



Delegated Report

Full Planning Application

Planning Application No: 20240989

Location: Gingerbread House, 27A East Kent Avenue, Northfleet, Gravesend

Description: Part retrospective change of use of existing outbuilding from reception and office space to sleeping accommodation, and details of vehicle and bicycle parking.

Applicant: Ms Emma Carver

Site Visit Date: 13 November 2024

Submitted Documents/Plans

Application form
Planning Statement
Drawing no. 01 (Site Location Plan)
Drawing no. 02 (Existing Block Plan)
Drawing no. 03 (Existing Floor Plan)
Drawing no. 04 (Existing Elevations)
Drawing no. 05 (Proposed Block Plan – To remain as existing)
Drawing no. 06 (Proposed Floor Plan)
Drawing no. 07 (Proposed Elevations – To remain as existing)

Relevant Planning History

Reference	Description	Decision	Decision Date
20240045	Application for a Proposed Lawful Development Certificate in respect of existing recreational space to be used for overnight accommodation.	Returned	28.02.2024
20190233	Continued use of the outbuildings for office use and recreational use for residents.	Permission	15.08.2019
20150309	The retention of an existing infill extension for the ancillary use of this space for the residents of the main dwellinghouse and the proposed change of use of the existing outbuildings to offices for KASBAH (registered charity) administrative staff.	Temporary Permission	04.09.2015
20051040	Construction of a pitched roof over the bungalow incorporating a dormer window in the western side roof slope and conversion of the proposed roof space into two bedrooms, one with an ensuite and a separate bathroom; erection of single storey side extension replacing the garage to form entrance lobby and hall and construction of a pitched roof over the existing flat roofed front bay window.	Permission	24.01.2006

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- 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 8 – Promoting Healthy and Safe Communities
- Section 9 – Promoting Sustainable Transport
- Section 12 – Achieving Well-Designed Places

Supplementary Planning Guidance

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Neighbouring properties

The application has been advertised by a site notice along with individual neighbour letters to 2 properties. The overall consultation period expired on 04 December 2024.

No letters of objection were received.

Local Ward Councillors were also consulted, and no responses were received.

Officer's Analysis

Proposal

This application seeks permission for the change of use of the existing outbuilding from reception and office space to sleeping accommodation (this has already been carried out), and details of vehicle and bicycle

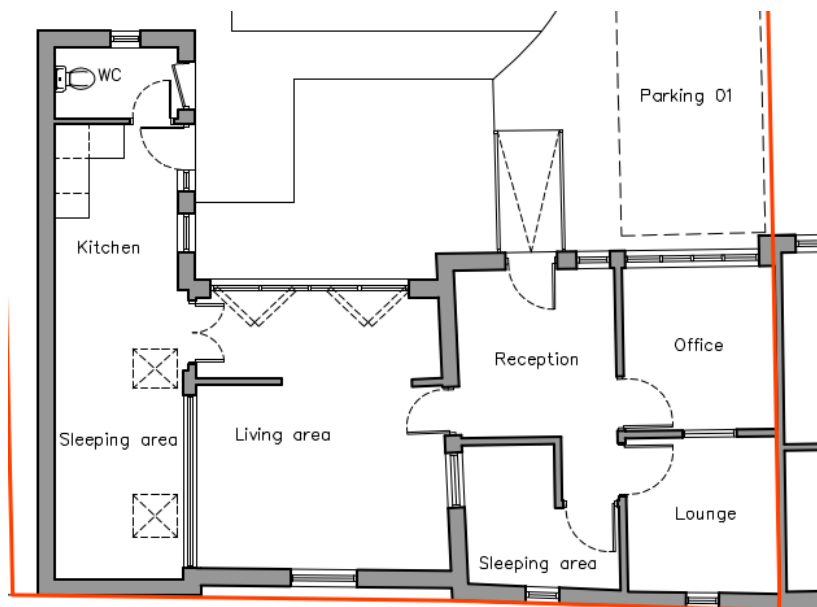
parking.

This application has been submitted as it became apparent during a recent pre-application enquiry for the site relating to this proposal that there has been a breach of conditions 3, 7 and 8 of planning permission 20190233, relating to the use of the outbuilding (3), and the provision of the approved car parking (7) and cycle parking (8). This application submission seeks to regularise the situation.

The building in question is an outbuilding used in connection with the main dwelling, which is used as a care home for up to six people with learning disabilities or mental health problems. It should be noted that the use of No 27A, including the outbuilding (and No. 27) falls within Use Class C3 (b), which covers up to six people living together as a single household and receiving care.

Under planning permission 20190233 the outbuilding has permission for use as office and recreational space.

The proposal involves the change of use of an office and reception area in the outbuilding to sleeping accommodation in relation to the main property for one of the residents as a result of behavioural needs. This includes internal alterations for two sleeping areas and a living area. No external alterations are proposed.



The proposal also includes the installation of vehicle and bicycle parking spaces as shown on the approved plans relating to planning permission 20190233.

Main Issues

The site lies within the urban boundary of Gravesend and has no particular site constraints or designations. There are no external alterations proposed as a result of the proposals. As such, the main issues for consideration in the determination of this application are as follows:

- Principle of development
- Residential amenity
- Parking and highways

Principle of Development

Policy CS02 of the Core Strategy 2014 prioritises development in the urban area as a sustainable location for development. As such, there is no objection to the broad principle of changing the use of the outbuilding, subject to the proposed development meeting the detailed requirements of national and local

policy.

Policy CS10 of the Core Strategy 2014 supports proposals and activities that protect retain or enhance existing social infrastructure.

The application site (No. 27A) is one of two neighbouring properties used by the Kent Association for Spina Bifida and Hydrocephalus (KASBAH) to provide assisted living for disabled young people. No. 27 is also used in the same way. The application property is a detached, chalet style bungalow and the rear gardens of both properties are used as one combined space, containing a group of outbuildings (used in conjunction with the main properties), a vehicle access between the properties and vehicle parking spaces. The front gardens also have parking spaces for each property.



The approved use of the outbuilding at the rear of the site that is the subject of this application includes three offices (previously assessed as being a B1 use), a reception area, a meeting room/social space and a reception/kitchen. The proposed development would result in the loss of two office rooms, leaving only one small office room (approximately 7m²) in the outbuilding. It is understood from the recent pre-application enquiry that the use of the office provision at the application site is limited as more use is made of other local off-site space (including at The Hive KASBAH offices).

It is acknowledged that the existing office space at the application site was granted planning permission as an exception to Policy CS07 (Economy, Employment and Skills) of the Core Strategy 2014, due to the specific requirements of the KASBAH charity (the office use would now fall under Use Class E). As this proposal involves a reduction in office space back to a more ancillary residential use, and as there is other local office provision for the service, there would be no detriment to the operation of the application site or surroundings or the site user. With only one small office room in the outbuilding for the whole site, the use of the site essentially reverts back to a wholly C3 (b) residential use with an ancillary office.

The outbuilding will involve the provision of residential accommodation within the outbuilding (including sleeping areas, living area, kitchen, WC), but will not include a bathroom. In this respect, it would not adequately serve as an independent self-contained unit of accommodation on a long-term basis. There would also be amenity concerns about a self-contained unit of accommodation here, due to privacy and noise and disturbance issues between the properties on the site and inadequate amounts of amenity space and parking.

There is a potential for the proposed residential accommodation to be occupied independently as it is detached from the main dwelling and separate access could possibly be gained to it from the rear, though this would involve going past the main dwelling. However, there are various factors involved in the proposal that connect the building to the main dwelling. The proposed sleeping accommodation would be used in conjunction with an existing residential use, would be within its residential curtilage (in a single planning unit) and the outbuilding would not have all the facilities required for day-to-day domestic existence. Therefore, it would not create a separate residential annexe.

In this case, a condition restricting the outbuilding as ancillary accommodation related to the existing main dwelling would help prevent any adverse impacts on amenities. On this basis, the proposal would be acceptable in term of amenity impact.

Overall, the proposal would enhance an existing care facility within a residential use, which would be in line with the requirements of Policy CS10 of the Core Strategy 2014, and therefore would be acceptable in principle.

Residential Amenity

The NPPF 2024 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, 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.

Future Occupiers

In terms of additional living accommodation, the proposal for two 'sleeping areas' in the outbuilding will add to the bedrooms at the application property, bringing the total number of sleeping spaces to 5. The sleeping spaces in the outbuilding will be larger than the Council's 6.5m² standard for a single bedroom (SPG2). Garden space around the property will not be affected. There is no conflict with Policy CS19 of the Core Strategy 2014, or the standards set out in the NDSS 2015 and SPG2 in respect of the accommodation standards and retained garden for future occupants of the dwelling.

Neighbouring Properties

In terms of the impact on neighbouring amenities, the reduction in the number of office rooms in the outbuilding would result in less noise and disturbance resulting from employees' and visitors' movements. The previous condition on permission 20190233 restricting office hours could however be retained on any forthcoming permission to ensure this continues to be the case. The ancillary residential use of the outbuilding as sleeping accommodation would furthermore not cause material harm to any adjoining properties in terms of loss of light, outlook, privacy or sense of enclosure. The outbuilding is single storey and is positioned at the bottom of the garden away from neighbouring dwellings and would be unlikely to cause any overlooking issues or loss of privacy or light. There are no side windows proposed, though these would regardless be unlikely to be higher than a typical boundary fence between residential properties. As the site also backs onto a former quarry, there would be no impact at the rear.

It must also be considered that no representations have been received from neighbouring properties raising any amenity concerns.

Overall, the proposal would safeguard the amenities of neighbouring properties, and as such, would comply with Policy CS19 of the Core Strategy 2014 and paragraph 135(f) of the NPPF 2024.

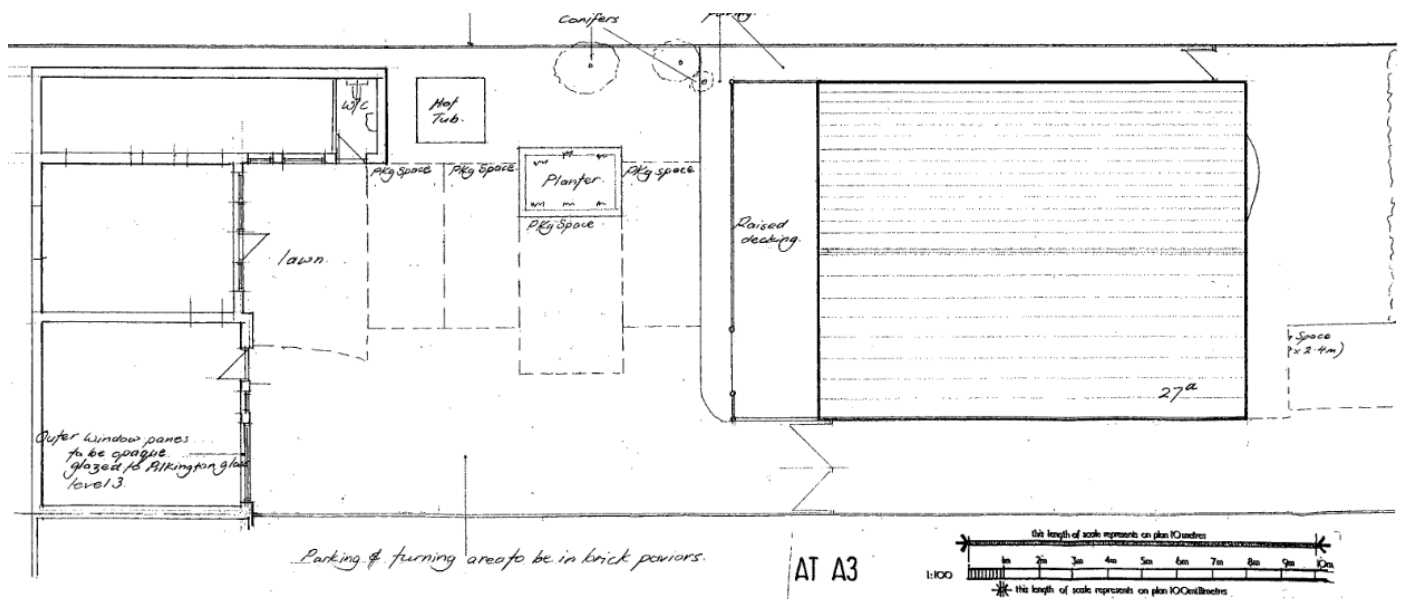
Parking and Highways

Policy CS11 of the Core Strategy 2014 requires new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

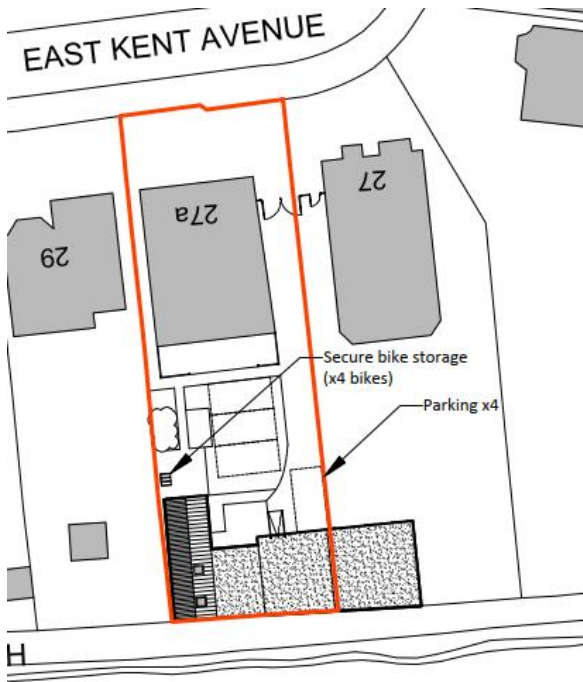
Saved Policy P5 of the of the Gravesham Local Plan First Review (1994) allows for a relaxation of the vehicle parking standards for changes of use of buildings, the sub-division of existing dwellings and minor extensions in certain circumstances and provided that existing on-street parking problems are not unduly exacerbated.

The site has permission under the 20190233 application for 4 parking spaces at the rear and one at the front to be used by employees of KASBAH. Condition 7 of this permission sought the car parking to be laid out within 6 months of the date of permission. The spaces at the rear were not installed, and the area has been retained as lawn. This situation was noted at a pre-application enquiry site visit. The parking spaces are now proposed to be installed as part of this application.

20190233 Approved Block Plan:



Current Proposed Block Plan:



The amount of parking remains the same, but the layout is slightly different with one parking space moved immediately to the front of the outbuilding. This leaves more lawn, which given the nature of the use, is preferable. By virtue of the removal of two of the existing office rooms, the proposal would reduce the potential for employees/visitors at the application property and as such, would lessen vehicle movements, which would be an improved impact on neighbouring properties.

The parking standard for a dwelling with 4 or more bedrooms is a maximum of 3 spaces; the application property has 3 bedrooms in the main property plus the sleeping accommodation in the outbuilding. The number of parking spaces proposed therefore exceeds the standard, which it must also be noted is a maximum standard. The property is also within the urban area, close to public transport and local services and facilities. Furthermore, there have been no neighbour objections in relation to parking.

There would therefore be no adverse parking or highway issues resulting from the proposals, which would comply with Saved Policies T1, T5 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014.

Any Other Material Planning Considerations

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. BNG is therefore not required in this case.

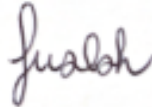
Conclusion

This application to amend the approved use of the existing outbuilding to accommodate ancillary sleeping space for residents at the property is considered to be an appropriate use of the site. The laying out of the parking spaces approved under planning permission 20290233 will add more than sufficient parking provision for the site and would bring the development in line with what was previously granted, thereby removing the need for any enforcement action. Planning conditions can be imposed to ensure the development is carried out as approved and to control the use so that amenity is protected. The proposal would therefore comply with the requirements of Policies CS11 and CS19 of the Core Strategy 2014, saved Policies T1, T5 and P3 of the Local Plan 1994, and paragraphs 116, 131 and 135 of the NPPF 2024.

Recommendation

Permission with conditions.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	19 December 2024	Dated:	23 December 2024