

Delegated Report

Full Planning Application

Planning Application No: 20260193

Location: 6 Stonebridge Road Northfleet Gravesend Kent

Description: Change of Use of rear workshop to Class C3 residential use to provide 1 x studio flat; alterations to roof from flat to pitched with roof lights and alterations fenestration.

Applicant: Mathu Housing Ltd

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Site Location Plan;
Drawing No. PL/6SR/SD100 – Existing Plans;
Drawing No. PL/6SR/SD101 – Existing Elevations;
Drawing No. PL/6SR/SD102 – Proposed Plans;
Drawing No. PL/6SR/SD103 – Proposed Elevations;
Drawing No. PL/6SR/SD104 – Existing and Proposed Site Plan;
Drawing No. PL/6SR/SD105 – Existing and Proposed Cross Section A-A; and
Design and Statement.

Relevant Planning History

Reference	Description	Decision	Decision Date
20250870	Change of use to first floor commercial storage space to staff accommodation.	Application Refused	24.11.2025
20250455	Retrospective application for a rear partial infill single-storey extension, a partial first-floor extension, and internal alterations to the existing shop.	Permitted	01.07.2025
20230710	Prior Approval application to determine if prior approval is required for a proposed: Change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3)Change of use from business to residential use.	Permitted	29.08.2023

Development Plan

Gravesham Local Plan Core Strategy (2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS11 – Transport
- CS14 – Housing Type and Size
- CS15 – Housing Density

- CS18 – Climate Change
- CS19 – Design & Development Principles

Gravesham Local Plan: First Review (1994)

- H5 – Increasing the Housing Stock by Conversion
- P3 – Vehicle Parking Standards
- P5 – Exceptions to the Vehicle Parking Standards – Change of Use of Buildings

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 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 12 - Achieving well-designed places

Supplementary Planning Guidance

- SPG2 - 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)
- Design for Gravesham – Design Code (2024)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan

to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

GBC Environmental Protection Team

As with the previous application for the flat above the store, whilst the workshop is a separate building to the convenience store/off license at 6 Stonebridge Road, there are still concerns with regards to noise. The premises has recently been granted a Premises License with extended hours (06:00 to 23:00 7 days/week), so noise could be an issue. It's not clear if any external plant (condensers, chillers etc associated with the store) are located at the rear and this needs clarification.

To address the noise concerns, a noise impact assessment is required in order to assess the impact of the commercial use on proposed residential.

In addition, as the building has been used as a workshop and for storage (both unspecified), there are contamination concerns.

To address the above, the following conditions are advised:

External Noise:

a) A noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:

1. The internal ambient noise levels in all habitable rooms of the proposed residential dwelling shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014
2. The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.

The noise impact assessment must take into account traffic noise, mechanical plant and equipment associated with commercial activities and any other noise associated with the commercial activity at 6 Stonebridge Road.

Contaminated Land

No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the Environment Agency's Land Contamination Risk Management (LCRM) guidance) and if necessary, an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.

b) 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.

c) 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.

d) 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.

e) 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.

Neighbouring properties

The application was advertised by the displaying of a site notice and letters sent to two surrounding properties with an overall consultation period expired on 19th March 2026. No comments have been received.

Ward Members were also consulted with no comments received.

Officer Analysis

Proposal

This application seeks permission of the Change of Use of rear workshop to Class C3 residential use to provide 1 x studio flat; alterations to roof from flat to pitched with roof lights and alterations fenestration. The building would be accessed from the existing rear access and would have an open plan kitchen/lounge/dining/bedroom area and a separate shower room. The new dwelling would have cycle parking for one bike and an area for refuse storage.

Housing need

Hopkins Homes Ltd v Secretary of State for Communities and Local Government [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than "guidance" and as such a "material consideration" for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or

distort, the statutory scheme.

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in February 2025. It demonstrates that based on data up for the period 2024 - 2029, the Council can only demonstrate a land supply of 3.0 years.

Given the Council's current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Policy CS02 of the Core Strategy must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest;
- Land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75);
- and areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development it is necessary to assess the proposals against the policies in the NPPF and established local planning policy taken as a whole.

Principle of Development

This application is located in the urban area of Northfleet, Gravesend and relates to an existing outbuilding and as such would comply with Policy CS02: Scale and Distribution of Development.

However, all other relevant matters should be considered. In this instance, the main points to consider would be the potential impact on; Visual Amenity (Design, Character and Appearance), Amenity of Future Occupiers, Residential Amenity of Neighbours, Parking and Refuse Provision and Biodiversity Net Gain.

Design, Character and Appearance

Policy CS14 from the Core Strategy and Section 12 of the NPPF (2024) all promote high quality design and this scheme needs to be considered against this policy backdrop.

The application site is 6 Stonebridge Road which as existing retail shop. A previous application for the



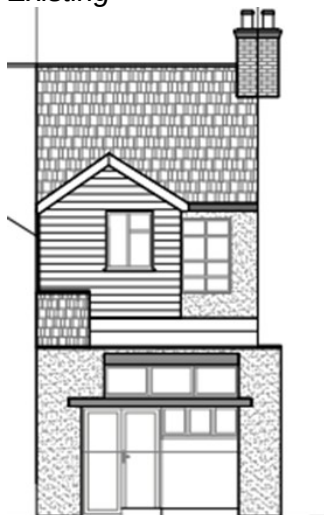
conversion of the first floor to residential was refused, as shown in the history section. This proposal relates to an existing outbuilding that is located to the rear of the shop.

The existing outbuilding is obscured from views from the front but is visible from the rear access. It is accessed from an existing access with residential properties to rear of the site. The following images show the outbuilding in its context:

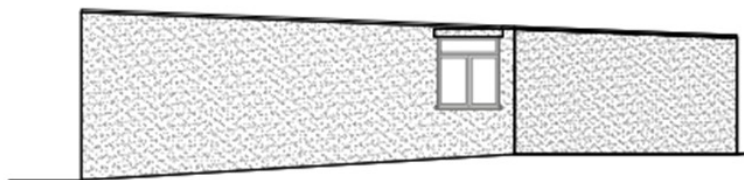


In terms of elevational changes, the frontage of the flat, which is the rear elevation on the submitted plans, would have new door, windows and brickwork. The roof would be replaced with synthetic slate and UPVC anthracite fascia, both in grey, with 4no. rooflights. The rear elevation of the outbuilding (front elevation on the plans) would have the existing windows and doors removed and replaced with a single obscure window to serve the proposed shower room. The window in the side of the existing outbuilding will also be removed. The following images show the elevational changes:

Existing

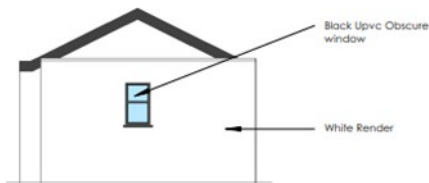


EXISTING
REAR ELEVATION

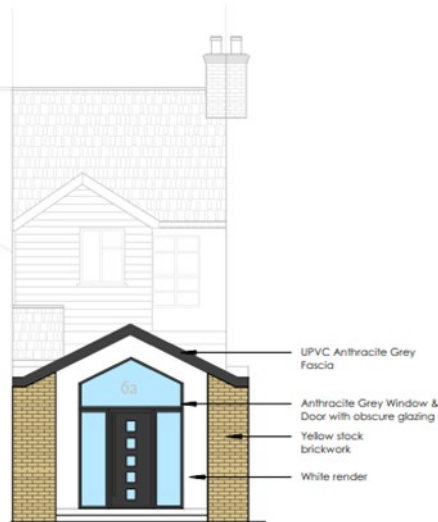


Existing Elevations

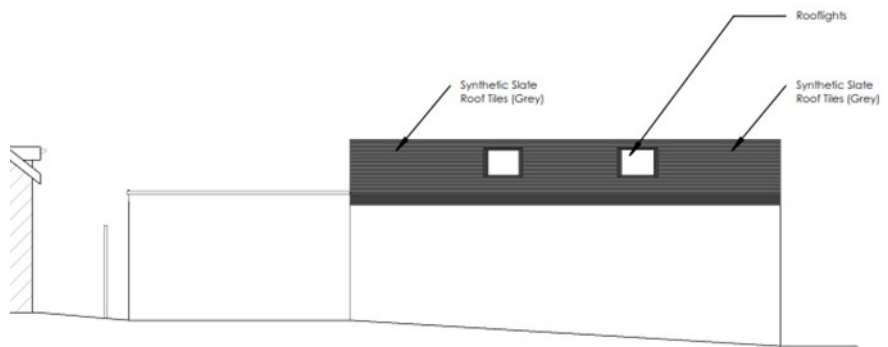
Proposed



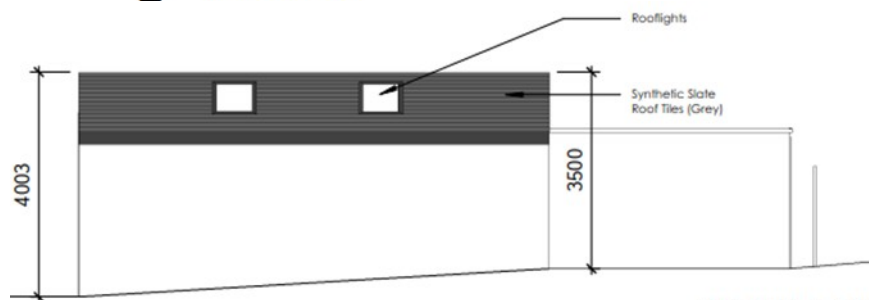
FRONT ELEVATION A



REAR ELEVATION



RH ELEVATION



LH ELEVATION

The proposed external alterations would improve the look of the existing outbuilding and would be acceptable in their context and would have little impact on the existing character of the area.

Overall, it is considered that the proposed development would accord with Policy CS19 of the Core Strategy 2014 and Section 12 of the NPPF (2024) in terms of design, character and appearance.

Amenity of Future Occupiers

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”.

Internal space standards

The “Technical housing standards – nationally described space standard” was published by the Department for Communities and Local Government in March 2015. This document sets out requirements for the gross internal area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.

The proposed dwelling would comprise a single storey, one-bedroom, one person dwelling. The required



minimum gross internal floor area for such units is 37m². The gross internal floor area of the proposed dwelling would measure 41m² and therefore exceeds this standard.

These standards also provide minimum requirements for the size of bedrooms, including the following:

in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide

Whilst the proposed flat is open planned studio arrangement, there is an area designated for a single bedroom. This area measures at 7.09m² and therefore falls short of this minimum. The bedroom would however exceed the minimum width. Given that there is only a marginal shortfall in the floor area of the second bedroom, it is considered that it would be appropriate to take a flexible approach in this particular case.

Privacy

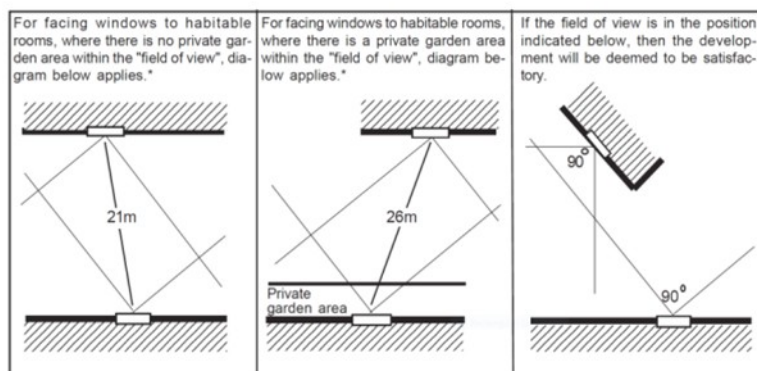
The proposed dwelling would only be served by four rooflights, an obscure shower room window and the new access door with glazing to the sides. As such, it would not benefit from any suitable level of outlook for future occupiers. In addition, the front door windows would be directly in front of the existing windows of the neighbouring property, No 5A Station Road. It not clear what these windows serve, but they are partially clear glazed and have the potential to serve habitable rooms.

Existing windows



The Residential Layout Guidelines, details appropriate privacy distances in the following diagram:

Figure 1



* A 90° field of view is measured from the central point of a window of a habitable room on any elevation, to where it overlaps a 90° field of view from the central point of a window to a habitable room on any elevation of another property.



For references the distances from those adjoining dwellinghouses are shown in the image below:



As the above image shows, the distance from the proposed habitable room windows to the neighbouring windows would measure at 2.85m, which falls significantly short of the 21m minimum and would therefore be contrary to the guidance laid out in the Residential Layout Guidelines (2015).

Neighbouring Amenity

As laid out above, the proposed windows of the dwelling would be located in such a way to cause a loss of privacy to the existing residents of 5A Station Road. The window-to-window relationship would be unacceptable and not in accordance with The Gravesham Residential Guidelines as shown in the Future Occupiers Amenity section above.

Sunlight/daylight/outlook

The proposal would not increase the size or height of the building and as such would not result in any additional overshadowing.

Overall, in terms of residential amenity, the proposal would result in a detrimental impact on the amenities of both future and existing occupiers of the proposed dwelling and the existing property of No. 5A Station Road. As such, the proposal would be contrary to the requirements of the Residential Layout Guidelines (2015), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 131 and 135 of the National Planning Policy Framework 2024.

Noise

The proposal is for one additional residential unit located within a mixed-use area. There are residential properties located within the vicinity and therefore the principle of residential development is acceptable as previously discussed. No noise impact assessment was submitted with the application, however should the permission be forthcoming, this could be secure through the imposition of planning conditions.

The site is not located in an AQMA and therefore there the flat having openable windows and doors is considered acceptable. As the resident has a choice of whether to experience the noise or not i.e. they can close the windows. A condition will be added to the decision for the submission of a sound insulation assessment in order to safeguard the amenities of future occupiers.

Highway issues

Policy CS11 of the Core Strategy seeks to ensure that new development mitigates its impact on the highway and that sufficient parking is provided in accordance with adopted parking standards, reflecting the availability of public transport provision and the accessibility of local services and facilities. Saved Policy P3 of the Gravesham Local Plan First Review requires development to make provision for vehicle parking in accordance with the Kent County Council Vehicle Parking Standards.

The supporting application form states that there would be no parking to serve this dwelling, however one cycle space would be located to the front. The site is located in a local centre location, close to a variety of shops and services and because the site is accessible by public transport, there would be no significant adverse impact on highway safety or parking as a result of the proposal, which would be in line with Policy CS11 of the Core Strategy 2014 and Saved Policy P5 of the Local Plan 1994.

Cycle storage

The current Kent County Council Vehicle Parking Standards provide minimum cycle parking standards. For residential dwellings there is a requirement of one space per bedroom. The proposed drawings show cycle storage for one bike, however no details of the storage structure have been provided. However, this could be secured through an appropriately worded planning condition if planning permission were to be granted.

Refuse

The wider site is in use as residential with existing refuse facilities. The proposed plans show refuse storage to the front which would be acceptable and allow for kerbside collection.

Any Other Material Planning Considerations

Ecology and Biodiversity (Bird Mitigation)

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £337.49 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

In this instance, the proposed development would result in the creation of one additional residential property and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £337.49.

The applicant has paid the SAMMS Mitigation Contribution Agreement and therefore the proposal would meet the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 192 and 194) of the NPPF (2024) and Policy CS12 (LPCS) (2014).

Biodiversity Net Gain (BNG)

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

In this case, the proposed development is covered by an exemption: it is a development below the threshold as it does not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat and 5 metres of on-site linear habitats such as hedgerows. There is no existing 'habitat' on the site, and any space that could be used as such measures 10m². BNG is therefore not required in this case.

Conclusion

Taking all the above into consideration, the proposal would result in an unacceptable level of overlooking and loss of privacy by virtue of the window arrangement and distances from the proposed dwelling to the existing property at No. 5A Station Road, together with lack of adequate outlook for future occupiers of the proposed dwelling.

Recommendation:

Refuse planning permission for the following reasons:

1. By virtue of the lack of suitable windows to serve the proposed dwelling, there would be insufficient outlook for future occupiers would be detrimental to their amenity. The proposal would therefore fail to provide a high standard of amenity for future occupiers which conflicts with the requirements of the Residential Layout Guidelines (2015), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 131 and 135 of the National Planning Policy Framework 2024.
2. By virtue of the windows in the front elevation and the proximity to the side windows of the neighbouring property, No. 5A Station Road, the development would result in harm to the living environments of future occupants of the proposed dwelling, together with a direct detrimental impact on the existing occupiers of 5A Station Road. The proposed windows would experience direct overlooking to the existing residential dwelling which would not comply with required privacy distances. The proposal would therefore fail to provide a high standard of amenity for neighbouring's sites which conflicts with the requirements of the Residential Layout Guidelines (2015), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 131 and 135 of the National Planning Policy Framework 2024.

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

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>

Dated:	29 th April 2026	Dated:	29 th April 2026
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