

Delegated Report

Application No: 20250362

Location: Universal Food Centre 4 - 5 Milton Road Gravesend Kent DA12 2RE

Description: Installation of solar panel on roof slopes.

Applicant: Mr. Ramandeep Singh Dosanjh

Submitted Documents/Plans

The application comprises the following documents and plans:

- Application Form.
- Drawing no. 01 Location Plan and Roof Plan.
- Drawing no. 02 Existing Elevations.
- Drawing no. 03 Proposed Roof Plan and Block Plan.
- Drawing no. 04 Proposed Elevations.

Relevant Planning History

The most relevant planning history relating to this application is summarised below:

Reference	Description	Decision	Decision Date
20250361	Application for approval of conditions 3,5 and 6 attached to planning permission reference number 20240471 relating to details of all external joinery, windows and doors, including their design, specification, method of opening, method of fixing and finish, samples and detailed specifications of any external materials and full details of the shopfront including sections and the lighting details.	Pending Consideration	
20250096	Application for the part approval of conditions 3,5 and 6 attached to planning reference number 20240471 relating to details of all external joinery (3), samples and detailed specifications of external materials (5) and full details of the shopfront including sections and the lighting details (6).	Refused	27.03.2025
20240471	Alterations to the front entrance door on ground floor and rear dormers along with internal alterations above shop to create a four bedroom HMO.	Permitted	20.12.2024
20240094	Formation of 2 x 1 bedroom self contained flats and 2 x studio flats along with first floor rear extension and roof conversion above shop.	Refused	27.03.2024

20171308	Installation of a new timber framed shopfront.	Refused	06.02.2018
20120848	Installation of new shopfronts.	Permitted	06.12.2012
20120132	Continued display of internally illuminated fascia sign and internally illuminated projecting sign.	Refused	11.06.2012
20000595	Conversion of part of first floor and second floor into 2 no. self-contained one bedrooms flats and installation of a separate entrance door for the flats in the existing front elevation.	Refused	30.10.2000
19980579	Internal alterations and alterations to shop front.	Permitted	04.11.1998
19910563	Alterations to the front elevation at ground and first floor levels.	Permitted	05.03.1993
19850638	Display of illuminated neon tubing fascia sign	Consent	23.10.1985
19850637	Installation of a new shopfront	Permitted	11.10.1985
19850229	Use of ground floor of premises as a restaurant and alterations to front elevation	Permitted	22.05.1985

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

In this instance the development plan for Gravesham currently comprises: -

- The Gravesham Local Plan Core Strategy (September 2014);
- Remaining Saved Policies of the Local Plan First Review (1994); and
- The Kent Minerals and Waste Local Plan 2013 - 2030 (2016, revised 2020).

Gravesham Local Plan Core Strategy (September 2014):

- Policy CS01 – Sustainable Development
- Policy CS02 – Scale and Distribution of Development
- Policy CS12 – Green Infrastructure
- Policy CS18 – Climate Change
- Policy CS19 – Design and Development Principles

- Policy CS20 – Heritage and the Historic Environment

Saved Policies in the Gravesham Local Plan First Review (November 1994):

- Policy TC2 – Policy for Listed Buildings.
- Policy 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 First Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

Other material considerations

National Planning Policy Framework (2024)

- Section 2 – Achieving sustainable development.
- Section 9 – Promoting sustainable transport.
- Section 12 – Achieving well-designed places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.
- Section 16 – Conserving and enhancing the historic environment.

Supplementary Planning Guidance

- Design for Gravesham – Design Code SPD (2024).
- King Street Conservation Area Character Appraisal (2009).
- Conservation Areas – A Guide for Owners and Occupiers (2020).

Consultations, Publicity and Representations

GBC Licensing Team

No comment to make.

Neighbouring properties

Six surrounding properties were consulted and the application has been advertised by a press and site notice. No responses have been received. The overall consultation date expired on 23 May 2025.

Analysis

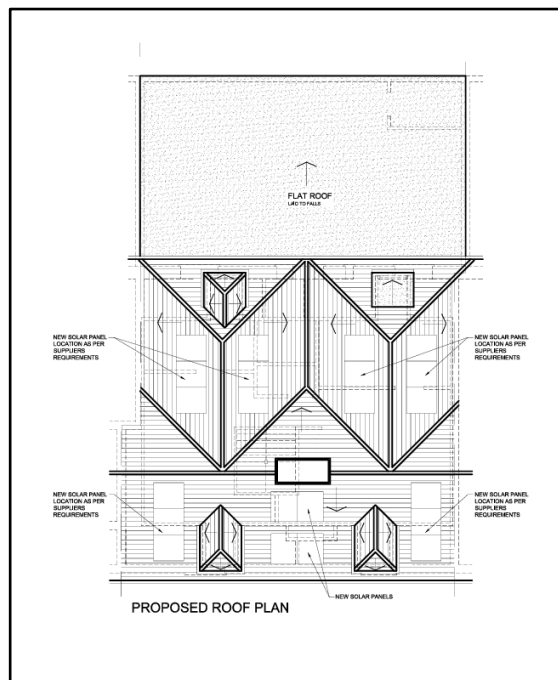
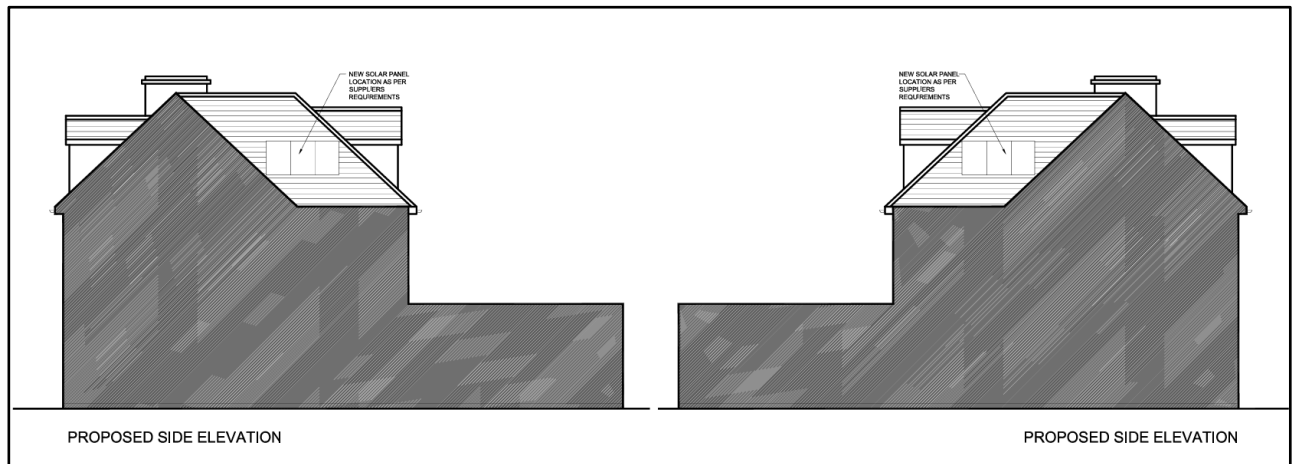
The application site lies on the northern side of Milton Road and comprises a two-storey, mid-terrace building. It is located within the King Street Conservation Area and adjacent to the Grade II Listed New Inn (Number 1 Milton Road). On the opposite side of the road is the Grade II Listed St John's RC Church and 157 & 158 Milton Road. The building itself forms a part of the original range of buildings that were the New Inn, which was later subdivided and is therefore of local historic interest and a non-designated heritage asset. The application site was damaged in a fire at the

New Inn, 1 Milton Road in May 2022.



October 2024

This proposal involves the provision of solar panels within the roofspaces of the building. The submitted drawings indicate that ten solar panels would be located within the front roofslope. A further twelve solar panels would be provided within the roofspaces of the hipped projections to the rear of the building. The location of the solar panels is shown in the following extracts from the submitted drawings:



Principle of development

This application is located in the urban area as defined on the Policies Map of the Core Strategy. Policy CS02 of the Core Strategy prioritises development in the urban area as a sustainable location for development. As such, there is no objection to the broad principle of the proposed development subject to it meeting the detailed requirements of government and development plan policy, which will be assessed in later sections of this report.

Design, character and appearance

Section 12 of the NPPF relates to “achieving well-designed and beautiful places” and sets out the Government’s requirements in relation to design issues. Paragraph 131 is particularly relevant:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The aims set out in paragraph 131 of the NPPF are reflected in Policy CS19 of the Council’s Core Strategy. This requires new development to be “visually attractive, fit for purpose and locally distinctive” and to “conserve and enhance the character of the local built, historic and natural environment”. It also requires new development to “integrate well with the surrounding local area”. In addition, Policy CS19 requires the following:

...the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings.

Design for Gravesham (2024) expands on the Core Strategy, and Policy CS19 in particular, to provide additional clarity on what is expected of applicants when submitting design proposals, setting out the minimum requirements to achieve design quality.

As the property is located within a conservation area and in proximity to listed buildings, Section 16 of the NPPF is also relevant. This sets out requirements relating to conserving and enhancing the historic environment. Paragraph 210 is of particular relevance and states that in determining applications, local planning authorities should take account of:

- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness.*

Policy CS20 of the Council’s Core Strategy and saved Policies TC2 and TC3 of the Gravesham Local Plan First Review 1994 are also relevant. Policy CS20 of the Core Strategy places a high priority on the preservation, protection and enhancement of the Council’s heritage and historic environment. Policy TC2 of the Gravesham Local Plan First Review 1994 states that in the case of applications for development affecting the setting of listed buildings, the primary consideration of the Borough Council will be the maintenance of the integrity of the original listed building. Policy TC3 of the Gravesham Local Plan First Review 1994 requires that development within or affecting

conservation areas will be carefully judged for its impact and will be expected to make a positive contribution to the conservation area.

The King Street Conservation Area Character Appraisal is also a relevant consideration. This document defines the special architectural and historic interest for which the King Street Conservation Area merits designation. It identifies the positive features that should be protected and highlights the negative factors that detract from its character and appearance.

The development comprises twenty-two rectangular solar panels within the roofslopes of the building. These would cover a sizeable section of the existing roofslopes. The panels would comprise modern additions to the roof. Visually they would be prominent when viewed against the traditional roofing materials of the application building and the design of the surrounding buildings. Although full details of the solar panels have not been provided, it is likely that they would have a raised profile which would further increase their prominence.

Paragraph 9.5 of the King Street Conservation Area Character Appraisal recognises the impact that unsympathetic changes to existing buildings have had on the character of the conservation area:

It is evident that well-intentioned, but unsympathetic changes, especially to doors, windows, roofs and façade treatment, have begun to have a cumulative effect that is damaging to the character of the conservation area. These changes include the replacement of timber sash windows and doors with uPVC, which leads to a loss of the original appearance of properties. Also, the addition of features such as satellite dishes can harm the character of a conservation area.

The proposed solar panels would contribute to the impact of these changes to the detriment of the character of the conservation area. They would constitute modern and incongruous features which would be detrimental to the character and appearance of the conservation area as well as the setting of nearby listed buildings. The development would clearly be harmful to the significance of these designated heritage assets.

With reference to Section 16 of the NPPF, as the development is relatively small-scale, the extent of harm to the conservation area and setting of nearby listed buildings is likely to be “less than substantial”. Paragraph 215 of the NPPF provides the following guidance on such proposals:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

This application is not accompanied by any supporting statements or information outlining the public benefits of the solar panels. Notwithstanding this, it is accepted that they will provide renewable energy which will mitigate the impacts of climate change. Paragraph 167 of the NPPF states the following:

Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).

These requirements are reflected in Policy CS18 which seeks to, *inter alia*, reduce the overall carbon footprint of the Borough

However, paragraph 167 of the NPPF also states the following:

Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.

Paragraph 212 of the NPPF is particularly important in this respect as it requires “great weight” to be given to the conservation of designated heritage assets.

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Given the limited scale of the development, it is considered that the public benefits would be modest. Given the advice in the NPPF that great weight should be given to the conservation of heritage assets, it is considered that the modest public benefits would not outweigh the harm caused to the significance of the conservation area and setting of nearby listed buildings.

In light of the above considerations, this proposal would fail to meet the tests set out in the NPPF, Policy CS20 of the Core Strategy, saved Policies TC2 and TC3 of the Gravesham Local Plan First Review 1994 and Design for Gravesham.

Residential amenity

Paragraph 135 of the NPPF requires planning decisions to, *inter alia*, provide “a high standard of amenity for existing and future users”. In addition, Policy CS19 of the Core Strategy requires new development to be located, designed and constructed to “safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land”.

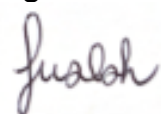
Due to the location and design of the proposed solar panels they would not lead to a significant loss of amenity to neighbouring occupiers in terms of loss of privacy, sunlight/daylight or outlook.

Conclusion

In summary it is considered that for the reasons set out in this report, the design and visual impact of the proposed solar panels would not be acceptable and would be detrimental to the character and appearance of the King Street Conservation Area and the setting of nearby listed buildings. This harm would not be outweighed by the public benefits of the proposal and as such it is recommended that permission be refused.

Recommendation:

REFUSE PLANNING PERMISSION

Case Officer: Gary Edwards	Team Leader: Mrs Faye Walsh
Signed: 	Signed: 
Dated: 27 May 2025	Dated: 27 May 2025

