

Delegated Report

Full Planning Application

Planning Application No: 20221298

Location: Livingstone Road Stores 10 - 12 Livingstone Road Gravesend Kent

Description: Temporary storage unit situated behind shop

Applicant: Mr Mathurjan Bathmanathan

Site Visit Date: 20th February 2023

Submitted Documents/Plans

Planning Application Form;
Site Location Plan;
Proposed Block Plan;
Drawing No. AD/2022/LIV10-10/PL00 – Proposed Plan and Elevation of the Container;
Supplementary Information – Photo of Cabin Entrance;
Supplementary Information – Photo of Rear of Cabin; and
Supplementary Information – Photo of Cabin Interior.

Relevant Planning History

Reference	Description	Decision	Decision Date
19970643	A. Retention of 2 no. air conditioning units at the rear. Refused B. Retention of roller shutters on the front elevation. Permitted	SPLIT	10.03.1998

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006); and

Consultations, Publicity and Representations

Consultees

GBC – Environmental Protection

No objection to this application or comments to make.

GBC – Service Manager (Property & Regulatory Services)

No comments received.

Ward Councillors

No comments received.

Neighbouring properties

Public consultation was by way of the displaying of a site notice and individual letters sent to four surrounding properties with an overall expiry date of 17th March 2023. No letters of representation have been received.

Officer's Analysis

Proposal

The proposal is for a temporary storage unit situated behind shop which would measure 7.32m wide, 2.74m deep and 2.73m in height. The container would have a single centrally located door within the front elevation and a single window within one side elevation.

Design, Character and Appearance

Policy CS19 (LPCS) states that new development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards.

Paragraph 126 of the NPPF (2021) requires good design, creating better places in which to live and work.

The proposed container would be located in a mixed residential and retail/commercial area, to the rear of the small parade of shops which is used for deliveries and short stay parking. Directly to the north is a new residential development with private gardens that would abut the proposed development and balconies at first floor level which would face the rear of the site.



With a height of 2.73m, the container would be highly visible from the surrounding properties and gardens, as well as Valley Drive and due to the location of the container to the rear of the commercial units in an area used for parking and deliveries, together with being to the rear of residential gardens and properties would be highly visible from public vantage points.

The proposed container introduces a large commercial container to the rear of shops that would sit directly to the rear of residential gardens. It would introduce a type of development that would be highly visible and out of keeping with the area.

It is considered that the development would not be suitable or fit for purpose, that would neither conserve or enhance the area and as such would directly contravene the guidance laid out in Policy CS19 (LPCS) and paragraphs 127 and 130 of the NPPF (2021).

Neighbouring Amenity

Policy CS19 (LPCS) states that new development will be located, designed and constructed to safeguard amenity and would avoid adverse environmental impacts from pollution, including noise.

Paragraph 130 of the NPPF (2021) requires development to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standards of amenity for existing and future users.

The proposed container would be located directly to the rear of the private rear gardens of the new residential development to the north and within close proximity to the private balconies of the same development and the rear facing windows of both the aforementioned properties and the residential units above the Livingstone Road shops.

The application site is Livingstone Stores Premier which according to their website has opening hours of 06:00 to 23:00 7 days a week and as such, there is the potential for comings and goings to the container, together with deliveries from as early as 6:000 hours and as late as 23:00. This has the potential to create additional noise and disturbance above what is already experienced and due to being directly adjacent to private rear gardens and rear habitable room windows, is considered to be unacceptable and contrary to Policy CS19 (LPCS) and paragraph 130f of the NPPF (2021).

Highways and Parking

Policy CS11 (LPCS) requires new developments to mitigate their impact on the highways and public transport networks and ensure an adequate supply of public car parking

The proposed container would be located in an area currently used for parking and deliveries to the existing commercial units. The size and location of the container would remove an area of parking, together with the potential of creating an obstruction of delivery vehicles. As such, it is considered that the proposal would have the potential to create an obstruction for customers and delivery drivers who are accessing the rear of the shops.

The development would therefore be contrary to Policy CS11 (LPCS).

Other Materials Matters

The supporting application form states that the purpose of the container is for additional shop storage to assist in the running of the associated convenience store in order to accord with Health and Safety procedures. Whilst it would be possible to grant a temporary permission for the container, as the use would be for continual storage for the shop and not something that would be used for a short period whilst the shop is being renovated of instance, it is not considered that a temporary permission would address the issue of storage for the premises and the lack of storage within the main shop would appear to be a continual problem that needs a permanent solution and should be addressed by other means. In addition, the impact of the container even on a temporary basis on the visual and neighbour amenity and the loss of parking would be immediate and therefore a temporary permission would still result in a detrimental impact.

Conclusion & Recommendation

For the reasons laid out above, the proposed development would result in a detrimental impact on visual amenity, character of the area, neighbour amenity and parking and highways, contrary to both local and national planning policy and is therefore recommended for refusal.

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

Case Officer:	Mrs Amanda Grout	Team Leader:	Richard Hart
Signed:	<i>A Grout</i>	Signed:	<i>R Hart</i>
Dated:	28 th March 2023	Dated:	28th March 2028