

Planning Statement

256 Singlewell Road, Gravesend,
Kent, DA11 7RE

Proposed change of use from an incidental
outbuilding for the dwelling to permanent
Sui Generis use



RTPI

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1 Introduction

- 1.1 This Planning Statement has been submitted in support of an application for the following development at 256 Singlewell Road, Gravesend, Kent, DA11 7RE (hereafter referred to as 'the Site'):

Proposed change of use from an incidental outbuilding for the dwelling to permanent Sui Generis use

- 1.2 The proposed development affects the following Land Registry title(s):

Title Number	Description	Owner
K473219	256 SINGLEWELL ROAD, GRAVESEND DA11 7RE	The Applicant

- 1.3 The application is accompanied by the following plans and documents:

- 4394.ON – Planning Statement
- E116 (05) 1250 – Existing location and block plan
- E116 (05) 001 – Existing plans and elevations
- E116 (20) 1250 – Proposed location and block plan
- E116 (20) 001 – Proposed plans and elevations

2 Site Context

- 2.1 The Site is a large, detached dwelling that is situated on the east side of Singlewell Road amongst other large, detached residential dwellings and occupies a total of 820m².
- 2.2 The principal elevation of the dwelling comprises 5 red brick pillars that are adjacent to the door that match the brick work of the existing front wall. The dwelling is predominantly white render with a small portion of the elevation being red hung tiles to match the roof. The windows and door are white UPVC, and the guttering and downpipes are a black plastic.
- 2.3 The front driveway is large and allows for approximately 4 parking spaces. It is protected by a low wall with brick pillars as well as an electric black metal gate.
- 2.4 In addition to the dwelling is a large outbuilding in the rear garden which is the subject of this application. The building has matching render, windows and guttering to the main dwelling as well as a canopy that extends towards the dwelling. These types of buildings are common in the Gravesend area.
- 2.5 Surrounding the subject building is an area of artificial grass as well as an area of brick paving that leads to the entrance of the outbuilding. Under the existing canopy is some outdoor seating and some soft landscaping.
- 2.6 In a wider context, the dwelling forms part of a predominantly residential area of Gravesend and is situated directly opposite the Mid Kent Golf Club. Other amenities include a range of shops, restaurants and travel connections to London via train and bus.
- 2.7 This Site is the subject of the following planning constraints and characteristics:
 - Flood Zone 1

3 Relevant History

3.1 The following records are understood to be relevant to the Site:

Erection of two blocks of three houses and two blocks of three garages

Ref. No: 19480178 | Status: Application Permitted

Erection of a detached house

Ref. No: 19490673 | Status: Application Permitted

Erection of single storey rear extension to form breakfast area and sun room

Ref. No: 19850554 | Status: Application Permitted

Erection of a conservatory at the rear

Ref. No: 19860074 | Status: Application Permitted

Erection of single storey rear extension to form enlarged living room, dining room, w.c. and bathroom and erection of a pitched roof canopy at the front.

Ref. No: 19960566 | Status: Application Permitted

Erection of two storey side, part first floor and part single storey rear extension to form garage, enlarged kitchen/dining room, family room and hobby room at ground floor level with three bedrooms, two ensuite bathrooms and enlarged bathroom at first floor level and erection of wall and gates to front of property.

Ref. No: 20051103 | Status: Application Refused on the basis that garage would be over intensive and would dominate the dwellinghouse

Erection of part first floor, part two storey and part single storey rear extension and single storey side extension to form garage, gym, family room, breakfast area and hobby room at ground floor level with two bedrooms, ensuite shower room/w.c. and two bathrooms/w.c.s; construction of pitched roof on front elevation to form canopy incorporating an open front porch; new bay window at first floor level on front elevation with new pitched roofs over both front first floor level windows and erection of wall mounted with railings and gates to front boundary of property.

Ref. No: 20061008 | Status: Application Permitted

Erection of two storey side, part first floor, part two storey and part single storey rear extension to form garage, breakfast area, family room and hobby room at ground floor level with two bedrooms each with balcony and en-suite

bathroom/w.c. and enlarged bathroom/w.c. at first floor level and erection of wall with mounted railings and gates to front of property.

Ref. No: 20060132 | Status: Application Permitted

Construction of additional vehicular access on to a classified road to form an 'in and out' driveway.

Ref. No: 20070377 | Status: Application Permitted

Erection of detached outbuilding with canopy in rear garden to replace existing to provide gym, play room/games room and shed.

Ref. No: 20130959 | Status: Application Permitted

Application for a non-material amendment to planning application reference 20130959 for the erection of detached outbuilding with canopy in rear garden to replace existing to provide gym, play room/games room and shed; to allow roof height and footprint increase, alteration to the pitch of the canopy incorporating installation of roof lights, installation of two roof lights to outbuilding and also to allow deeper windows which will be frosted.

Ref. No: 20140597 | Status: Permitted

Erection of front and side boundary walls with railings and vehicular entrance gates and the widening of the two existing vehicular accesses.

Ref. No: 20150026 | Status: Application Permitted

Extension and raising part of the roof of existing summer house.

Ref. No: 20211033 | Status: Application Refused on the basis that the increased roof height would out of scale and appearance with the surrounding properties.

Application for Variation of Condition 3 attached to planning permission reference no 20130959 to allow the gym outbuilding to be used for a personal trainers business, Mon - Fri 8am - 8pm.

Ref. No: 20211246 | Status: Granted Temporary Permission

Erection of a single storey front extension to existing summer house.

Ref. No: 20211273 | Status: Application Permitted

Proposed extension to summer house.

Ref. No: 20211562 | Status: Application Permitted

Extension of outbuilding to enclose existing canopy.

Ref. No: 20250152 | Status: Application Refused on the basis the extension would be excessive in bulk and mass. Furthermore, the canopy has been erected unlawfully.

4 Proposed Development

4.1 The application entails the following elements:

- Proposed change of use to Sui Generis.
- Change of use to be permanent
- To allow both incidental use and commercial gym use.
- Proposed operation hours of the gym are 8am – 8pm.
- Outside the hours of operation, the outbuilding would be used incidentally to the dwelling.
- Number of clients to be limited to 6 per day with a 10-minute gap in between each client.
- One designated parking space to the front of the property for clients.
- Provision of one secure cycle storage space in the rear garden.
- There is no proposed built form as part of this application.

5 Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.
- 5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates what is said in Section 38(6), whilst paragraph 12 of the Framework is clear that the Development Plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 39 of the Framework encourages Local Planning Authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 It is understood that the Development Plan for Gravesham within which the Site is located comprises the following documents:

- Core Strategy (2014) (CS)
- Gravesham Local Plan First Review (1994) – Saved Policies

5.6 The CS sets out a long-term vision for the future of Gravesham based on evidence of the need to support communities and outline what makes Gravesham a distinctive and attractive place to live and work. Furthermore, it helps to support and inform sustainable development via investment in infrastructure, economic development, and regeneration proposals within the borough, while promoting healthy communities. Lastly, it aims to provide a consistent basis for planning application decisions. The following policies are considered as relevant:

- CS01 – Sustainable development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS19 – Development & Design Principles

5.7 The Gravesham Local Plan First Review (1994) was replaced by the Adopted Local Plan (2014). In September 2007, the Secretary of State issued a direction on policies to be saved and deleted. The following are policies that have been saved, remain operational and are relevant to the proposal.

- Policy P3 – Vehicle parking standards
- Policy T1 – Impact of development on highway network

Other Material Considerations

The Framework

5.8 In summary, the following paragraphs are considered most relevant as additional material considerations in the determination of this application:

- Paragraph 124 – Making effective use of land
- Paragraph 131 – Achieving well designed places

Further material considerations

- Householder Extensions/Alterations Design Guide (2021);
- Design for Gravesham: Design Code (2024);
- Technical Housing Standards – nationally described space standard (2015);

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020.

6 Planning Assessment

Key Issues

6.1 The following are considered to be the key issues in the assessment of this application:

1. Principle of the development
2. Neighbouring amenity
3. Highway safety and parking

1. Principle of the development

6.2 As part of 20211246, the principle of the development has already been established with the LPA suggesting that the previously proposed use as a gym is accepted.

6.3 The Delegated Report suggests that it is possible for small commercial gyms to operate successfully in residential areas so long as the character as well as the amenity of the area is not sacrificed.

6.4 The Report concluded that there would be no impact on the neighbouring dwellings, nor would the proposal detract from the character of the area.

6.5 This is supported by the fact that since it's operation, the Applicant and the gym have received no complaints from neighbouring dwellings about noise or disturbance.

6.6 The subject application proposes the use to be Sui Generis to cover both the commercial gym as well as for the building to be used as incidental to the dwelling.

6.7 It is considered that both individual use classes have been accepted by the LPA in the respective applications and that their combination would not result in any significant harm. Therefore, it is considered that the subject application's principle should be accepted by the LPA.

6.8 The subject application also adheres to Policy CS02 of the Cs which states that sustainable development can be achieved by bringing forward a range of sustainable sites in urban areas for residential and employment purposes. It is

considered that the subject application meets this criteria and can help provide an alternative employment site in the Borough away from the Town Centre.

- 6.9 Lastly, it is worth noting that the Delegated Report permitted a temporary permission to allow for monitoring of the use class. It states that following the initial period, should the gymnasium be considered acceptable, then a permanent permission can be applied for.

2. Neighbouring amenity

- 6.10 As previously mentioned, the temporary permission concluded that the gymnasium would not result in excessive noise so long as the hours of operation are restricted as well as the number of clients.
- 6.11 The Applicant willingly invites GBC to implement conditions of a similar nature to restrict the hours of operation for the gym so long as this does not impact the incidental nature of the outbuilding.
- 6.12 The temporary permission restricted the number of clients to four with the hours of operation to 8am to 8pm. This is considered reasonable, and the Applicant is happy to adhere to the conditions should they be implemented on an approval.
- 6.13 In relation to the incidental element of the building, it is considered that the family using the building outside of operation hours would not result in harm to neighbouring amenity.
- 6.14 The Applicant makes clear that the building may be used for prayer as well as relaxation and making more efficient use of the dwelling. Both of these uses are considered to be quiet by nature and will not impact the neighbouring dwellings and their amenity.
- 6.15 The incidental use of the building would only take place outside hours of operation and therefore would not be subject to the hours of operation condition.
- 6.16 As previously mentioned, the Applicant is unaware of any complaints that have been lodged against the use class as it exists, therefore the use as Sui Generis is not considered to impact this. Therefore, it is considered that the proposed change of use will adhere to Policy CS19 of the CS.

3. Highway safety

- 6.17 As previously mentioned, there is a total of four off-street parking spaces at the Site which are used by both the residents and the people who utilise the gym with the Applicant.
- 6.18 This is considered to exceed the requirements for a dwelling with four bedrooms, but it has been previously raised that there must be one designated parking space for customers.
- 6.19 Therefore, any condition for one of the four parking space being designated for the outbuilding within working hours is accepted by the Applicant as this is considered to meet the needs of GBCs Highway Officer.
- 6.20 As shown on the plan, none of the spaces impact the access or egress of the Site and would work functionally given the nature of the 1-2-1 training the Applicant provides. A small gap between bookings will ensure that there is not impact onto highway safety both on and off the Site.
- 6.21 As part of the temporary permission, the Officer also made clear that there would need to be one secure cycle parking space on the Site to ensure anyone that cycles to appointments has a secure parking space for their bike.
- 6.22 It is contended by the Applicant that the outbuilding has adequate space to provide for a singular secure cycle storage inside the building, hence its lack of inclusion as part of the proposed block plan
- 6.23 It is also considered to be securable by condition in order to show any further details of the storage which is accepted by the Applicant should this be required.
- 6.24 Overall, it is considered that the proposed change of use will not result in adverse impacts on highway safety and therefore adheres to Policy CS11 of the CS as well as T1 and P3 of the LPFR.

7 Conclusions

- 7.1 Overall, it is considered that the subject application adheres to both Local and National Policy in relation to the principle of the change of use as well as neighbouring amenity and highway safety.
- 7.2 It is clear that there have been no issues in relation to neighbouring amenity that have been raised to the LPA as a result of the previously conditioned permission. The Applicant accepts that conditions of a similar nature will be implemented should this application be approved.
- 7.3 The proposal also addresses issues in relation to parking and highway safety with one designated space for clients of the Applicant as well as a secure cycle parking space within the curtilage of the dwelling.
- 7.4 Lastly, it is considered that the proposed mixed use will not detract from character of the area whilst ensuring the outbuilding can be used for both the family as well as the business.
- 7.5 In consideration of all relevant Development Plan Policies and material considerations, this application should be viewed positively by the Authority, and it is respectfully requested that this submission is approved.