

# Delegated Report

## *Planning and Listed Building Consent Applications*

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**Planning Application No:** 20260167  
20260168

**Location:** 30 King Street Gravesend Kent DA12 2DU

**Description:** 20260167 - Conversion of 1st, 2nd & 3rd floors and roof space from offices to 5 residential units; 3 x 1 bed, 1 x 2 bed & 1 x 3 bed.

20260168 - Application for Listed Building Consent; Conversion of 1st, 2nd & 3rd floors and roof space from offices to 5 residential units; 3 x 1 bed, 1 x 2 bed & 1 x 3 bed.

**Applicant:** Mr Terry Spyris

**Site Visit Date:** 27.02.2026

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### Submitted Documents/Plans

- Cover Letter;
- Application form;
- Design Statement;
- Heritage Impact Assessment;
- Drawing no. P-366-25-01 – Location Plan & Photos No. 30 King Street;
- Drawing no. P-366-25-02 – Existing Basement Plan No. 30 King Street;
- Drawing no. 366-25-03 – Existing Ground Plan No. 30 King Street;
- Drawing no. P-366-25-04 Existing 1<sup>st</sup> Floor Plan No. 30 King Street;
- Drawing no. P-366-25-05 – Existing 2<sup>nd</sup> Floor Plan No. 30 King Street;
- Drawing no. P-366-25-06 – Existing 3<sup>rd</sup> Floor Plan No. 30 King Street;
- Drawing no. P-366-25-07 – Existing Roof Plan No. 30 King Street;
- Drawing no. P-366-25-08 – Existing Elevation 2 & 3 No. 30 King Street (facing Windmill Street);
- Drawing no. P-366-25-09 – Existing Elevation 1 from Windmill Street;
- Drawing no. P-366-25-10 – Existing Cross Section/Elevation No. 30 King St (facing Windmill Street);
- Drawing no. P-366-25-11 – Existing Section A/A;
- Drawing no. P-366-26-12 – Existing Basement Plan (To Remain As Existing);
- Drawing no. P-366-26-13 – Proposed Ground Floor No. 30 King Street;
- Drawing no. P-366-26-14 Rev. A – Proposed First Floor No. 30 King Street;
- Drawing no. P-366-26-15 Rev. A – Proposed Second Floor No. 30 King Street;
- Drawing no. P-366-26-16 Rev. A - Proposed Third Floor No. 30 King Street;
- Drawing no. P-366-26-17– Proposed Roof Plan No. 30 King Street;
- Drawing no. P-366-26-18– Proposed Elevation No. 30 King Street;
- Drawing no. P-366-26-19– Proposed Elevation No. 30 King Street from Windmill Street;
- Drawing no. P-366-26-20– Proposed Cross Section/Elevation No. 30 King Street (from Windmill Street);
- Drawing no. P-366-26-21 - Proposed Cross Section A/A;
- Drawing no. P-366-26-22– Proposed Ground Floor Fire Safety Plan (D12 Compliant);
- Drawing no. P-366-26-23 – Proposed First Floor Fire Safety Plan (D12 Compliant);

- Drawing no. P-366-26-24 Rev. A – Proposed Second Floor Fire Safety Plan (D12 Compliant);
- Drawing no. P-366-26-26 – Existing/Proposed Site Plan; and
- SAMMS Mitigation Contribution Agreement.

## **Relevant Planning History**

None.

The applicant submitted a pre-application enquiry for extensions to the building including roof extensions and rear extensions at second and third floor levels; and conversion of the 1st, 2nd & 3rd floors from offices (former NatWest) to eight residential units (mix of one bed and studio units) with entrance off Windmill Street.

## **Development Plan**

### Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

### Gravesham Local Plan: First Review (1994)

- H5 – Increasing the Housing Stock by the Conversion of Existing Buildings
- P3 – Vehicle Parking Standards
- TC2 – Listed Buildings
- TC3 – Development Affecting Conservation Areas

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.

## **Other material considerations**

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses when considering whether to grant listed building consent.

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 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

#### 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 12 – Achieving well-designed and beautiful places
- Section 15 – Conserving and enhancing the natural environment
- 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);
- King Street Conservation Area Character Appraisal (2009)
- Management Plan Gravesend Town Centre Conservation Areas (2009)
- Maintenance/Replacement Windows and Doors Guidance (2020)
- Listed Buildings A Guide for owners and occupiers (2020)

#### **Emerging Local Plan as a Material Consideration**

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

## **Consultations, Publicity and Representations**

### Consultees

#### GBC Conservation Officer

Having reviewed the application and read the heritage statement, the proposals are in line with local and national policy and can be supported, subject to conditions. These should cover the internal services and any external vents that may be proposed as a result of the conversion. All new joinery and treatment of internal surfaces, including retention of cornices and original staircases require detailed specification and drawings to ensure preservation and appropriate integration with the historic fabric and its appearance. Likewise any window repairs or replacement will need to be conditioned to ensure they are compatible with the historic significance of the listed building.

#### GBC Environmental Protection

This is a busy location at night with 2 pubs close by and is also one of the main routes used by people to access other 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. There is also likely to be various plant and equipment associated with nearby commercial premises and also noise associated with early morning deliveries to nearby commercial uses

Commercial use is to remain at the ground floor and although the bank use is not particularly noisy nor has extended hours, the use could change in the future.

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 on this premises 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, service/bi store areas within the building and the existing lift. 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<sub>Amax</sub> 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 (D<sub>nT</sub>, W + C<sub>tr</sub>) 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.

Neighbouring properties and publicity

20260167 - 16 surrounding properties were consulted plus site and press notices – consultation expiry date was 27.03.2026 – no comments received.

\*It should be noted that the consultation for GBC Environmental Protection expired on 20/05/2026 hence the overall consultation expiry date for 20260167 is 20.05.2026.

20260168 – Advertised by way of site and press notices - overall consultation expiry date was 27.03.2026 – no comments received.

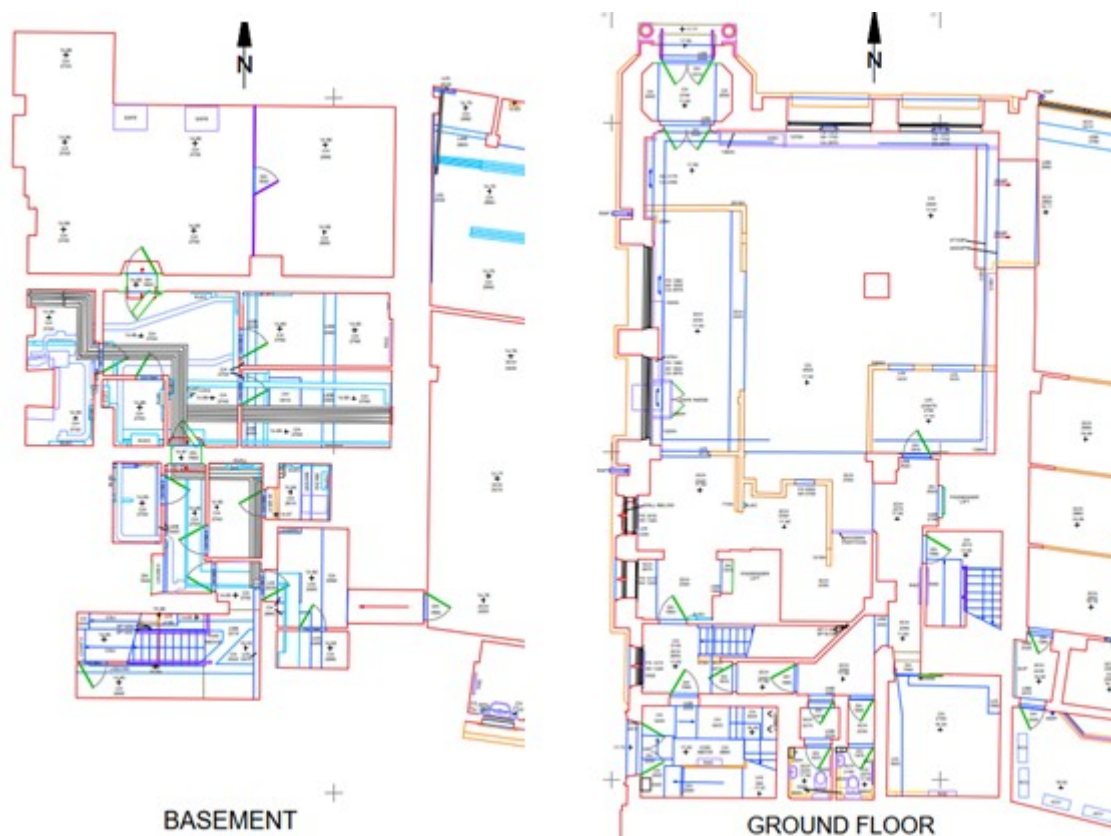
## Officer's Analysis

The application site consists of a four storey building plus a basement. The site is a grade II listed building and is situated in the King Street Conservation Area, the Thames Estuary And Marshes Ramsar Buffer Zone and the Gravesend Town Centre Opportunity Area.

This application is for planning and listed building consent for conversion of the 1st, 2nd & 3rd floors and roof space from offices to 5 residential units; 3 x 1 bed, 1 x 2 bed & 1 x 3 bed.

For ease of reference the existing and proposed floor plans are as follows:

Existing





FIRST FLOOR

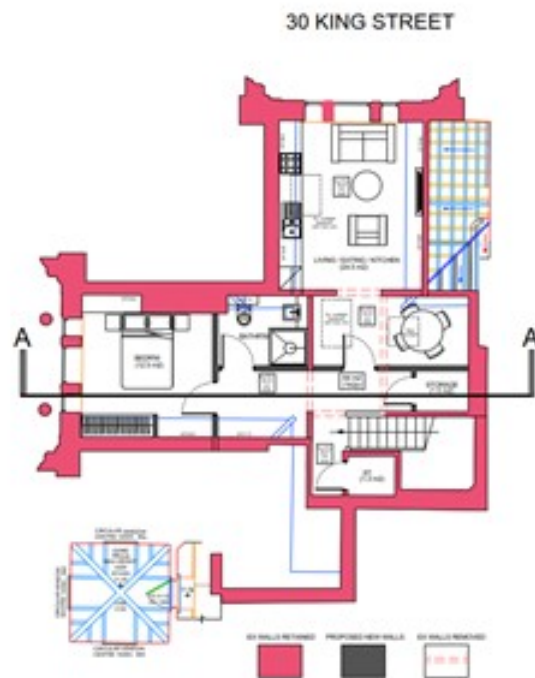
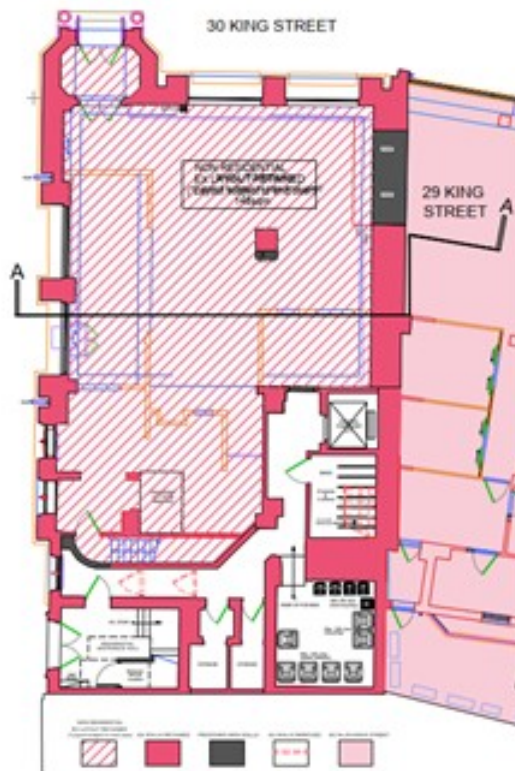


SECOND FLOOR



THIRD FLOOR

Proposed



The existing and proposed elevations are as follows:

### Existing & Proposed Windmill Street Elevation



No.30 KING STREET FROM WINDMILL STREET

ELEVATION 01



No.30 KING STREET FROM WINDMILL STREET

### Existing & Proposed King Street Elevation – No change

ELEVATION TO REMAIN AS EXISTING



No.30 KING STREET

## Existing & Proposed South Elevation



The principle issues in the assessment of the application are as follows:

### 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 '5' residential unit would offer a modest contribution towards meeting this local need and, accordingly, officers consider 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.

### Principle

The site is within the urban boundary of Gravesend which is covered by Policy CS02 (LPCS) which prioritises development in the urban area as a sustainable location for development. Policy CS05 (LPCS) states that the Gravesend Town Centre Opportunity Area will be the principal focus for town centre related economic and social activity in the Borough and that this will be achieved by, amongst other things, encouraging a mix of employment and residential uses. It is stated that the provision of residential uses on upper floors will be supported subject to achieving a satisfactory living environment.

In summary therefore, it is considered that there is support for the principle of the development but all of principle considerations will need to be looked at to assess whether it is acceptable in regard to them too.

### Whether the proposal would protect the architectural and historic interest of this grade II listed building and preserve or enhance the character and appearance of the King Street Conservation Area

The application building is grade II listed and situated in the King Street Conservation Area. The application is supported by a detailed Heritage Statement (HS) which does exactly what a Heritage Statement should do – assesses the building and its history, the proposals and the impact they would have on significance.

The Heritage Statement explains how the outside of no. 30 King Street has survived very well changing little from its original construction. It explains how the inside however, has been heavily altered with major works in the 1970s, likely prior to listing, and further works in 1987 (with listed building consent) have resulted in a utilitarian office environment with dropped ceilings, modern doors and finishes although features do survive internally.

## **External changes**

The plans show that there would be no extensions to the building and the only changes proposed are as follows:

All windows will be repaired and restored; it is stated that some are in good condition but the timber windows at third floor level are degrading and need to be fully overhauled. It is stated that there is no proposal to replace any windows except the modern glazed window serving the first floor rear toilets and the window facing Windmill Street which will match the existing windows and it recognises that details will need to be conditioned.

However, a comparison of the existing and proposed drawings shows the following changes:

### **Windmill Street elevation**

Double doors in gable would be altered;

First floor window in two storey section would be replaced from a modern window to one to match the other existing windows with leaded lights;

### **King Street elevation**

What are the red lines?

### **South elevation**

Three square/rectangle windows replaced with new windows to match the other existing windows in the building with leaded lights;

The semi-circular window would be replaced with a rectangular window to match the other existing windows in the building with leaded lights.

## **Internal changes**

The HS goes through what remains at each floor level in terms of features:

### **Basement**

- This area of the building is outside the scope of the application;
- But essentially is two halves with the area to the front, underneath the main banking hall is close to its original condition with a large open space used as vaults with white glazed tiles and internal metal enclosure where the safes were kept; and
- The southern part of the basement level has been comprehensively altered through the reconfiguration of rooms, introduction of breeze block walls, overpainting of all services and the insertion of concrete floors, modern joinery and modern services. There are no historic features of note in the southern half of the basement floor plan.

### **Ground floor**

- The principal banking hall survives with internal decorative features at high level, including cornice, and some joinery around the windows and walls. The interior is retained for the period and has likely lost some of the bespoke fixed furniture that would have been designed for the space. Two insertions have been made providing separate rooms which intrude onto the volume of the space. The opening in the party wall to the adjacent building has been closed up;
- To the rear there are no features of note. The 1987 works involved the insertion of a lift and staircase to the rear, and the removal of a staircase and some original partitions. The staircase just inside the Windmill Street entrance is utilitarian and appears to date from the 1930s in cast concrete with metal balustrade.

### **First floor**

- The interiors have been highly altered but a single historic staircase between the lower southern part of the building and the higher northern part of the building survives, cut off below but continuing up to second floor level;
- The front room at the northern end of the building has been subdivided into three rooms (1987 works) and all the joinery is modern;
- There are dropped ceilings throughout but with some evidence of surviving cornice runs in two of the front rooms;
- Aside from the staircase and some cornice runs the historic floor plan is not legible in any meaningful way; There has been removal of areas of wall (downstands retained) and insertion of toilets and cupboards in corridors;
- To the rear, a large curved window shown on the 1987 as existing plan was removed when the new staircase extension was added.

### **Second floor**

- The interiors are much altered with the loss of historic partitions to provide open plan areas for the office use and the removal of staircases all happening in the 1980s;
- There are no features of specific interest aside from the central staircase;
- All joinery, while in keeping generally appears to have been reapplied or is replica.

### **Third floor**

- The interior features again do not survive, with two plain rooms accessed from a staircase that appears to have been inserted in the 1987 renovation but may have reused a newel post from other historic staircases in the building.

The HS then assesses the impact on the proposed internal changes on the significance of no. 30 King Street:

### **Significance**

The HS assesses the significance of this listed building:

#### **Historic Interest**

- A purpose built bank built during the late 19th century commercial expansion of Gravesend;
- Reflects the growth of financial and administrative institutions within the town at a time when improved transport links and economic activity reinforced its role as a commercial centre on the Thames;
- Date stone of 1889 and initials 'LCB' provide direct evidence of its original institutional purpose and development;
- This purpose built bank illustrates broader historic patterns in which financial institutions sought prominent urban sites and commissioned architect designed buildings to convey stability and authority.
- Provides a tangible record of this phase of Gravesend's development.

Architectural Interest -

#### **Architectural Interest**

- It's Arts and Crafts Baroque design, red brick construction with stone dressings, and carefully articulated elevations. The building is somewhat imposing with three storeys and attic, and is composed to address its corner location, presenting coherent and consistent architectural treatment to both King Street and Windmill Street;
- Particular architectural features of note include pediments containing Venetian windows, squat turrets with round windows, balustrading at roof level, mullioned windows with carved shields, and a richly detailed ground floor articulated with stone pilasters, round-headed windows, scrolled keystones and swag mouldings;

- The principal entrance has presence on the street through a projecting corner bay, featuring a stone pediment supported on Roman Ionic columns and pilasters;
- The architectural interest of the building lies predominantly in its external form and detailing;
- Internally, extensive alterations have occurred over time, eroding the original plan form and features. Some interior features do remain, for example a limited number of cornices above dropped ceilings and some architraves with two staircases (one original, the other 1930s);
- The areas which contribute most to heritage significance are the ground floor banking hall, the basement vaults area and the surviving historic walls and staircase on the upper floors;
- The significance of the building is primarily derived from its outward expression as a late-Victorian institutional structure and its contribution to the historic streetscape of the town.

The HS then assesses the impact of the proposals on the significance of this grade II listed building:

### **Throughout building and impact on significance**

It is stated that the building has already undergone significant change regarding internal services and plant and that the existing wiring for electrics, plumbing and ventilation are all within the floor voids or boxed out in risers. It is stated that the same strategy will be employed for the conversion to limit excessive instruction into the fabric, although the fabric has been altered to such an extent that it is not highly sensitive to the insertion of risers and or pipework runs. It is stated that conditions attached to any permission would be able to deal with this detailed stage.

### **Ground floor alterations and impact on significance**

- Insertion of curved partition to divide basement staircase from residential entrance;
- Removal of two modern doors and replacement of two modern doors to provide storage spaces in existing WCs;
- Installation of ramp into modern rear extension to form bin store;
- Removal of modern staircase in modern rear extension to form bike store;
- Insertion of partition to enclose underside of 1930s staircase for storage cupboard.

In terms of the impact on significance, the HS states that the works at ground floor entail no removal of historic fabric and will have no effect on the heritage significance of the building. It states that they would work with the existing fabric, which is largely modern in this area, to provide communal facilities to the residents above and that none of the works will harm heritage value.

### **First floor alterations and impact on significance**

- Creation of two units involving removal of several modern partitions inserted in 1987;
- Reinstatement of partitions where they have previously been lost;
- Introduction of new opening in historic spine wall to provide access to flat 2;
- Introduction of new single door opening in historic wall to provide internal access between two and hallway in flat 1.

In terms of the impact on significance, the HS states that the effect on historic fabric at first floor level has been kept to the minimum necessary to bring the building into a new use. It is said it involves the removal of a very small area of brickwork in two walls, with no decorative elements affected and that all the other alterations relate to fabric dating from the 1987 renovation - they include the removal of inserted partitions providing office cupboard and toilets on the rear landing for instance, that will better reveal the original proportions and spatial qualities of the interior. In addition, the works will entail the removal of the dropped ceilings and office paraphernalia – bulk cabling boxes for instance.

It is stated that overall, the works will serve to enhance the special interest of the building by removing inappropriate modern office paraphernalia, revealing the remnant cornices that survive in the front rooms and providing a more cellular layout, more akin to how the building would have originally been laid out. It is said that the layout has been worked through several times to ensure the least historic fabric is affected.

The layout would reintroduce the historic staircase at the centre of the floor plan as the primary staircase providing access between first and second floor with the modern rear staircase to be removed, this would better reflect the historic circulation of the building, enhancing an understanding of its original layout to some degree.

### **Second floor alterations and impact on significance**

- Layout is similar to the floor below providing two flats;
- Reintroduction of partitions within the northern rooms to form flat 4;
- Introducing one opening in a historic wall to provide access to flat 4 rooms;
- Introducing one single door opening in a historic wall to provide access in flat 3 between the living area and bedrooms;
- Reopening what was a window facing out onto the rear lightwell and dropping it to form a door in flat 3;
- Introduction of various partitions to provide bathrooms and cupboards in both flats.

In terms of the impact on significance, it is stated that the effect on the historic fabric at this level is very low and the minimum required to allow the plan to be divided into two flats ensuring the central historic staircase is retained in situ. Two openings in historic walls are proposed, both modest in scale and both inserted into the walls with a downstand for legibility. The third opening is in the original rear east facing wall of the building, which has become an internal wall with the 1987 extension. The opening will be a door rather than a window but given the entire lack of legibility of floor plan in this rear area the small area of brick removal will not affect significance.

The works will entail the reintroduction of a more cellular floor plan and will reintroduce the historic central staircase as the principal staircase, removing the modern staircase to the rear and reorientating the circulation of the building back to its historic layout to some degree. This will enhance the legibility of the floor plan and make the historic staircase the principle feature it should be.

Overall, no harm is assessed to the second floor level when considering the diminished level of historic fabric affected and the enhancement of the circulation and layout of the area into a more cellular arrangement. While the insertion of bathrooms and corridors is a necessary exercise to divide the floor plan, the principal rooms have been divided as little as possible to ensure the spatial qualities are enjoyed.

### **Third floor alterations and impact on significance**

A single unit is proposed, accessed via the existing staircase. The works involve the removal of modern partitions and insertion of new partitions to provide a one bedroom flat.

In terms of the impact on significance, it is stated that this level of the building has no features and has been altered in the past. Both walls serving the central corridor are modern in construction. While the floor plan will be altered, it is not in its original state or layout. A staircase originally came up in a different direction to that which exists today, which was inserted in 1987.

### **Officer assessment of the impact of the proposal on the significance of this grade II listed building and the character and appearance of the King Street Conservation Area**

The HS goes into detail assessing the significance of the building and how the proposals would affect that and helps to assess the impact of the proposal.

Externally, the proposal alteration of existing modern windows and the reinstatement of windows with leaded lights and the opening up of existing blocked off windows would be enhancements to this listed building and the Conservation Area.

Internally, the proposals relate to a small area of the ground floor and the entire first, second and third floor levels.

At ground floor level, the rear part would utilise existing room layouts for the entrance hall, two storage rooms and refuse store. The stairwell would be removed and replaced with a bike store. The staircase dates from 1987 and therefore there would be no harm caused by its removal.

At first floor level, the walls that it is proposed to remove are modern stud walls inserted in 1987. There would be two new openings created in historic walls to provide access to flats 1 and flat 2 from the hallway. It is said that at these points there are no decorative elements that would be affected. The Conservation Officer has not made any comment on this element but raises no objections to the proposal subject to conditions. All other walls to be removed are from 1987 which will better reveal the original plan form of the building, the dropped ceilings would be removed so the original cornicing will be revealed and other office paraphernalia such bulk cabling boxes will be removed. The historic staircase at the centre of the floor would become the main staircase again from first to second floor and the modern staircase at the rear would be removed. This is all positive work which would enhance the architectural and historic interest of this listed building. There are some new partition walls proposed to form the new flats and the rooms inside, although it would be preferable without, the walls do appear to have been kept to a minimum and would enable the creation of the smaller flat rooms required which would not be achieved in some of the large rooms as existing. Conditions could be attached to request details of the all new walls and their attachment to existing walls should permission be forthcoming.

At second floor level, the walls that it is proposed to remove are modern stud walls inserted in 1987. There would be two new openings created in historic walls to provide access to flat 4 and one within flat 3 to provide access between the bedroom and living/dining/kitchen. Again, the Conservation Officer has not made any comment on this element but raises no objections to the proposal subject to conditions. There are some new partition walls proposed to form the new flats and the rooms inside, although it would be preferable without, the walls do appear to have been kept to a minimum and would enable the creation of the smaller flat rooms required which would not be achieved in some of the large rooms as existing. Conditions could be attached to request details of the new walls and their attachment to existing walls should permission be forthcoming. The window to a door would involve removal of the brickwork underneath, the Conservation Officer has raised no objections. On balance it is considered acceptable in order to provide access inside flat 3.

At third floor level, given that this level has been altered and is all modern, the proposed removal of partitions and insertion of new partitions to form the one flat are considered acceptable.

In summary, it is considered that subject to conditions the proposal would protect the architectural and historic interest of this grade II listed building and the character and appearance of the King Street Conservation Area and subject to conditions the proposal would be compliant with Policies CS19 and CS20 (LPCS), saved Policies TC2 and TC3 (LPFR) and section 16 of the NPPF (2021).

#### Amenity of Future Occupiers

##### *Flat sizes*

| <b>Flat No.</b> | <b>National Space</b> | <b>Internal gross floor</b> | <b>Does it meet the NSS?</b> |
|-----------------|-----------------------|-----------------------------|------------------------------|
|-----------------|-----------------------|-----------------------------|------------------------------|

|                                      | <b><u>Standard (NSS)<br/>Minimum Gross<br/>Internal Floor Area (sq.<br/>m)</u></b> | <b><u>area (sq. m)</u></b> |     |
|--------------------------------------|------------------------------------------------------------------------------------|----------------------------|-----|
| <b>1 (2 bed, 4 person, 1 storey)</b> | 70                                                                                 | 72.7                       | Yes |
| <b>2 (1 bed, 2 person, 1 storey)</b> | 50                                                                                 | 63.5                       | Yes |
| <b>3 (3 bed, 4 person, 1 storey)</b> | 74                                                                                 | 86.6                       | Yes |
| <b>4 (1 bed, 2 person, 1 storey)</b> | 50                                                                                 | 54.9                       | Yes |
| <b>5 (1 bed, 2 person, 1 storey)</b> | 50                                                                                 | 62.4                       | Yes |

### *Bedrooms*

The NSS (2015) states that the minimum standard for a double bedroom is 11.5 sq. m and for a single bedroom is 7.5 sq. m.

The bedrooms sizes have been measured and would be as follows:

#### Flat 1 (First floor)

Bedroom 1 (Double) – 11.8 sq. m

Bedroom 2 (Double) – 12.1 sq. m

#### Flat 2 (First floor)

Bedroom (Double) – 11.9 sq. m

#### Flat 3 (Second floor)

Bedroom 1 (Double) – 12.3 sq. m

Bedroom 2 (Single) – 9.3 sq. m

Bedroom 3 (Single) – 9.6 sq. m

#### Flat 4 (Second floor)

Double Bedroom – 12.2 sq. m

#### Flat 5 (Third floor)

Double Bedroom – 12.5 sq. m

As can be seen all single/double bedrooms would exceed the minimum internal floor area for that bedroom type as set out in the NSS (2015).

### *Private Amenity Space*

SPG2 states that flats should provide a minimum of 10 sq. m private amenity space per flat. The site provides none but given its location in the town centre where there are public parks for future occupants to enjoy it is considered that on this occasion the lack of private amenity space would on balance be acceptable.

### *Layout/Light/Outlook*

All habitable room windows would be served by a window(s) and would therefore receive sufficient natural light and ventilation.

### *Noise Impact*

The site is in the town centre which as Environmental Protection state is a busy location with 2 pubs close by and is also when of the main routes used by people to access other late night licensed and takeaway premises. They advise that people using this route will not be quiet and that statutory nuisance legislation does not cover noise on the street. They also state that there is likely to be various plant and equipment associated with nearby commercial premises and also noise associated with early morning deliveries to commercial premises.

They note that the commercial use is to remain at the ground floor but that although a bank use is not a particularly noisy use nor has extended hours, the use could change in the future and therefore it will still be important to ensure that suitable sound insulation is provided between the ground and first floor. They make clear that 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.

GBC Environmental Protection advise that in order to address these issues in accordance with the agent of change principle, a noise assessment needs to be undertaken by a suitably qualified person and they advise that this can be addressed by way of a pre-commencement condition. They state that 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 on this premises 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).

They state that 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 e.g. noise from the commercial premises, service/bike store areas within the building and the existing lift. To address this, they advise that 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).

They advise that 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.

They recommend therefore that noise impact assessment, sound insulation assessment and Code of Practice on Construction and Demolition conditions are attached which could be done if permission is forthcoming. Subject to these it would therefore protect the amenity of future occupiers with regards noise impact. It will of course need to be ensured that any mitigation required would not harm the architectural and historic interest of this grade II listed building or the character and appearance of the King Street Conservation Area.

In summary, the proposal would provide units would meet the minimum internal floor area and bedroom sizes as set by the NSS (2015), would have sufficient natural light and ventilation and subject to conditions would protect be acceptable in respect of noise impact. As such, in respect of occupier amenity the proposal is considered compliant with Policy CS19 (LPCS).

#### Neighbouring Amenity

There are no external alterations or extensions proposed to the building therefore no impact on neighbouring amenity. There does not appear to be any new overlooking that would be introduced from the conversion. As such in respect of neighbouring amenity, the proposal would be compliant with Policy CS19 (LPCS).

#### Parking and Highway Safety

The application site has no off-street parking and this would remain the case with the proposal. The existing use of the application building is commercial (Class E) at ground floor. The site is located in the town centre close to a number of public car parks and public transport links. Overall, therefore it is considered the proposal would not have any impact with regards parking and highway safety and as such the proposal is in accordance with Policy CS11 (LPCS).

#### Refuse

Refuse storage would be inside the building in a large room at ground floor level which would have a ramp at the entrance to the room. Bins would then be taken through the corridor and then out the main entrance doors. If permission were to be forthcoming, it would need to be conditioned how the bins would be taken out etc. and by whom to ensure that the refuse would be dealt with sufficiently. As such it is considered that there would be sufficient refuse storage provision for the proposed flats and in regard to refuse the proposal is therefore compliant with Policy CS19 (LPCS).

#### Ecology and Biodiversity

##### *Biodiversity Net Gain (BNG)*

The application site is in the town centre and has no external garden areas at all. The applicant states that the development is subject to the de minimis exemption which is accepted.

#### SAMMS

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 not paid towards the mitigation for this application.

This proposal would result in the net addition of 5 units and the applicant has paid the required tariff (£350.16).x 5 = £1,750.80. The Local Planning Authority can therefore be satisfied that the proposal has put in place adequate measures to mitigate potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar site. Therefore, the development is compliant 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 (LPCS).

In respect of ecology and biodiversity the proposal is therefore considered compliant with the requirements of the Habitat Regulations, Section 15 (specifically paragraphs 193 and 194) of the NPPF (2024) and Policy

CS12 (LPCS).

Any Other Material Planning Considerations

None.

**Conclusion**

The proposal subject to conditions would be acceptable in respect of principle, would protect the architectural and historic interest of this grade II listed building and the character and appearance of the King Street Conservation Area, protect occupier and neighbouring amenity, be acceptable in respect of parking and highway safety, refuse and ecology and biodiversity. Some of the conditions would be pre-commencement and these have been agreed by the agent.

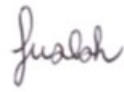
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**Recommendation**

20260167 – Permission

20260168 – Permission

(For detailed conditions and informatives, see draft Decision)

|                      |                         |                     |                                                                                       |
|----------------------|-------------------------|---------------------|---------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Ms Rebecca Harrison     | <b>Team Leader:</b> | Mrs Faye Walsh                                                                        |
| <b>Signed:</b>       | <i>Rebecca Harrison</i> | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 25/06/2026              | <b>Dated:</b>       | 26 June 2026                                                                          |