;
- Drawing no. 08 – Proposed First Floor Plan;
- Drawing no. 09 – Hard and Soft Landscaping and Refuse Storage Plan;
- Drawing no. 10 Rev. A – Proposed Elevations;
- Drawing no. 11 – Proposed Fencing;
- Drawing no. 12 – Flush Casement Window Joinery Details W01, W02, W03, W08 & W09;
- Drawing no. 13 – Flush Casement Window Joinery Details W04;
- Drawing no. 14 – Entrance Door Joinery Details D01;
- Drawing no. 15 – Heritage Context and Visual Impact analysis;
- Drawing no. 16 – Existing Fencing;
- Drawing no. 17 – Proposed Cellar Plan;
- Sash Window Details Windows W07, W10, W11, W12, W13 and W14;
- Un-numbered drawing - Timber Door Profiles Doors D02 & D03;
- Un-numbered drawing - Flush casement French door Sections and Elevation;
- Planning, Design and Access Statement;
- Heritage Statement; and
- Heritage Statement Appendices - HS1 (i), (ii), (iii) & (iv), HS2, HS3 (i), (ii), (iii), (iv).

Relevant Planning History

Reference	Description	Decision	Decision Date
20220298	Application, part retrospective, for conversion of former public house to a single-family dwelling with associated	Refused	19.05.2023

	access, parking and amenity space, incorporating revised external alterations to those approved under application reference 20191193.		
20191193	Change of use of the public house to a single family dwelling with associated access parking and amenity space and partial demolition of single storey southern side extension.	Permitted	17.03.2020

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC2 – Listed Buildings
- TC3 – Development Affecting Conservation Areas
- TC7 – Other Archaeological Sites

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

Other material planning considerations

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, the Council has a statutory duty in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- 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);
- Householder Extensions/Alterations Design Guide (2021);
- Windmill Hill Conservation Area Character Appraisal (2007);
- Management Plan Gravesend's 19th Century Suburban Conservation Areas (2009);
- Conservation Areas Maintenance/Replacement Windows and Doors Guidance Supplementary Planning Document (2020)

Consultations, Publicity and Representations

Consultees

GBC Conservation Officer - (the Conservation Officer gave a verbal comment on the proposed works set out in the schedule of works in section 4 of the 'Planning, Design and Access Statement'). The schedule is herein repeated and the Conservation Officer's verbal comment on each point is given in blue:

Front Elevation (SE):

1. Retention of single timber garage door and glazing above (as built) but with obscure glazed windows instead (note: the previous two garage doors were black metal); **Agree.**
2. Replacement of recent timber door to side of garage with simple timber boarded door as previously approved; **Agree.**
3. Replacement of recent hipped roof on reduced single storey side extension with a flat roof along with window design to match previously approved plans; **Agree.**
4. Removal of projecting eaves and reinstatement of flush eaves detail as previously approved; **Agree subject to detail which can be secured by planning condition should permission be forthcoming.**
5. Removal of ground floor quoins and replacement of recent first floor quoins with those that imitate the originals in black; **Agree but please could you amend the plans to add in a horizontal stringcourse as Google Streetview shows that the building previously had a stringcourse so this needs to be reinstated:**
6. Reinstatement of arched detailing above ground floor windows (as previously approved); **Agree.**
7. Reinstatement of flat gauged arch with keystone above first floor windows (as previously approved); **Agree but in order to do the eaves this will need to be flush to get the height in (see point 4 above).**
8. Replacement of timber storm proof casement windows with timber flush casements and thinner proportions (as previously approved); **Agree subject to detail which can be secured by planning condition should permission be forthcoming. Cills and windows will all need to be as per the windows that were removed.**
9. Removal of trickle vents (as previously approved); **Agree.**
10. Reinstatement of roughcast, but white render (smooth render was previously used elsewhere and on the ground floor front elevation); **Agree but reinstate stringcourse (see point 7 above) please revise plans accordingly.**
11. Retention of thinner window cills; **Disagree – You need to replicate the window cills that were removed, please revise plans accordingly.**
12. Retention of new flue within existing chimney; **Disagree – existing flue is unsympathetic and inappropriate. Should be a clay chimney pot or reduce existing flue to top of chimney, please revise plans accordingly.**
13. Removal of parapet wall on eastern side extension. **Agree.**

Side Elevations:

14. Retention of timber storm casement windows on NE side; **Agree - The storm windows are not sympathetic and should be flush however, as they are on the side elevation they can on balance just about be supported but only just.**
15. Retention of trickle vents; - **Agree.**
16. Retention of third window in first floor south-west side elevation, but to have this replaced as a timber sash window to match the two either side; **Agree.**

17. Retention of timber shiplap white painted weatherboarding on the side elevations (as opposed to timber featheredge as previously approved); 18. Retention of thinner window cills; **Disagree – the timber featheredge weatherboarding needs to be reinstated and should match the weatherboarding that was removed, please revised plans accordingly:**

19. Retained new location for first floor white painted sash window; **Agree.**

20. Removal of one ground floor door (as existing); **Agree.**

21. Retention of double doors as opposed to triple doors as previously approved to rear of side extension; **Agree.**

22. Windows are timber, with three opening sash windows plus one casement on the ground floor; **Agree.**

23. Black painted render around first floor window on projecting gable. **Agree.**

GBC Conservation Officer – 23/07/2024

Thanks for the attached revised elevation drawing. This now addresses the points raised in your email to the agent and subject to the conditions you refer to in it, the rectification work is acceptable.

GBC Conservation Officer – 15/08/2024 (verbal)

Joinery details in application are reasonable but for the need to ensure the timber window cills are a minimum of 50mm high at their front face. Currently they are much too thin, being typical of a modern joinery section detail.

GBC Highways Officer

I have no objections, the property has provision for the parking of two cars, and cycles can be stored in the garage/workshop.

The one issue is the garage/workshop, the ability to park a large car needs to be protected, and the workshop should be restricted so it cannot be used for commercial purposes, as this could change the dynamics of the site and create additional traffic and parking demands, which would require an assessment to determine if it were an appropriate use within a residential area.

KCC Heritage

The site lies within an area of background archaeological interest and within the Windmill Hill Conservation area. The building, which is the subject of the application, is not listed.

In respect of the historic building, which is likely to have archaeological interest because of its age, I note the details and decision-making for 2019/1193 but cannot see that we, in Heritage Conservation, made any comments. I note therefore that planning permission was granted without any historic building recording having been undertaken or a condition to cover such work during redevelopment. I think that such a condition would be useful to have in place. The application has been made with a Heritage Statement and a number of appendices, which provide some useful history for the building and in addition the floor plans record the present form of the structure. However, the building, in my opinion, is of sufficient historic architectural and archaeological interest, despite not being listed, to merit more specialist investigation, to understand more detail about the original design, method of construction, use and evidence for any important historic changes. This sort of recording should be carried out by a suitably experienced historic building specialist/archaeologist.

As the proposed works may impact on the historic fabric of the structure and reveal evidence of its history, I recommend that if planning permission is granted the following condition is applied to any forthcoming consent:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local

Planning Authority.

Reason: To ensure that historic building features are properly examined, recorded and reported on, to Historic England Level 3.

The position of the original building does not align with the street layout, the latter appearing on historic mapping (e.g. the Tithe map 1837/1858) to respect the building. Groundworks associated with the development may impact on below-ground archaeological remains at the site, including those of later medieval and post-medieval date, which may provide evidence for the origins of the building, and I therefore recommend that a planning condition for an archaeological watching brief should also be considered. The following condition is recommended:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

- (i) an archaeological watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that groundworks are observed and items of interest and finds are recorded. The watching brief shall be in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority and;***
- (ii) a report on the findings of the watching brief which has been submitted to and approved in writing by the Local Planning Authority.***

Reason: To ensure that features of archaeological interest are properly examined, recorded and reported.

Environment Agency

Due to the scale, nature and setting of this proposal and the supporting information submitted, we have assessed this proposal as low risk. This is on the basis that the applicant is using mains drainage for foul drainage. If this is not the case then please reconsult us.

Neighbouring properties

14 surrounding properties were consulted plus site and press notices – overall consultation expiry date was 08.12.2023 – no comments received.

Officer's Analysis

The application site consists of a two storey detached building which is the former Millers Cottage Public House which closed in November 2018. The site is located in Windmill Hill Conservation Area and an Area of Archaeological Potential. The site is also located in close proximity to a number of listed buildings (nos. 9-12, 17-19 and 25-29 Shrubbery Road).

Planning permission was granted under application ref. 20191193 for 'Change of use of the public house to a single family dwelling with associated access parking and amenity space and partial demolition of single storey southern side extension' on 17.03.2020.

Work was carried out on the building but this did not adhere to what had been approved under application ref. 20191193.

The applicant then applied under application ref. 20220298 for 'Application, part retrospective, for conversion of former public house to a single-family dwelling with associated access, parking and amenity space, incorporating revised external alterations to those approved under application reference 20191193'; this application was refused on 19.05.2023 on the following ground:

- 1. The proposed alterations, the majority of which have been carried out, are unsympathetic and have caused harm to the character and appearance of this building, have not preserved but caused harm to the character and appearance of the Windmill Hill Conservation Area and have caused harm to*

the setting of the nearby listed buildings at nos. 9-12, 17-19 and 25-29 Shrubbery Road. As such the proposal is contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014), saved Policies TC2 and TC3 of the Gravesham Local Plan First Review (1994) and section 16 of the National Planning Policy Framework (2021).

This current application is for 'Change of use of public house to a single family dwelling with associated access, parking and amenity space and partial demolition of single storey side extension (including revisions to planning permission 20191193)'.

It therefore needs to be seen whether this current proposal addresses the ground of refusal of previous application ref. 20220298.

The principle considerations in the assessment of the application are:

- Principle;
- Whether the proposal would preserve or enhance the character and appearance of the Windmill Hill Conservation Area and the setting of the nearby listed buildings;
- Impact on Future Occupiers;
- Impact on Neighbouring Amenity;
- Parking and Highway Safety.

Principle

The principle of the conversion has been set with planning permission ref. 20191193 which permitted the change of use of the public house to a single family dwelling with associated access parking and amenity space and partial demolition of single storey southern side extension in March 2020. It was considered that although the loss of the pub was regrettable, the applicant had provided convincing evidence that there is no demand to let the existing public house and that it would not be viable to retain the application property as a pub. Furthermore, it was considered there was alternative pub provision available in close proximity at the nearby Windmill Tavern in Shrubbery Road. It was also considered that the presence of a public house in a predominantly residential area was not wholly appropriate in either location or character and lastly that in broader terms the conversion of the pub to a dwelling which is in a predominantly residential area would be appropriate and have a modest contribution to the Borough's housing supply. The proposal was therefore considered compliant with Policies CS02, CS08 and CS10 (LPCS) and there have been no changes in policy since this to warrant a different view. As such the proposed change of use from a public house to a dwelling is still considered acceptable and compliant with the aforementioned policies.

Whether the proposal would preserve or enhance the character and appearance of the Windmill Hill Conservation Area and protect the setting of the nearby listed buildings

In application ref. 20191193 the proposal in its amended form was considered to be an enhancement of the Windmill Hill Conservation Area and to not have any adverse impacts on the setting of the nearby listed buildings at nos. 9-12, 17-19 and 25-29 Shrubbery Road. This was considered the case because the proposal included the removal of part of a single storey side extension at the front of the application property, utilised good quality facing materials and replaced the existing modern garage doors on the front elevation with timber. In addition, the site frontage was to be re-surfaced and landscaped.

In previous application ref. 20220298 this was not the case as the proposed changes to the building much of which had been carried out were completely unacceptable and had not preserved the character and appearance of the building or the Windmill Hill Conservation Area and had not protected the setting of the nearby listed buildings. The building as it was originally and then after the changes had been carried out (which were being applied for retention of) is shown below:



2018



2022

The issues with the works that have been carried out (and for which respective permission was being applied for in application ref. 20220298) related to the windows, front door, garage doors, pedestrian door to garage and workshop, the eaves, the quoins, the weatherboarding, render, flue and pub sign.

These various different elements are set out in detail below, firstly describing what the issue was in application ref. 20220298 and then secondly whether the issue has now been resolved or not in this current application.

Windows

The windows which have been installed are thick and chunky and were considered no substitute for the windows that had been removed. They are storm casements not flush casements, have a plastic appearance, trickle vents and very thick window cills compared to the originals which were thicker. The ground floor window openings had an arched opening and the first floor windows had a flat gauged arch with keystone which has all been lost. The first floor windows have been increased in height. The front window, which has been installed in the reduced side extension has been installed with a hipped roof which was considered to appear incongruous and out of keeping with the character and appearance of the building and the Conservation Area.

It was stated in the Delegated Report for refused application ref. 20220298 that essentially the previous windows should be replicated – same material (timber) and proportions – slimlite double glazing would be acceptable (glazing system of no more than 12mm thickness). It was also stated that there should be no hipped roof on the window in the front of the side extension and that this should be as per the window which was in the front of the original side extension and which was as shown in approved application ref. 20191193.

In this current application it is now proposed that the unacceptable timber storm proof casement windows in the front elevation will be replaced with timber flush casement windows of thinner proportions to replicate the windows that were removed and with no trickle vents. As originally submitted it was proposed that the existing inappropriate window cills were to be retained but the agent was advised that this would not be acceptable and that the original window cills need to be replicated, this is now proposed. The arched detailing above the ground floor windows and the flat gauged arch with keystone above the first floor windows is proposed to be reinstated. The Conservation Officer has confirmed that the joinery details submitted with the application are acceptable but there is a need to ensure the timber window cills are a minimum of 50mm high at their front face as currently they are much too thin, being typical of a modern joinery section detail. Should permission be forthcoming, it can be conditioned that the timber window cills shall be a minimum of 50mm high at their front face and subject to this the windows would be acceptable.

With regards the north-east side elevation it is proposed to retain the timber storm casement windows. The windows are not sympathetic and should be flush however, as they are on the side elevation they can on balance just about be supported but only just. It is proposed for the trickle vents to be retained which is considered acceptable in the side elevation. The third window at first floor level in the south-west side elevation is proposed to be retained but this would be replaced with a timber sash window to match the two either side which is considered acceptable.

The hipped roof on the reduced side extension would be removed and replaced with a flat roof which is considered more in keeping with the character and appearance of the building and the Conservation Area.

It is considered the proposed works would address the issues identified with the windows in previous application ref. 20220298.

Front Door

The front door which has been installed, was considered completely inappropriate in design and out of keeping with the age and character of the building and the character and appearance of the Windmill Conservation Area causing great harm. The original door opening had an arched opening which has been lost. It was stated in the Delegated Report for refused application ref. 20220298 that the door at the application building should be a replica of the main front door to the pub which was removed. It should match in respect of material (timber), proportions etc. and the top half was glazed so the new door could be frosted glass for privacy if required; the arched door opening should also be reinstated.

In this current application it is stated on the proposed elevations that a 'white painted front door' will be installed. Details have been provided which the Conservation Officer advises are acceptable. The upper part of the door is shown to be glazed as per the previous door removed and the arched opening is shown to be reinstated. The door is a suitable timber replacement and it is considered that the door would be acceptable.

Garage doors

The proposed garage doors, which have been installed, have metal garage doors behind them which it was considered appeared very incongruous.

In this current application it is proposed to install obscured glazing to the upper glazed sections of the door. This would mean the incongruous metal doors behind would not be visible. It is considered that the proposal for obscure glazing would resolve the issues identified with the metal doors in previous application ref. 20220298.

Pedestrian door to garage & workshop

The door, which has been installed, was considered extremely out of keeping and incongruous in design terms for a door on the main front elevation of the building. It was stated that it would need to be a simple timber boarded door as before.

In this current application it is proposed to replace the inappropriate door with a timber boarded door as previously approved in application ref. 20191193. The Conservation Officer has confirmed that the door and the details of it which have been submitted are acceptable and the replacement door would address the issues identified with the door in previous application ref. 20220298.

Eaves

Originally the eaves detail was flush, this has been altered to a projecting eaves which has altered the character of the building (together with the increase in the first floor level windows as mentioned above). It was stated in the Delegated Report of application ref. 20220298 that the eaves detail would need to be reinstated.

In this current application it is proposed to remove the projecting eaves and reinstate the flush eaves detail as previous. This is considered acceptable subject to detailing which can be secured by planning condition should be permission be forthcoming and the issues with the eaves in previous application ref. 20220298 would therefore be addressed.

Quoins

The quoins which have been installed, are an extremely poor imitation of the original quoins which were removed and are harmful to the character of the building and the Conservation Area. It was stated in the Delegated Report for ref. 20220298 that the quoins would need to be put back as per the originals.

In this current application it is proposed to remove the ground floor quoins (as there was previously none there) and reinstate the quoins at first floor level to imitate the originals in black. This is considered acceptable.

Render

The building was originally roughcast render but this has been lost and replaced with a smooth render. This was considered to have completely altered and caused harm to the character and appearance of the building and the Conservation Area. The bright white colour render was also considered out of keeping. It was stated in the Delegated Report for ref. 20220298 that the render would need to be put back as it was, i.e. roughcast render.

In this current application it is proposed that a white painted roughcast render will be reinstated. This is considered acceptable and would address the issues identified with the render in previous application ref. 20220298. The agent was also asked to amend the plans to reinstate a stringcourse which Google Streetview shows that the building had previously but had been removed, this has been done.

Weatherboarding

The previous timber weatherboarding on the building was featheredge, this has been removed and replaced with shiplap weatherboarding (which appeared plastic). It was considered that it was a very poor substitute to the previous featheredge weatherboarding causing harm to the character and appearance of

the building and the Conservation Area. It was stated that weatherboarding would need to be put back as it was, i.e., timber featheredge weatherboarding.

In this current application it was originally proposed to retain the inappropriate weatherboarding that has been installed. The agent was advised this was not acceptable and to amend the plans to show that timber featheredge weatherboarding would be reinstated. The plans have now been amended to show this would be the case and this is therefore now considered acceptable and the issues with the weatherboarding in previous application ref. 20220298 have been resolved.

Flue

There have been previous flues out of the chimney but a new shiny flue had been installed which was considered out of keeping with the character and appearance of the building and the Conservation Area.

In this current application it was originally proposed to retain the flue. The agent was advised this was not acceptable as the flue was unsympathetic and inappropriate. The agent was advised to amend the plans to show either a clay chimney pot or reduce the existing flue to the top of the chimney. The plans have been amended to show the existing unauthorised flue with be replaced with a clay chimney pot which is acceptable.

Pub Sign

The original pub sign, which it was stated on the proposed plans in the previous application was to be retained had actually in reality been removed. The pub sign was considered to form part of the character of the building.

In this current application the pub sign is not proposed to be reinstated. As the building would not be a pub anymore this is considered acceptable.

In respect of heritage matters the proposed amendments in this application subject to conditioning details of the reinstatement of the flush eaves details and that the timber window cills shall be a minimum of 50mm high at their front face, as requested by the Conservation Officer, would resolve the issues identified in previous application ref. 20220298. No further conditions are needed in respect of design and heritage matters as sufficient details have been submitted with the application. The development subject to the eaves and cill conditions would preserve the character and appearance of the Windmill Hill Conservation Area and protect the setting of the nearby listed buildings and would therefore address the ground of refusal of application ref. 20220298.

Impact on Future Occupiers

The internal floor would be 276.2 sq. m which far exceeds the minimum standard for a two storey, four bedroom, 8 person dwelling of 124 sq. m as set out in the National Space Standards (2015). The master bedroom and bedroom 3 exceed the minimum standard for a double bedroom of and bedrooms 2 and 4 exceed the minimum standards for single bedrooms.

At the rear there would be a garden area which would be 127 sq. m and would therefore exceed the minimum standard for a four bedroom dwelling. The depth would be 5.7m in depth, this is under the 10m minimum, but this was accepted in approved application ref. 20191193 and the garden area is over the minimum.

Therefore, in respect of future occupiers the proposal is considered to be compliant with Policy CS19 (LPCS).

Impact on Neighbouring Amenity

The difference between this new proposal and the previously approved application in respect of neighbouring amenity is that a new window is proposed at first floor level in the south-west flank elevation. The window has been installed already even though permission has not been given. This window would

serve a bedroom however it is considered that by virtue of its location it would not cause any overlooking or loss of privacy to the neighbouring property to the south west no. 29 Shrubbery Road. There are some new windows proposed at ground floor in the north-east side elevation and on the rear but again due to their location and that there are already existing windows in their place or in the vicinity there would be no overlooking or loss of privacy from those windows either.

In respect of neighbouring amenity the proposal is considered compliant with Policy CS19 (LPCS).

Parking and Highway Safety

The parking provision remains the same as approved in previous application ref. 20191193 – there is one parking space proposed in area to the south-west of the building in the frontage and then two further spaces in the attached garage. The three spaces were considered sufficient for a four bedroom house in accordance with SPG4 (2006) and this remains the case. In respect of parking and highway safety the proposal is therefore considered compliant with saved Policy P3 (LPFR).

Archaeology

The site is in an Area of Archaeological Potential. KCC Heritage have requested a pre-commencement condition for securing the implementation of an archaeological watching brief and a report on the findings of the watching brief. However, the proposal involves no groundworks and it is considered this is not necessary. The single story front extension was removed and the frontage re-modelled but this work has been carried out already following the grant of planning permission ref. 20191193. There are no further ground works proposed in this application and so the condition is not necessary. KCC Heritage have requested a pre-commencement condition to secure the implementation of a programme of building recording however, the majority of all the original/period features were removed by the applicant when they have carried out works to the building without permission. As such it is considered a condition for building recording would no longer be necessary.

In respect of archaeology it is therefore considered there would be no harm and the proposal is compliant with saved Policy TC7 (LPFR).

Ecology and Biodiversity

Paragraph 180 of the NPPF (2023) requires, amongst other things, that planning decisions minimise impacts on, and provide net gains, for biodiversity. Policy CS12 (LPCS) states that there will be no net loss of biodiversity in the Borough and that opportunities to enhance, restore, re-create and maintain habitats will be sought in new development.

The proposed development would result in a reduction in the amount of built development and hard surfacing at the application site. In addition, it would provide new soft landscaped areas at the front and rear of the site. Therefore it is considered that the proposed development would have a positive net gain on biodiversity and would be in line with Policies CS12 (LPCS) and Paragraph 180 of the NPPF (2023).

Thames Estuary and Marshes Special Protection/Ramsar Site

The application site falls within 6 km of the Thames Estuary and Marshes Special Protection Area (SPA). As the application site had an existing residential use above the pub it is considered that there would be no net increase in residential units on the site and so the SAMMS tariff would not be applicable and therefore no impact on the SPA/RAMSAR site.

Any Other Material Planning Considerations

None.

Conclusion & Recommendation

The proposed amendments in this application subject to conditioning details in some cases, would resolve the issues identified in previous application ref. 20220298. The development subject to conditions would preserve the character and appearance of the Windmill Hill Conservation Area and protect the setting of the nearby listed buildings and would therefore be compliant with Policies CS19 and CS20 (LPCS) and saved Policies TC2 and TC3 (LPFR). The ground of refusal of application ref. 20220298 has therefore been resolved.

Recommendation: Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	17th September 2024	Dated:	17 September 2024