



Delegated Report

Planning Application

Planning Application No: 20230984

Location: The Clarence Arms 77 Windmill Street Gravesend Kent

Description: Application for variation of condition 2 attached to planning permission reference number 20200680 for the conversion of existing public house to provide 4 no one bed studio flats including part first and part second floor side extensions and partial demolition of existing single storey rear extension; and construction of a two storey building to accommodate 2 no two bed flats fronting Clarence Row with associated parking and boundary treatments; to allow the installation of windows on north side elevation on converted public house, internal layout changes to new building containing 2no. flats, details for obscured windows, and external changes including; relocated bin and cycle stores, relocated staircase, additional steps to rear garden and associated level changes, altered position and extent of hard landscaping, installation of utility boxes, and details of meter box positions and provision of material details for driveway, external staircase, doors.

Applicant: Mr Lashman Dosanjh

Site Visit Date: 14/12/23

Submitted Documents/Plans

Application Form
001A – Proposed Elevations
002A – Section
002B – Proposed Landscape Plan
001 Rev 5 – Proposed Elevations
001 Rev 5 – Proposed Elevations (Flats)
Cover Letter
Landscape Plan

Relevant Planning History

Reference	Description	Decision	Decision Date
20200680	Application for variation of conditions 2, 5 and 10 attached to planning permission 20180544 for the conversion of existing public house to provide 4 no one bed studio flats including part first and part second floor side extensions and partial demolition of existing single storey rear extension; and construction of a two storey building to accommodate 2 no two bed flats fronting Clarence Row with associated parking and boundary treatments; to allow (Condition 2) Internal reconfiguration	Permitted	08.09.2020

	and rear infilling extension of lower ground floor level, (Condition 5) to allow utility room at lower ground floor level and (Condition 10) to allow additional windows and relocation of other windows.		
20191136	Application for a minor-material amendment to planning permission reference number 20180544 for the conversion of existing public house to provide 4 no one bed studio flats including part first and part second floor side extensions and partial demolition of existing single storey rear extension; and construction of a two storey building to accommodate 2 no two bed flats fronting Clarence Row with associated parking and boundary treatments; to allow the installation of two lower ground floor windows on the north elevation and a light well with two windows and door on the east elevation.	Permitted	04.02.2020
20180544	Conversion of existing public house to provide 4 no one bed studio flats including part first and part second floor side extensions and partial demolition of existing single storey rear extension; and construction of a two storey building to accommodate 2 no two bed flats fronting Clarence Row with associated parking and boundary treatments.	Permitted	17.05.2019

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- Policy H5 – Increasing Housing Stock by Conversion of Existing Buildings (relevant to conversion only)
- Policy TC3 – Development affecting Conservation Areas
- Policy P3 – Parking Standards
- Policy P5 – Exceptions to Vehicle Parking Standards
- Policy T5 – Access to the Identified Highway Network

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

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

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 6 – Building a strong, competitive economy
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed and beautiful places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 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);
- Upper Windmill Street Conservation Area Appraisal (2009)
- Management Plan for the Gravesend Town Centre Conservation Areas (2009)

Consultations, Publicity and Representations

Consultees

Ward Councillors: No comments received.

GBC Conservation Officer: No comments received.

Neighbouring properties

66no. surrounding properties were consulted and 1 comment of objection was received from a member of the public.

Summary of Objection:

- The building works have already taken place.
- The conversion of the public house is to significant detriment to this section of Windmill Street and the local area.
- The number of additional dwellings puts pressure on local parking.
- The windows and doors are not in keeping with the Conservation Area.
- The front railings are unsafe and pose a risk to pedestrians.

Officer's Analysis

This application seeks to vary condition 2 (approved Plans) of planning approval reference 20200680 for the conversion of existing public house to provide 4 no one bed studio flats including part first and part second floor side extensions and partial demolition of existing single storey rear extension; and construction of a two-storey building to accommodate 2 no two bed flats fronting Clarence Row with associated parking and boundary treatments.

The changes would include:

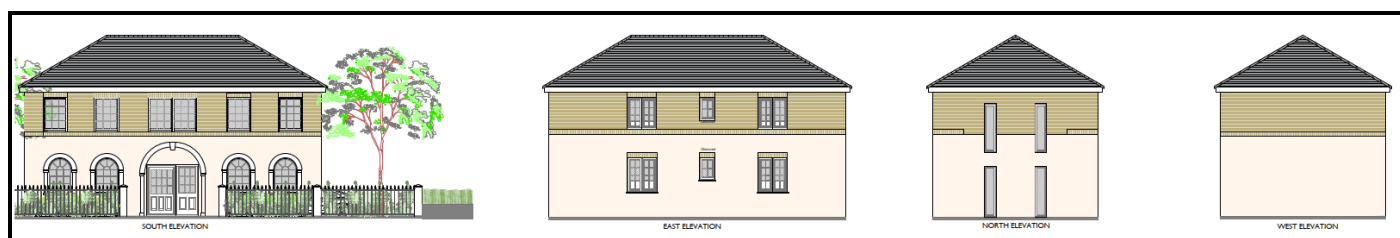
- The installation of windows on north side elevation on converted public house.
- Internal layout changes to new building containing 2no. flats.
- Details for obscured windows.
- Relocated bin and cycle stores.
- Relocated staircase.

- Additional steps to rear garden and associated level changes.
- Altered position and extent of hard landscaping.
- Installation of utility boxes.
- Details of meter box positions.
- Provision of material details for driveway, external staircase, doors.

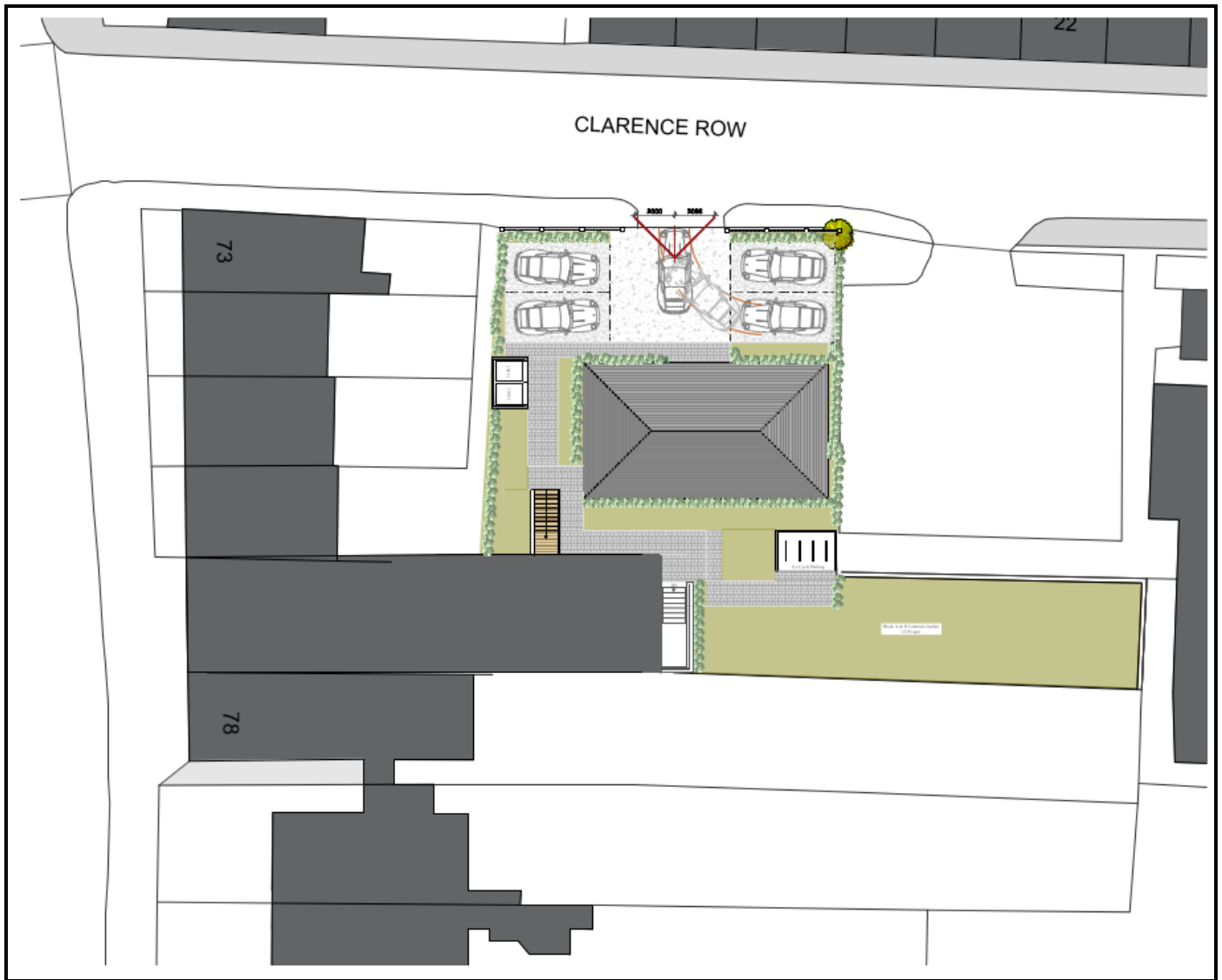
Therefore, the principle of the conversion and new build and the various internal and external alterations has clearly been established by the various permissions and only the changes to the scheme now need to be assessed.

The approved and proposed plans are shown below for comparative purposes:

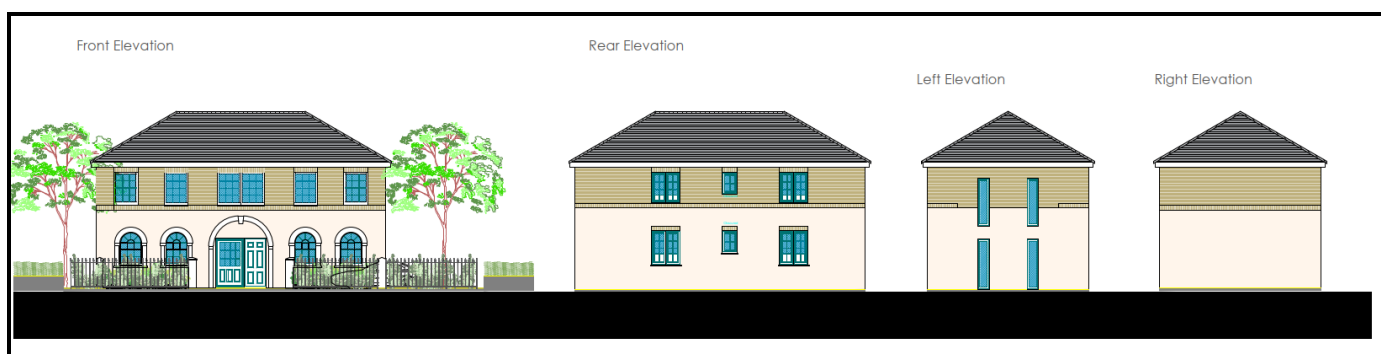
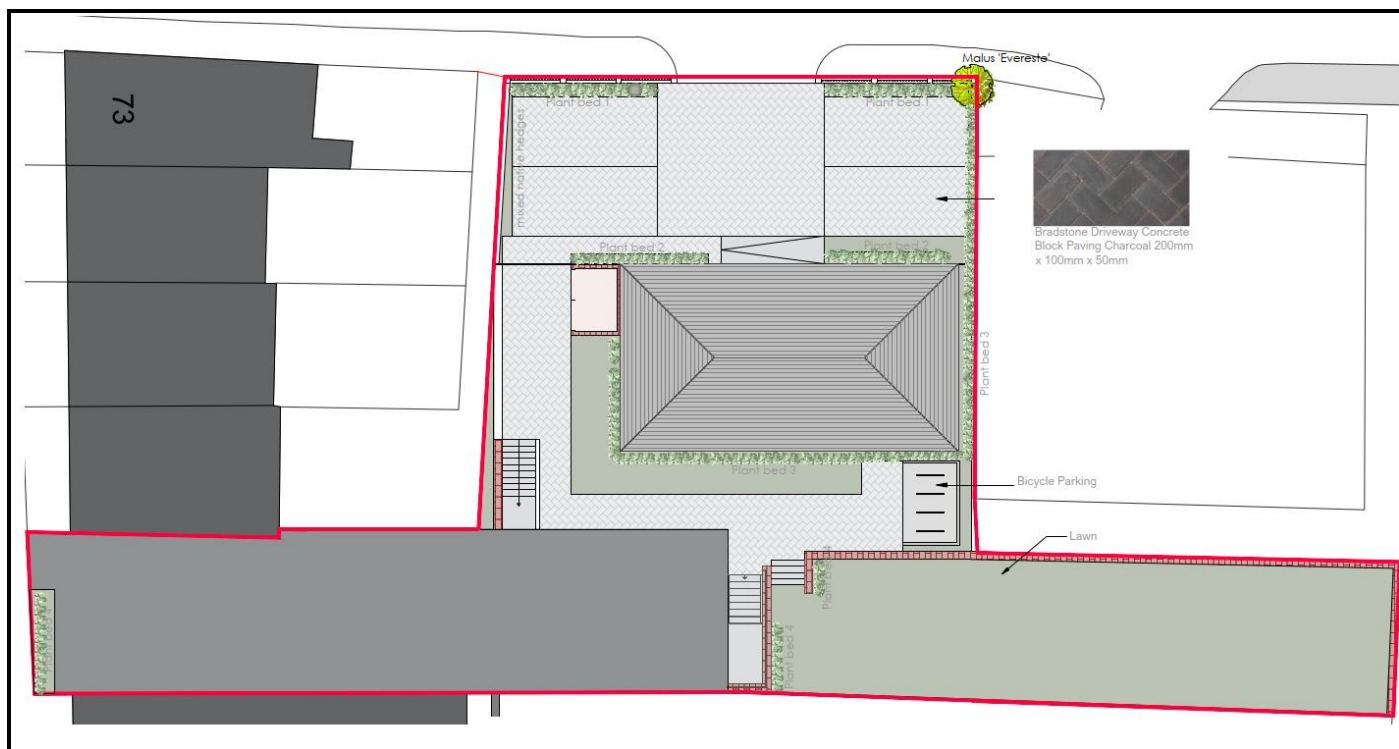
Approved Drawings (20180544)



Approved Drawings (20200680)



Proposed Drawings



In this instance the main points to consider would be the impact of the proposed changes on the Design, Character and Conservation Area, Future Amenity of Occupiers and the Residential Amenity of neighbours.

Design, Character and Conservation Area

The below changes could have an impact on the character of the area and Conservation Area, in particular:

- The installation of windows on north side elevation on converted public house.
- Relocated bin and cycle stores.
- Relocated staircase.
- Additional steps to rear garden and associated level changes.

- Altered position and extent of hard landscaping.
- Installation of utility boxes.
- Details of meter box positions.
- Provision of material details for driveway, external staircase, doors.

The proposed alterations to openings would not result in a significant increase of windows, such that there would be a substantial level of glazing. The scale and position of the openings would not be significantly harmful to the character of the area. The altered staircase would be in a similar position but would shift to one side, closer to the boundary. It would retain screening similar to the previous design and the rear garden steps would be appropriate for access purposes and would not result in any substantial level changes. The hard landscaping would be in relatively similar position to the approved landscaping and would only involve minor changes which would not have a significant impact on visual amenity. The meter boxes would be (and have been installed), to the front of the property which would preferably be avoided. However, with the use of soft landscaping as shown on the proposed landscaping plan, much of this would be obscured from the visibility of pedestrians and ultimately would have a limited impact on the streetscene.

The proposed materials are detailed in the covering letter as follows:

- Hard standings: to be shown as block paving will be Bradstone Driveway Concrete Block Paving Charcoal 200mm x 100mm x 50mm as per the manufacturer's spec provided
- Doors – All external doors will be a timber composite door
- External staircase: to be installed with bullnosed slabs and a yellow stock brick wall to shield visibility on the right hand side of the staircase
- Windows to flank elevation: permanently obscure glazing with fixed shut frames (non-opening) details via application
- Steps to door on Windmill Street: installed with bullnosed slabs on top of steps – details via application
- Utility boxes to Windmill Street elevation: we will propose plant beds installed in front of the meter boxes offering thick shrubbery which will offer visual barrier between the street and the boxes – as per details shown
- Rainwater pipe and hopper on Windmill Street elevation: to be installed in cast iron texture
- Cycle storage position has been altered as per block plan
 - The meter box positions have been designed by UK Power network in accordance with their guidelines. Please see email correspondence and documentation provided.

On balance, the proposed development would comply with the requirements of Policy CS19 and CS20 of the Core Strategy 2014, Saved Policy TC3 of the Gravesham Local Plan: First Review (1994) and Section 12 and 16 of the NPPF (2023), Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in terms of design, character and appearance and impact on the Conservation Area.

Amenity of Future Occupiers

The NPPF (2023) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land. The impact on neighbours will be assessed in the next section of the report.

The below changes could have an impact on the future amenity of occupiers:

- Internal layout changes to new building containing 2no. flats.

The proposed layout changes include the addition of a storage cupboard to each of the flats, which would make bedroom 2 smaller and addition of an ensuite to bedroom 1 of each of the flats, reducing the size of bedroom 1.

The below table assesses the new room space against the Minimum Space Standards for Flats, Maisonettes and Bedsits (Table 3 of the Residential Layout Guidelines SPG2)

	Actual Size (m²)	Minimum Space Standard (m²)
Bedroom 1 (Double)	12	11.2
Bedroom 2 (Single)	10	6.5
Bathroom and WC	2.1	3.5

The ensuite does not meet the required space standards. However, there is a shared bathroom which is 4m² and therefore provides adequate bathroom and WC facilities separately. All other internal space standards are acceptable.

Residential Amenity of neighbours

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, one objection to the proposal was received.

The below changes could have an impact on the residential amenity of neighbours:

- The installation of windows on north side elevation on converted public house.
- Details for obscured windows.
- Relocated staircase.
- Additional steps to rear garden and associated level changes.

The windows which have been installed on the north side elevation appear to be obscure glazed. The floor plans provided do not show the rooms which these windows serve. However, based upon the positioning on the elevations it appears they serve the hall at first floor and a kitchen at ground floor. The position of these openings are unfortunate and do not constitute good design. However, if conditions are applied to ensure that they remain obscure glazed and fixed shut, there would be a limited impact on the neighbouring properties.

The below image taken during the site visit, shows the position of the staircase and the north facing elevations as proposed. The staircase currently allows views into neighbouring gardens. However, the proposed plans shows the boundary fencing re-aligned, allowing space for planting and the proposed side elevation shows a yellow brick wall erected to obscure views at this entrance. If approved, this would be reserved by condition. The realignment of the fencing and the introduction of the brick wall would prevent overlooking from the staircase.

The garden levels and steps to the rear are located away from neighbours buildings so there would be no direct overlook as a result of these changes. The below image taken during the site visit shows that it is not higher than neighbouring gardens substantially and has appropriate boundary treatment. Given the poor stance of the garden, a condition would require that landscaping and clearance are undertaken in an appropriate timeframe.





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

Conditions

The conditions originally applied which are no longer relevant to include are as follows:

1. The development to which this permission relates must be begun no later than 17 May 2022.

Reason In pursuance of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the CLEA guidelines and CLR 11 methodology) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.

- a) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

c) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

d) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

e) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

Reason To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Reason to remove condition 1 and 4:

The development has largely been completed and so a start date is not necessary any longer. Condition 4 is a pre-commencement condition which was not discharged, and the development is essentially completed, subject to changes proposed in this application. It is not possible to retrospectively discharge a number of points in this condition and so a new condition should be attached in its place, to require a Watching Brief, which will go some way to limiting the risks of land contamination going forward.

The original conditions to be updated and included are as follows:

2. The development hereby permitted shall be carried out in complete accordance with the following approved plans and particulars:

The following plans/documents accompanying this current application for variation of conditions:

Drawing No CA01-PL 100 Rev P3: Proposed Floor Plans and Elevations;

The following plans/documents accompanying the previous application for variation of conditions, application reference 20191136:

Drawing No CA01-BR 001 Rev A: Floor Plans and Elevations;

Drawing No CA01-BR 002 Rev A: Site Location Plans;
Drawing No CA01-BR 003 Rev A: Sections;
Drawing No CA01-BR 004 Rev A: Street View and Block Plan;
Drawing No CA01-BR 005 Rev A: Overlooking Analysis;

The following plans/documents accompanying the original planning application 20180544:

Drawing No CA-18-P2 Rev I: Existing Plans, Existing Elevations - Clarence Arms;
Drawing No CA-18-P4 Rev 4: Proposed Plans, Proposed Elevations - Clarence Row new build;

and with any drawing or detail approved pursuant to any condition contained hereafter and there shall be no deviation therefrom.

Reason For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

5. Other than the two utility rooms as shown in approved drawing No CA01-PL 100 Rev P3: Proposed Floor Plans and Elevations, the remainder of the basement area (cellar) of the building shall only be used for storage purposes and services for the occupants of the flats hereby permitted within the converted Clarence Arms public house and for no other purposes and the basement area shall not at any time contain any other living accommodation.

Reason In order that the proposed occupants of the flats hereby permitted are afforded storage facilities in accordance with adopted standards and that the use of the basement for additional living accommodation would in any event result in a poor standard of environment and unacceptable living conditions contrary to policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

6. Prior to the first occupation of the new build flats hereby permitted the vehicle parking areas shall be formed, surfaced, drained and marked out in accordance with the details shown on the approved Site Layout, Site Location Drawing (Drawing No CA-18-P1 Rev 4); thereafter, and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas.

Reason To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan: Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

8. The development hereby permitted shall include the provision of ducting to enable charging facilities to be installed for electric vehicles for the future occupants of the development; the development shall be implemented in accordance with the approved details prior to the first occupation of any of the flat units within the new build development in Clarence Row as hereby permitted.

Reason To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS18: Climate Change and Policy CS19: Development and Design Principles.

9. Notwithstanding the details and annotations shown in the approved plans full details of secure and covered cycle parking facilities shall be submitted to the Local Planning Authority for approval and shall be implemented as approved before the first occupation of any of the new flat units hereby permitted and the approved facilities shall be retained at all times following implementation.

Reason To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS19:

Development and Design Principles and the adopted vehicle parking standards.

10. For the avoidance of doubt and notwithstanding the provisions of Article 3 of, and Classes A and G of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (as amended) or any provision equivalent to those Classes in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no window, door or other form of opening other than those shown in the approved drawings, including the high level window and obscure glazed window shown in approved drawing No CA01-PL 100 Rev P3: Proposed Floor Plans and Elevations, shall be formed in the new build flatted block in Clarence Row or in the converted Clarence Arms Public House as hereby permitted, without the prior permission, in writing, of the Local Planning Authority. For the purposes of this condition openings shall include chimneys, flues and the insertion of cover holes for flue extracts.

Reason In the interest of residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits taking account of the impact on neighbouring amenity.

11. For the avoidance of doubt the proposed windows at ground and first floor level in the east elevation (but incorrectly annotated on the approved elevation drawing CA-18-P4 Rev 4 as north elevation) in the new build development fronting Clarence Row as hereby permitted and the additional window at first floor level in the side elevation (north) of the converted and extended Clarence Arms public house building shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall be permanently retained as such.

Reason To protect the amenity and privacy of adjoining properties and in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

13. Notwithstanding the details and annotations as shown in the approved plans full details of the soft landscaping proposals for the development hereby permitted shall be submitted for the approval of the Local Planning Authority and the approved landscaping scheme shall then be fully implemented prior to any of the flats hereby permitted being first occupied and thereafter maintained to the satisfaction of the Local Planning Authority for a period of five years to ensure establishment. Any trees or plants that die, are damaged, removed or become diseased within five years from the implementation of the soft landscaping scheme shall be replaced with trees or plants of a similar size and species during the next available planting season.

Reason In the interests of the visual amenity of the development and having regard to the location of the site within and adjacent to a conservation area and to provide satisfactory screening to neighbouring properties, in accordance with adopted Local Plan Core Strategy Policy CS19: Development and Design Principles and to ensure that the landscaping is established and maintained in the longer term.

15. Notwithstanding the details and annotations shown in the approved plans full details of the refuse submitted for the approval of the Local Planning Authority and the approved scheme shall then be fully implemented prior to the relevant elements of the development hereby permitted being first occupied and shall thereafter be fully retained as such. The refuse storage area shall include provision for two communal bins each of 1100ltr for general refuse and recycling.

Reason In order to ensure that the proposed refuse storage arrangements comply with the Council's requirements in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

14. Notwithstanding the details and annotations shown in the approved plans full details of the new boundary treatments to the site including to the proposed car parking area in front of the Clarence Row new build flats, the site boundaries and the frontage to the converted Clarence Arms Public House shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall then

be fully implemented prior to the relevant elements of the development hereby permitted being first occupied.

Reason In the interests of visual amenity and the character and appearance of the area and in compliance with the adopted Gravesham Local Core Strategy, September 2014 and notably Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment).

Original Conditions to be retained:

3. Notwithstanding the details and annotations shown in the approved plans the following additional details shall be submitted for the approval of the Local Planning Authority within one month of the commencement of the relevant elements of the development hereby permitted:

- (i) External facing materials and finishes including bricks and roof tiles for both the Clarence Arms conversion and its extension and the Clarence Row new build flatted block;
- (ii) Details of parapet walls and eaves details;
- (iii) Details and drawings of all new joinery for windows and doors;
- (iv) External rainwater goods and other services;
- (v) Surface treatments and finishes to the vehicle parking areas, pedestrian accesses, steps and stairs and other amenity areas;

The development shall be carried out in complete accordance with the approved details before the relevant elements of the development hereby permitted are first occupied.

Reason In the interests of visual amenity, the wider street scene and the Upper Windmill Street conservation area and pursuant to Gravesham Local Plan Core Strategy Policies CS19: Development and Design Principles and CS20: Heritage and the Historic Environment, as well as saved policy TC3 of the Gravesham Local Plan First Review 1994 and the national planning guidance in the NPPF.

7. No gates shall be erected or placed across the access and entrance into the car parking area in front of the Clarence Row new build flats hereby permitted at any time.

Reason In the interests of highway and pedestrian safety and having regard to Gravesham Local Plan Core Strategy Policies CS11 and CS19.

12. For the avoidance of doubt no satellite antenna, apparatus, external pipe work or plant/services shall be erected or installed on the roof/wall of either the converted and extended Clarence Arms public house building or the Clarence Row new build flatted block as hereby permitted unless approved as required by any condition pursuant to this permission.

Reason In the interests of the visual amenity of the development and in accordance with Policies CS19 and CS20 of the Gravesham Local Plan: Core Strategy (September 2014).

Conclusion & Recommendation

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

Case Officer:	Mrs Lisa Fisher	Team Leader:	
Signed:		Signed:	

Dated:	6 th February 2024	Dated:	
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