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Planning and Regeneration Services
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My ref: PRE20140740
Your ref:
Date: 5 December 2014

Dear Mr Davies

PRE20140740: Change of use of first floor to Use Class C3 (Dwellinghouse) including alterations to front elevation to form two flats and erection of a new second floor to provide a further two flats resulting in four, 1 bedroom flats in total, 21-21A King Street, Gravesend

I refer to the above pre-application enquiry and apologise for the delay in responding. I would advise as follows.

The proposal seeks to convert the existing first floor level of the building to two, 1 bedroom flats with associated elevational treatment to the front elevation. It is also proposed to add a second floor level to the building in order to create a further two, 1 bedroom flats.

Principle, design and heritage matters

The building is situated in the King Street Conservation Area and there are several listed buildings in the vicinity, particularly No. 1 Milton Road and St John's Church, Milton Road. The site is a highly prominent building, visible from one of the main routes into the town centre.

The King Street Conservation Area Appraisal identifies the site as a negative building. It is therefore considered there is the opportunity to enhance the buildings but this would need to be done in a way that respects the character and appearance of the Conservation Area and the setting of the nearby listed buildings.

The Conservation Architect has been consulted on the proposals and comments as follows:-

The proposals form the middle two units of a four unit (19-21c) modern two storey development of little architectural merit. They are classified in the King Street Conservation Area Appraisal 2009 as negative buildings (map - page 33).

The proposal to add a mansard roof to the units will result in unacceptable gable walls to the proposed mansard roof extension. Ideally the opportunity needs to be taken to comprehensively re-develop all the buildings on this site using materials and details that will positively contribute to the conservation area. Such a proposal would allow the Queen Street elevation to be greatly enhanced as well as the corner. Only at this point should additional storey height be contemplated

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Until a comprehensive proposal can be considered I would advise against increasing the storey height of the two units forming a part of this application enquiry. The indicative elevation needs to respond to the architectural character of the conservation area (elevational treatment, window proportions, materials, etc).

I have no objection to the change of use of the upper floors to residential.

I have considered your proposals and would agree with the Conservation Officer's views regarding design. The proposal site forms the two middle units of this four unit building, Nos. 21, 21a-b, and 21c King Street. The building is of very little architectural merit, harmful to the streetscene and this is confirmed in the King Street Conservation Area Character Appraisal, where it is identified as a negative building. As such the proposal to erect a second floor would only serve to add greater prominence to this already harmful building within the streetscene. Furthermore, the elevational works and second storey addition being proposed to the two central buildings only would appear incongruous and at odds with the four unit building as a whole. The proposal to add a second floor to the present middle buildings would add further harm to the character of the streetscene and the Conservation Area and would not be supported should an application be made.

Given this, I also agree that comprehensive development of the whole four units should be investigated. It is presumed that your client does not have ownership of Nos. 21 and 21C also, or they would have been included in this enquiry. However, I would suggest you discuss with the owners of those buildings, in the first instance, to investigate the opportunity for development of the block as a whole. This would not only lead to a more harmonious design but would allow for vast improvements to be made to the Queen Street elevation, with its currently entirely blank elevation. With enhancements made to the building and a fully comprehensive scheme, this would then allow the potential for some form of additional storey to be added. However, I am afraid that without consideration and improvement of this four unit building as a whole, I would not support additional bulk and massing to this already detrimental building within the streetscene.

Conversion of existing first floor to residential

Class F of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995, as amended, would allow for the conversion of the first floor only to up to two flats without requiring planning permission. However, as external alterations are proposed in connection with the change of use, planning permission is required.

There is no objection to the conversion of the existing first floors of the building to residential, however, as advised by the Conservation Officer, the proposed elevational treatments would need to reflect the architectural detailing of the Conservation Area. There are also other matters that need to be considered such as the amenity, privacy and security of future occupants with particular regards to noise, space standards and means of access as well as other matters such as storage of refuse.

Amenity and privacy of future occupiers

The site is situated in the town centre, close to several late night establishments, on a main pedestrian route into town and above a commercial premises. Regulatory Services have been consulted on the proposal and advise that occupants would be affected by various noise impacts and this would have to be suitably mitigated. Their comments are as follows:-

The proposed residences are close to the town centre. Future occupiers will be affected by noise and if approved will need to be carefully designed to ensure occupiers of this building are adequately protected from external noise sources. The following comments are therefore made:

As these premises are close to the centre of town, people noise particularly late at night will be a major issue. The premises are diagonally opposite a late night licensed premises and two doors away from another. They also overlook one of the main pedestrian routes to and from town and people use this route to get to nearby late night takeaway premises which have a 24 hour use. People using this route will not be quiet. Statutory nuisance legislation this Service enforces does not cover noise on the street and so this matter will need to be carefully considered at the planning stage. Early morning deliveries are also likely. The first floor residence is below an existing commercial use. The noise insulation standards contained in the Building Regulations are 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.

The impacts from all these impacts will need to be properly considered to ensure they do not have an impact on future residents.

This Service would therefore need to see with any future application:

Impact Assessment

A suitable assessment shall be carried out, submitted to and approved in writing by the Local Planning Authority covering the following:

1. The impact of the existing commercial premises on the proposed residence, particularly from:-
 - (i) Plant and machinery from nearby commercial uses;
 - (ii) People noise associated with the use of King Street, particularly at night during weekends.
 - (iii) Early morning delivery noise to nearby commercial uses.

A suitable scheme that takes into account the above assessments of the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any works on site. The scheme shall demonstrate how the design of the property including windows and acoustic ventilation can be used to satisfactorily ameliorate any excessive noise caused by the above. Reference shall be made to British Standard 8233:2014 and BS4142:1997.

Noise Insulation

The applicant needs to supply a sound insulation assessment providing suitable details of the substantially enhanced sound insulation performance of/ sound reduction achieved by the floors/ceiling between ground floor and first floor and will also include consideration of the suitable treated acoustic ventilation of the property.

The construction that separates the residential and commercial unit shall aim to resist the transmission of airborne sound such that the weighted standardised difference (DnT, W + Ctr) shall not be less than 53 decibels (i.e. an enhancement of the minimum levels stated in the Building Regulations of 10dB).

The weighted standardized difference (DnT, W) is an spectrum adaption term, Ctr, is quoted according to BS EN ISO 140- 4; 1998 Acoustics- Measurement of sound insulation in buildings and of building elements- Part 4: Field measurements of airborne sound insulation between rooms.

Should your client wish to pursue a proposal to convert the first floor to two flats or should a comprehensive scheme for the whole building be put forward as set out above, a noise assessment to cover external noises and noise from the ground floor commercial use together with suitable mitigation methods would therefore need to be submitted with the application.

Space standards

Another issue is that the two bedrooms at first floor level are undersized. The Council's Residential Layout Guidelines set out that the minimum standard for a double bedroom is 11.2 sq. m. The bedrooms are therefore undersized by 2.7 sq. m. The floor plan would therefore need to be revised in order that the bedrooms meet the minimum standards.

Means of access

There are concerns regarding means of access to the flats which would be via the yard to the rear. This is not considered to provide a particularly secure or welcoming environment in which one would access the flats. It also appears this is not within the ownership of your client. Would access across this land be forthcoming? Consideration should be given as to how this area could be improved, as it is currently not considered to be an acceptable area for future occupants to have use to access the flats.

Refuse

A further issue that would need to be considered is where a bin store would be provided for rubbish that will accumulate in between collections. Given that the land to the rear is presumably not in the same ownership, would consent be forthcoming for a bin store to be located on that land permanently?

Parking

The Council's Senior Development Engineer raises no objections to the proposal for use of the upper floor as residential.

In conclusion, the Council has no objections to the conversion of the first floor of the building to two flats and associated external alterations subject to the proposed external alterations reflecting the architectural detailing of the Conservation Area, appropriate noise assessment and mitigation, the room sizes meeting the minimum standards as set out in the Council's Residential Layout Guidelines, improvements to the rear yard area in which the flats would be accessed and sympathetic bin store location. The Council would not support the provision of a second floor on these two middle buildings without a fully considered comprehensive scheme and improvements to this four unit building as a whole.

I hope the above is of help. Please note that the comments made in this letter are on an informal basis only and without prejudice to the Borough Council in the determination of any subsequent planning application.

Yours sincerely



Service Manager, Development Management