

Delegated Report

Planning Application

Planning Application No: 20230555

Location: 17 Overcliffe, Gravesend, Kent DA11 0EF

Description: Change of use of restaurant to private dwelling together with erection of boundary wall and railings, new upvc window to rear and repainting of the exterior.

Applicant: Mr Anmol Kataria

Site Visit Date: 28 July 2023

Submitted Documents/Plans

Application form

Heritage Statement

Drawing no. 170C/A3/05 (site plan)

Drawing no. 170C/A3/04A (existing and proposed block plans)

Drawing no. 170C/A3/03 (existing and proposed elevations)

Drawing no. 170C/A3/02 (proposed ground and first floor plans)

Drawing no. 170C/A3/01 (existing ground and first floor plans)

Drawing no. 170C/A3/07 (existing and proposed side boundary elevations)

Drawing no. 170C/A3/06 (existing and proposed front boundary elevations)

Relevant Planning History

20220668	Application for a Lawful Development Certificate in respect of the continued use of the of the former restaurant as a single residential dwelling.	Certificate refused	24.01.2023
20150682	Replacement of window at ground floor level on the front elevation.	Permitted	14.10.2015
19810582	Change of use of restaurant at 1st floor level to a store and use of basement as a winebar	Permitted	22.07.1981
19790915	Erection of single storey rear extension to form enlarged restaurant	Permitted	07.03.1980

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development

- CS07 – Economy, Employment and skills
- 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 – Development Affecting Conservation Areas
- T5 – Access to the Identified Highway Network

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 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- 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); and
- Overcliffe Conservation Area Character Appraisal

Consultations, Publicity and Representations

Consultees

GBC Conservation Officer

On balance although the alterations could have been better, they are an enhancement and so they could be added to the change of use application and be considered compliant with local and national policy. Some planting behind the new boundary railings would certainly further enhance the forecourt. The gates to the rear should be painted black or a near black colour.

GBC Highway Development Management Officer

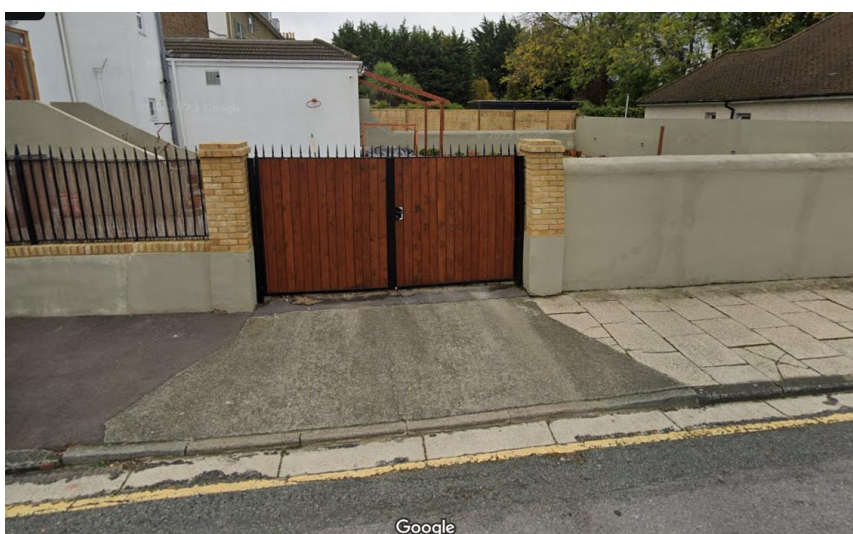
This is an interesting application as the existing layout shows three bedrooms, but no communal living area and no kitchen except for that associated with the restaurant use. I also note other than the restaurant toilets there are no facilities for any residents, and it would appear no way to take a bath or shower. The use of the existing property as a domestic dwelling therefore appears to be highly unlikely.

Looking at the images on Google Street View, it would appear the rear garden have been used as public car parks. Whilst the front garden has also been used for parking although whether this was public or private is unclear. The use of both the front and rear gardens for the parking of cars is therefore well established.



Google Street View May 2014

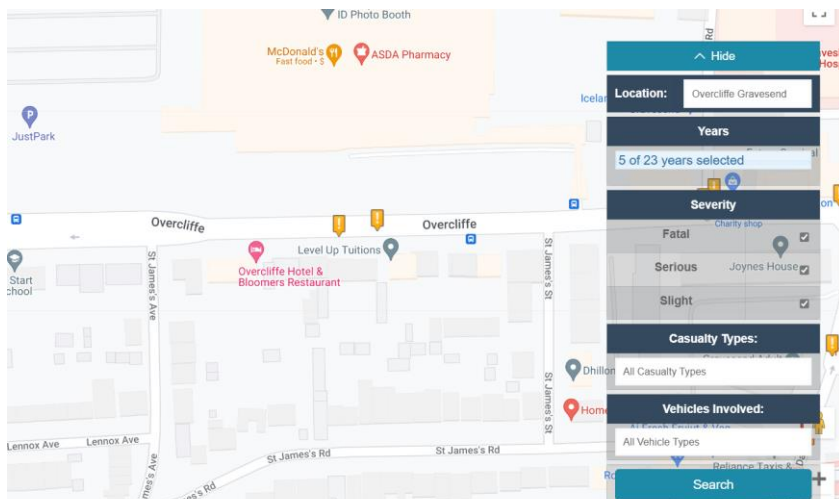
The possible parking provision for a dwelling with a paved area at the rear served by gates with no pedestrian visibility splays to the south and the parking at the front served by two carriage crossovers can be considered to be excessive and some reduction should be made. Whilst the accesses at the front may not conform to current guidance they have existed for many years, and it is probably better to retain this element of parking rather than at the rear where visibility of pedestrians is restricted.



Google Street View. Side Access.

Crashmap does not show any recent accidents in the immediate area to suggest the accesses are causing

a problem on the Overcliffe (2017 to 2021 latest data)



I would therefore suggest the vehicular access at the rear of the property should be removed by completely removing the double gates and replacing with wall or reducing the width to a single pedestrian gate. Ideally the footway should also be returned to normal by removing the dropped kerb and reinstating the pavement. However, the Highway Authority would require these works to be funded by the applicant which may be considered excessive. So, the best option may be a condition or undertaking abandoning the vehicular access from St James Avenue.

As a residential property I would expect three secure cycle parking spaces to be provided to comply with adopted supplementary planning guidance.

Neighbouring properties

The application has been advertised by site notice and press notice and individual letters to six neighbour properties. No letters of representation have been received.

Officer's Analysis

Proposal

This application seeks a change of use of restaurant to private dwelling together with erection of boundary wall and railings, new upvc window to rear and repainting of the exterior.

Design, Character and Appearance

The application site is a 2-3 storey detached dwelling located close to the town centre and within the Overcliffe Conservation Area. The property was formally run as a restaurant but has been converted into residential accommodation.

The surrounding area contains predominantly residential properties and some which have been converted into commercial use. The buildings are of a similar scale and age and many have low boundary walls with railings. The principle of a change of use to residential use is entirely appropriate in this location.

The application site has been repainted and a new wall with railings installed, together with a new window to the rear. Previously the building had been painted a dark pink colour and had not been well maintained. The building has now been restored sympathetically and new wall railings have been installed. Whilst it would be preferable to have a larger planted area than just along the shared boundary it is noted that what has been created is better than nothing and is also how the site has been for many years:



Dwarf walls and cast iron railings are a feature within the Conservation Area and therefore their reinstatement, particularly with arrow-head railings, will enhance the area. The rendered wall painted to match the building is also welcome. Entranceways with tall brick gate piers with capstones form an important part of the setting of the historic building and distinguish the driveway approaches. This is the case for the application site and these features have been reinstated.

Number 17 is a key unlisted building and is mentioned within the Conservation Area appraisal as having received a heavy coat of paint and being 'an example of how unsympathetic alterations to just one building can have a dramatic effect on the character and appearance of a whole group of buildings and streetscene within a Conservation Area.'

Overall the works that have been undertaken to the exterior including the paint work, new window to the rear, wall and railings, enhance the Conservation Area. Subject to a condition to paint the side gates black, the proposal is considered to accord with policies CS19 and CS20 of the Gravesham Core Strategy 2014, policy TC3 of the Gravesham Local Plan 1994 and Section 16 of the National Planning Policy Framework 2023.

Amenity

Amenity of Future Occupiers

The internal measurements of the habitable rooms meet the requirements of the Technical Housing Standards and adopted residential standards. All habitable rooms offer sufficient outlook and daylight. The rear garden also meets the adopted residential standards.

Neighbouring Amenity

The proposal does not involve any additional volume being added to the property or any additional windows and therefore there will be no loss of outlook, daylight, sunlight or privacy to any neighbouring property.

The proposed change of use and associated works therefore accord with policy CS19 of the Gravesham Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2023 in relation to amenity.

Parking and Highways

The parking arrangement to the front of the property is historic. To the rear was another parking area that served the restaurant. This had an opening but no gates. The gates have now been added for extra privacy to the rear garden and for security. The dropped kerb also already exists. Whilst not ideal, as any

cars entering the rear will need to wait on the road while the gates are opened, this has to be balanced with the existing situation and the appearance of the conservation area and amenity of the occupiers. The use of the access by a dwelling will be less than by a restaurant and the removal of this access could be deemed excessive. Gates to the front would be a concern and therefore a condition is recommended to ensure that no gates are installed. On balance therefore, no objection is raised on highways grounds.

Conclusion

The proposed change of use from restaurant to residential property, new window to the rear, change to the paint colour and new boundary treatment will have no detrimental impact on the streetscene and will preserve and enhance the character of the Overcliffe Conservation Area. It will have no detrimental impact on amenities, parking or highway safety and therefore the application is recommended for approval.

Recommendation:

Permit

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

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	9.10.2023	Dated:	9th November 2023