



Delegated Report

Change of Use Application

Application No:	20230623
Location:	Briars Court, 90 Windmill Street, Gravesend, Kent, DA12 1LH
Description:	Change of use from C1 to C3
Applicant:	Mr Daniel Heard
Site Visit:	N/A Desktop Assessment

Procedural Issue

This application was originally submitted as a variation of condition application, with the following description:

Application for variation of condition 2 of planning permission reference number 20060534 for the change of use of part of ground and first floor into bed and breakfast accommodation; to allow the property to be sold solely as a residential unit.

Due to the nature of the condition and the original permission (ref. 20050814) being for a B&B use, the condition could not be varied or removed, due to the intended nature of the original permission. Instead, a Change of Use for the ground and first floors from a B&B (C1) to a dwellinghouse (C3) was required and the application has been amended accordingly.

Submitted Documents/Plans

- Application Form – dated 04/09/2023;
- Site Location Plan (scale - 1:1250);
- Drawing no. D-01 - Block Plan as Existing and Proposed (no change);
- Drawing no. D-02 - Plans and Elevations as Existing and Proposed (no change).

- ~~Application Form dated 12/06/2023 - SUPERSEDED;~~
- ~~Un-numbered Drawing - Existing Floor Plans (1-4) - SUPERSEDED.~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20060534	Application for variation of condition 2 of planning permission reference number GR/2005/814 for the change of use of part of ground and first floor into bed and breakfast accommodation; to allow four bedrooms to be used for bed and breakfast purposes instead of three and for removal of the sole restriction on the bed and breakfast use of the rooms.	PERMITTED	22.08.2006

20050814	Change of use of part of the ground and first floors into bed and breakfast accommodation.	PERMITTED	22.11.2005
----------	--	-----------	------------

Development Plan

Gravesham Local Plan Core Strategy (September 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 - Developments Affecting a Conservation Area

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 12 - Achieving Well-Designed Places
- Section 16 - Conserving and Enhancing the Historic 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)
- Householder Extensions/Alterations Design Guide (2021)
- Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
- Gravesend Town Centre Conservation Areas Management Plan (2009)
- Upper Windmill Street Conservation Area Character Appraisal (2007)

Section 72(1) of the Planning Listed Building and Conservation Areas Act 1990 (as amended) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Consultations, Publicity and Representations

Consultees

Local Ward Councillors - No comment received.

Neighbouring properties

A notice was displayed on site and an advert published in the local paper.

In addition, twelve surrounding properties were consulted and no representations were received. The consultation period expired 27th October 2023.

Officer's Analysis

Proposed Development

This application seeks a change of use of the property from a mixed use part Bed and Breakfast (B&B) and Dwellinghouse, to a sole C3 dwellinghouse use. There are no proposed changes to the property either internally or externally.

The existing property is subject to a condition attached to 20050814 and later varied in 20060534, for part use of the ground and first floors as a Bed and Breakfast (C1 use). Therefore, a change of use application is required to remove the C1 and change the building to a C3 dwellinghouse in its entirety.

Design and Impact on the Conservation Area

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 130 of the NPPF (2021) seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 (LPCS) reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The NPPF (2023) also places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 197). This is echoed in Policy CS20 (LPCS), which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced.

Saved Policy TC3 of the Local Plan First Reive (LPFR) (1994) also states that development is expected to make a positive contribution to the conservation area. As the application site lies within the Windmill Hill Conservation Area this policy is all relevant to the consideration of this application.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 119 of the NPPF (2023), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF (2023). Relevant to this proposal, paragraph 124 of the NPPF (2023) which states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

There will be no external changes to the property as part of this change of use. As such, the development will have no impact on its appearance and will preserve the character of the Windmill Hill Conservation Area. The loss of the B&B use is not on a permanent basis is not considered detrimental. Therefore, the application is in accordance with Policies CS19 and CS20 (LPCS), saved policy TC3 (LPFR), as well as Section 12 and 16 of the NPPF (2023).

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users'. The proposed change of use of the property into a sole C3 dwellinghouse is considered to safeguard the amenity of future occupiers.

Neighbouring Amenity

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 127 of the NPPF (2023) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

The proposed change of use of the building into a C3 dwellinghouse is not considered to impact the amenity of any adjoining property. As such, the proposal is considered to safeguard surrounding occupier amenity in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Parking and Highways

There are no parking or highways issues related to this proposal.

Conclusion

The application has been fully considered and is in accordance with local and national planning policy.

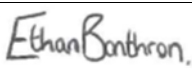
The proposed change of use would have no impact on the character of the dwelling or the Windmill Hill Conservation Area, will safeguard the amenity of future occupiers and neighbouring residents, and will have no highway issues.

As such, it is recommended that planning permission is granted.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	30 th October 2023	Dated:	31 October 2023