

Delegated Report

Planning Application

Planning Application No: 20240929

Location: Land Between 26 And 30 St James Road Gravesend Kent

Description: Retrospective installation of a gate at the front of the site and siting of 2 containers at the rear of the site.

Applicant: Parm Singh

Site Visit Date: 6th March 2025

Submitted Documents/Plans

Application Form
Location Plan
Existing Block Plan
Proposed Block Plan
Existing Elevation Gate
West Elevation Containers
East Elevation Containers
South Elevation Containers
North Elevation Container
Proposed Elevation Gate
Heritage Statement
Supporting Statement

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (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
- 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.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Design for Gravesham – Design Code (2024)
- Overcliffe Conservation Area Character Appraisal (2009)
- Management Plan Northfleet Conservation Areas (2009)

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

KCC Highways

Response received 10.12.24 and 07.02.25

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

KCC Biodiversity

Response received 25.02.25

This is a retrospective planning application and therefore we have considered if we would have requested ecological information prior to works commencing on site.

A review of images on google earth and google street view indicate that the footprint of the containers was previously supported areas of unmanaged vegetation which could have supported protected species. Due to the size of the area, it is unlikely that we would have recommended that an ecological survey was required but instead advised that a precautionary mitigation approach was implemented to clear any vegetation. This would have minimised the risk of protected/notable species being impacted by the works.

As the works have already been carried out, we accept that no ecology information is required as part of this submission.

KCC Heritage

Response received 18.02.25

The site lies within an area of multi-period archaeological potential. However, based on existing Historic Environment Record data for the area and the relatively limited extent of the proposed works, I consider it

unlikely that these proposals would have had a significant below-ground archaeological impact and have no further comments to make in this case.

Neighbouring properties

9no surrounding properties were consulted, a site notice displayed, and an advert placed in the Gravesend Messenger. The final date to submit comments ended on 7th March 2025. 10no. comments were received from members of the public, 3 were in support and 7 were objecting to the scheme.

Summary of comments in support:

- Prior to the works, the area was used as public convenience, for fly tipping and other anti-social activities, these issues have been resolved, and the area is now clean, odour free and free of drug paraphernalia at no cost to residents or other local authorities.
- The containers do not prevent access to the garages, as the area where they are placed was previously covered in fly tipped rubbish.
- The area is not used as a builder's yard as per other comments as there are no building materials.

Summary of objections:

- Shipping containers/ large storage is not sympathetic in the Conservation area.
- The containers are totally out of character with their surroundings.
- Overcliffe has been compromised by changes that are inconsistent with the principle of the conservation area over the years and this is another example.
- The storage will result in additional heavy traffic to the site/road.
- The development has taken place without consultation with the other owners of the garages.
- A padlocked gate has meant that owners cannot use their garages.
- The containers change the use of the area to business use and not residential only.
- This contravenes the freehold lease of the garages which required garages for the storage of vehicles only.
- The applicant does not own the land.
- The applicant is seeking to rent out the containers as business for profit.
- Since the containers have been placed, the containers have created a hidden space behind, causing anti-social behaviour.
- Planning permission should have been obtained before placing the containers.

Officer Notes:

One commenter also included photographs which shows buildings materials around the site and the containers in situ.

Locks

Several parties have raised concerns about locks being placed on the gate preventing owners of the garages accessing the site. During the visit to the site, it was noted that a lock was placed on the gate but the gate was not actually locked. In any case, this is a private legal matter and not a matter for planning consideration.

Officer's Analysis

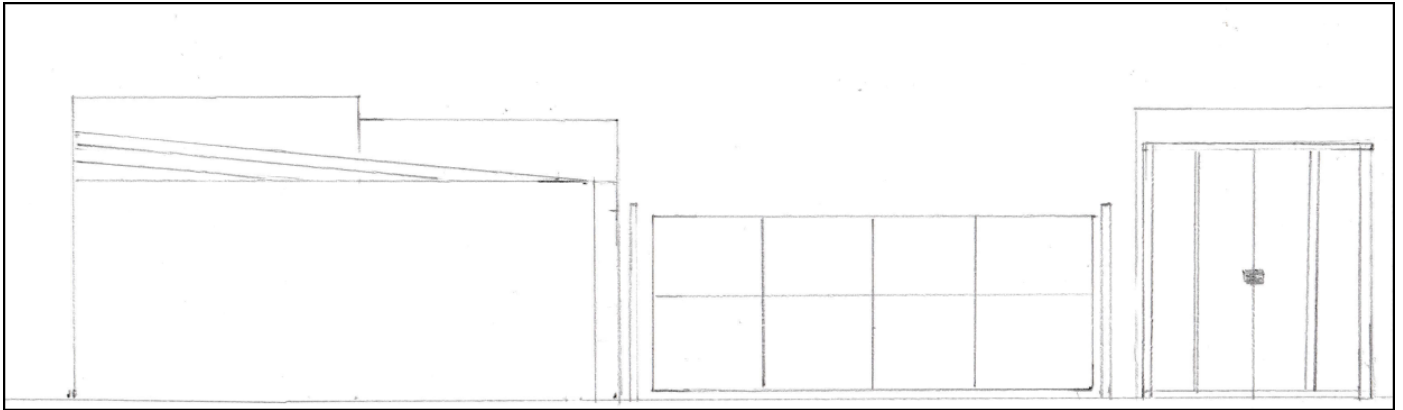
Principle of Development

This application is located inside the Urban Boundary, where alterations and extensions to residential buildings are generally acceptable in principle as per Policy CS02: Scale and Distribution of Development. However, all other relevant matters should be considered. In this instance, the main points to consider would be the potential impact on; the Conservation Area, Visual Amenity (Design, Character and

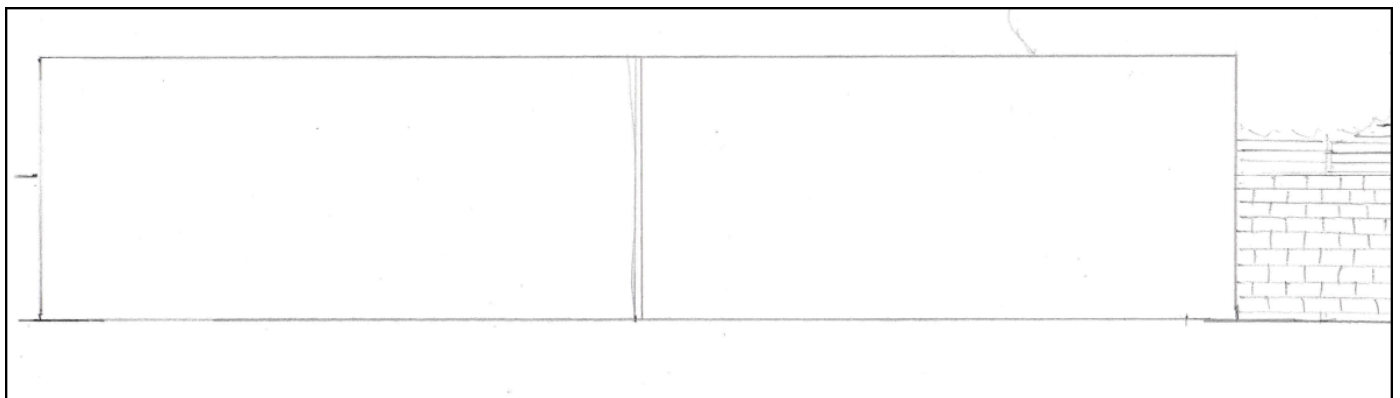
Appearance), Residential Amenity of neighbours and Highways and Parking.

Conservation Area, Design, Character and Appearance

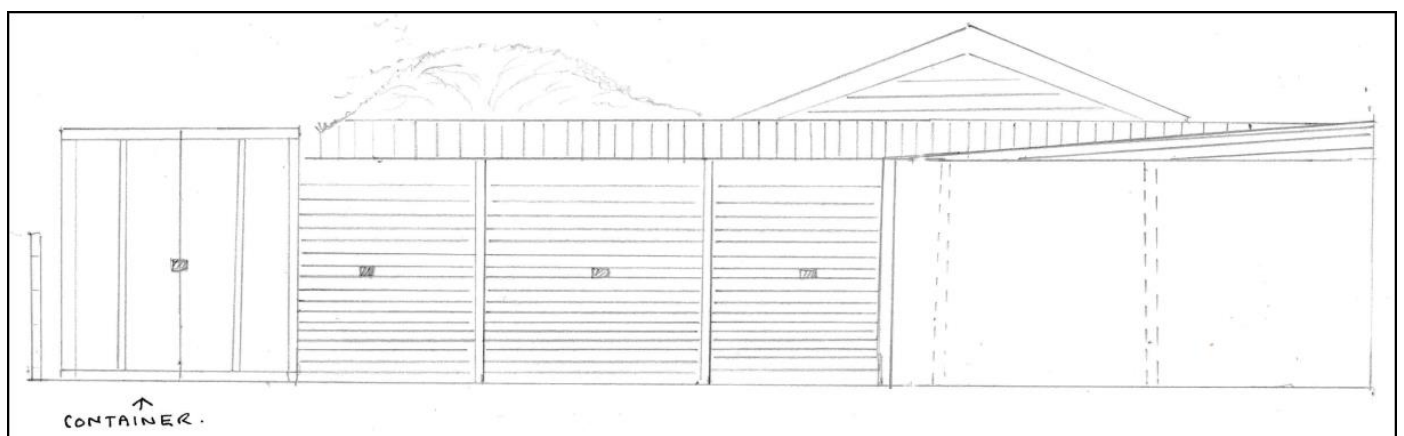
This application is for the retrospective installation of a gate at the front of the site and the siting of 2 containers. Whilst it has not been expressly stated in the application details, the applicant has verbally confirmed that its use would be for general storage. The elevations are shown below:



South Elevation



West Elevation



North Elevation

The photographs below taken on site show that the elevations provided are inaccurate as they do not show the windows/doors on the elevations.



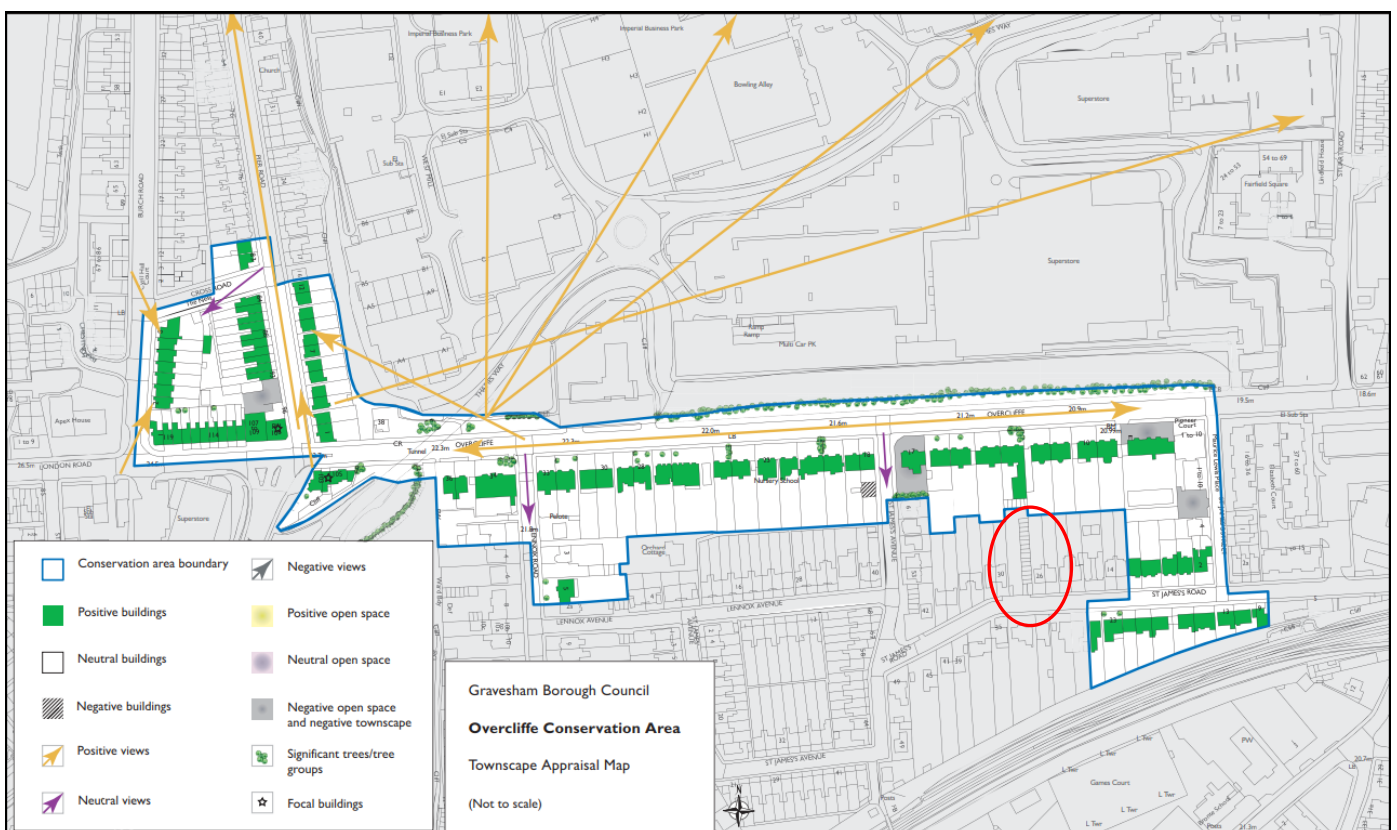








This site is located adjacent to the Overcliffe Conservation Area as shown outlined in red, in the below map taken from the Overcliffe Conservation Area Character Appraisal (2009). Whilst this site does fall outside of the Conservation Area control, given its close proximity, this should be noted, in assessing the quality of the design of the scheme.



It is clear that the containers are visible from the streetscene. They have been placed closer to the rear of the site and so the prominence has been reduced somewhat by this positioning. However, despite the containers being located amidst a cluster of garages, the character of the area is undoubtedly residential. There are dwellings to the north, south, east and west, encompassing the site with no nearby storage/industrial use. Whilst the ownership of the garages is not likely to be restricted to nearby residents, based on the comments received a number of the garages are used by local residents and so the existing garages are used in association with local occupiers generally for domestic purposes.

The elevations provided indicate that the containers are 2.65m in height. However, the elevations do not

show that the garages are propped up on stones, raising the level. It is also difficult to ascertain that the height on the plans provided is correct given the inaccuracy in the elevational detail. In any case, it was seen visibly upon visiting the site that the containers sit above the height of the existing garages. They do not have eaves, like the garages surrounding which soften the appearance of those garages. And they have no resemblance in terms of scale, or design, with the container ultimately being of industrial appearance, with its large, blocky design and metallic exterior. This is at odds with the wider residential area and prevailing character.

The gate installed, is set back by 1.8m from the edge of the pavement with the road. It is 2m high. It is of a grey metal material mounted on metal poles inset from the ground. The gate itself is of a square mesh appearance, with views into the garage;



Front boundary treatment along this road tends to be of low form walls/ wrought iron railings. There are in instances of gates similar to those installed here. However, it is apparent that there is a continuing issue of anti-social behaviour occurring in this area and fly-tipping, which a number of comments received have identifies as being resolved by the introduction of the gates. Although the area and garages are residential in nature, their use as garages and not dwellinghouses may demonstrate a necessity for an alternative form of boundary treatment. However, the appearance of the gates should correspond as closely as possible to the wider area ideally. It would be preferable for the gates to be set further back into the access, which would also have benefits in terms of cars waiting in the access. However on balance, it is considered that by painting the gates black (which could be secured by condition should the application succeed) their impact would be minimised and when combined with the security benefits, the gates would be acceptable. The concerns raised by other garage owners in terms of access are duly noted, but this is a civil matter to be resolved between the land issues, and not a planning matter.

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2024) in terms of design, character and appearance.

Neighbouring Amenity

As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, no objection to the proposal was

received.

The neighbour most likely to be impacted by the development is 30 St James Road to the west of the site. Whilst other residences are located nearby, those to the north and east would have partial obscuration from the siting of the existing garages. Those to the south are located across the road and simply by proximity the impact would be mitigated.

The outbuildings are located immediately adjacent 30 St James Road's Garden. It is 12m deep and 2.65m high. The first 5 metres of a dwellings garden are generally considered to be the most utilised area. This container avoids the first 5 metres. Its height would not be inconsistent with heights for residential outbuildings which often abut boundary walls. Although its length is somewhat unusual, in this case given its positioning and height along with the existing boundary wall, it is considered that the containers do not significantly impact the residential amenity of this neighbours' occupiers.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Parking and Highways

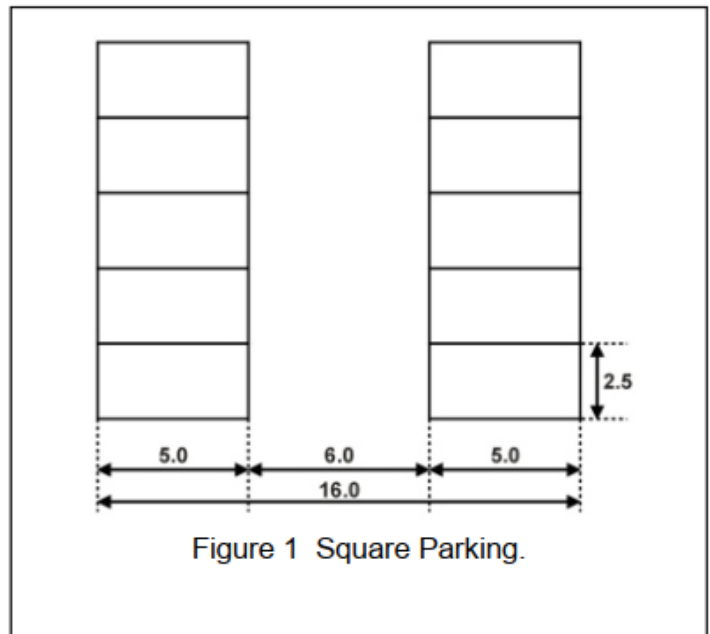
The proposed development would not introduce an increased necessity for parking provision. However, as it is located on an existing garage site, it is important to ensure that the scheme would not impact existing parking provision. Given that the containers would be situated opposite the access to some of the garages, it should be ensured that adequate space is given for turning into and out of the garages.

KCC Parking Standards (2006) gives some guidance on parking and manoeuvrability. The below snip indicates for a square parking layout, which is similar to that of the garages, a width of 6m is required to give direct access.

Configuration of Car Parking

B11. The most common layout and the one often regarded as the most economical in terms of land use, is square parking with parallel aisles (see Figure 1). A width of 6.0m is required for the aisles to give direct access to square parking. Such a layout can be used with either one-way or two-way traffic using the aisles.

B12. Where a developer intends to employ a one-way system for the car park, a clearly marked route for drivers should be provided using appropriate road markings and road signs.



The existing width between the entrances to the garages on the eastern side of the site and the boundary to the west is 8m. The elevations provided indicate that the containers have a width of 2.7m. This would leave a width of 5.3m. This is marginally under the width requirement of 6m. However, it is also noted that the container is located on an existing area of undisturbed grass. Therefore, this is not a driveable area and has clearly not been utilised for turning into and out of garages. The 6m requirement is also typically used

for areas of bay parking which would likely be more heavily trafficked with less time to manoeuvre vehicles.

The gate provided would be better situated set in from the road frontage, to allow for a vehicle to sit forward of the gate, whilst being opened, to avoid unnecessary waiting on the road. However, St James Road is not a classified road and there is space for vehicles to pull to the side temporarily whilst the gate is opened, in a similar position to other cars parked in bays on the road, which would likely not cause other vehicles to have to stop and wait whilst the gate is opened to access the garages.

On balance, it is considered that adequate vehicle parking provision is therefore maintained in accordance with paragraphs 109 to 114 of the National Planning Policy Framework (2024), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014 subject to further details of cycle parking provision.

Any Other Material Planning Considerations

Ownership Certificate

The applicant has included only the land surrounding the garages in the red line on the site location plan. The application form requires that a certificate of ownership is completed to ensure that all landowners of the land within the red line boundary have been appropriately notified, and this does not include the garages which are outside of the red line plan. However, a site notice was placed nearby, and adjacent neighbours notified by letter by the Local Planning Authority, to ensure users of the site were appropriately notified in compliance with appropriate planning procedure. The applicant in this case has completed certificate B identifying that they have notified the owner of the land. Comments have been received suggesting that the company notified are not the actual landowners. It is the applicant's obligation to ensure they have undertaken appropriate notification. Should a decision for approval be issued based on incorrect ownership certificate details, the decision is at risk of being quashed by the high court should interested parties challenge the decision. In appeal ref APP/N2739/W/15/3009006 (Appendix A), against Non-Determination of the planning application within the prescribed period, the inspector allowed the appeal and although they agreed that a local planning authority could not entertain an application unless the correct certificate has been issue, the certificate of ownership can be corrected after submission which would allow for the Local Planning Authority to assess the application. In the case of this appeal, although the council asserted that the error could not be rectified by the appellant re-submitting the correct certificate the inspector disagreed, concluding that neither the Act nor the Town and Country Planning (Development Management Procedure)(England) Order 2015 were designed to be so inflexible. Once section 65(5) had been satisfied the local planning authority had not been prevented from considering the application. It is also important to note that approval is not being granted in this instance and as such there would not be a planning permission to quash.

Conclusion

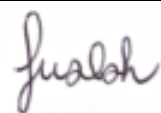
The proposed development would appear incongruous and out of character with the prevailing residential setting, in a highly visible and prominent location, which would result in significant harm to the character of this area. The development is therefore considered to be harmful to the character of the area and would as a result fail to comply with the requirements of Policy CS19 of the Core Strategy 2014, and Section 12 of the National Planning Policy Framework (2024), in terms of design, character and appearance.

Recommendation

The recommendation is to refuse this application.

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
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Signed:		Signed:	
Dated:	12th March 2025	Dated:	13 March 2025