



Delegated Report

Householder Planning Application

Application No:	20230794 - Planning Application 20230795 - Listed Building Consent
Location:	196 And 197 Parrock Street Gravesend Kent DA12 1EW
Description:	20230794 - Conversion of existing building, currently categorised as office accommodation to a one bedroom flat and nine bedroom House of Multiple Occupation. 20230795 - Application for Listed Building consent for the conversion of existing building, currently categorised as office accommodation to a one bedroom flat and nine bedroom House of Multiple Occupation.
Applicant:	Mr Donald Holden
Site Visit:	10 th January 2023

Submitted Documents/Plans

20230794 – Application Form (dated 26 July 2023);
20230795 – Application Form (dated 26 July 2023);
Covering Letter (dated 18 July 2023);
Planning Statement;
Planning Design and Access Statement – 14 June 2023;
Heritage Statement;
Noise Impact Assessment by Anderson Acoustics (June 2023);
Supplementary Information – Schedule of Accommodation;
Supplementary Information – Other Validation Requirements;
Supplementary Information – Drainage and Water Asset Plan;

Un-numbered Location Plan – Ordnance Survey Site Location Plan (scale 1:1250);
Un-numbered Location Plan – Block Plan (scale 1:200);

Drawing no. PSH.001 – Site Plans Existing and Proposed;
Drawing no. PSH.002 – Existing Front Elevation
Drawing no. PSH.003 – Proposed Front Elevation
Drawing no. PSH.004 - Existing and Proposed Rear Elevations;
Drawing no. PSH.005 – Existing and Proposed South Elevations;
Drawing no. PSH.006 – Existing Section A-A;
Drawing no. PSH.007 – Proposed Section A-A;
Drawing no. PSH.008 – Existing Section B-B;
Drawing no. PSH.009 – Proposed Section B-B;
Drawing no. PSH.010 – Existing and Proposed Section E-E (Basement Entrance);
Drawing no. PSH.011 – Existing and Proposed Basement Floor Plans;
Drawing no. PSH.012 – Existing and Proposed Ground Floor Plans;
Drawing no. PSH.013 – Existing First Floor Plan;
Drawing no. PSH.014 – Proposed First Floor Plan;

Drawing no. PSH.015 – Existing and Proposed Second Floor Plans;
Drawing no. PSH.016 – Existing and Proposed Third Floor Plans;
Drawing no. PSH.017 – Existing and Proposed Roof Plans;
Drawing no. PSH.019 – Section C-C (Basement Kitchen);
Drawing no. PSH.020 – Detail to Sound Insulation Between Floors;
Drawing no. PSH.030 – Front Wall and Railings;
Drawing no. PSH.031 – Rail Head Detail;
Drawing no. PSH.044 – Proposed Rear Light-well.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220439	Application For Listed Building Consent for the conversion of five storey office building into 4no. 1 bedroom and 1no. 2 bedroom apartments.	REFUSED	04.10.2022
20220269	Conversion of five storey office building into 4no. 1 bedroom and 1no. 2 bedroom apartments.	REFUSED	04.10.2022

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS05 - Gravesend Town Centre Opportunity Area
- CS07 - Economy, Employment and Skills
- CS10 - Physical and Social Infrastructure
- CS11 - Transport
- CS12 - Green Infrastructure
- CS14 - Housing Type and Size
- CS15 - Housing Density
- CS16 - Affordable Housing
- CS18 - Climate Change
- CS19 - Development & Design Principles
- CS20 - Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- H5 - Increasing the Housing Stock by the Conversion of Existing Buildings
- P3 - Vehicle Parking Standards
- P5 - Change of Use of Building and Vehicle Parking Standards
- TC2 - Listed Buildings
- TC3 - Development Affecting Conservation Areas

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 6 - Building a strong, competitive economy
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 15 - Conserving & enhancing the natural environment
- Section 16 - Conserving & 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)
- Gravesend Town Centre Conservation Areas Management Plan (2009)
- King Street Conservation Area Appraisal (2009)

Planning (Listed Building and Conservation Areas) Act 1990

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Consultations, Publicity and Representations

Internal Consultees

GBC Conservation Officer - I have now had the opportunity to review the submitted proposals, which following our site meeting with the applicant and agent, accord with that meeting.

On balance the benefit of the proposals such as housing needs and future sustainability of the heritage asset in a busy town centre location outweigh the less than substantial harm of the insertion of fully reversible en-suite shower rooms and kitchenettes.

The internal alterations are now minimal and reversible (insertion of en suites, kitchenettes, etc). It will be necessary to ensure details of the partitions are agreed where these are located in rooms with high ceilings. Detail sections of the ensuite partitions should be submitted showing the relationship of the partitions to ceiling and any cornice mouldings.

I assume that there will be a requirement for sealing windows fronting the main road and a positive air flow system to be installed as this is normally required by the environment section in these town centre locations with high volumes of traffic. If this is the case then it will need to be conditioned to agree ducting runs and the location of plant, ventilation inlets/outlets as well as the approach to sealing sash windows and details of the use of secondary double glazing.

I could find no reference to fire separations and again details will be required for the approach to fire separation, such as doors, walls, floors and ceilings.

It is assumed that external colours remain the same as to change them will require listed building consent.

Suggested conditions are attached.

GBC Private Housing - Thank you for your recent consultation request regarding the above-mentioned proposal. In relation to the premises HMO requirements, we are satisfied our previous comments have been implemented and/or taken in account, as reported within the Response to Pre-Application Response document, dated 13th July 2023.

We are also satisfied the one-bedroom flat to the basement will be classed as independent to the HMO and fully self-contained. The unit will not be a part of the HMO licencing process. Building regulations and planning requirements take precedence.

Where the HMO is the applicants preferred option, the team welcomes a conversation or site visit to the premises to discuss licencing requirements.

In addition, we welcome and support suitable site redevelopment, and for the premises to be brought back into residential use within our capacity as the Empty Homes service function.

GBC Environmental Protection (Regulatory Services) – Having reviewed the submitted information and taking note of previous comments and advice from this team, the following comments are made:

Noise - The Noise Impact Assessment (NIA) by Anderson Acoustic submitted with this application has been reviewed and methodology and findings are accepted. The NIA advises that to conform to the requirements of BS8233:2014, secondary double glazing and upgraded seals to the frames will be required to the windows facing Parrock Street on all floors. An appropriate specification for the secondary glazing has been provided. The rear of the property is fine with respect to noise levels contained in BS8233.

A Mechanical Ventilation and Heat Recovery (MVHR) system is proposed to deal with the fact that the site is close to an Air Quality management Area (AQMA). It's been noted in the report that this system must be designed to ensure that noise levels from this system does not impact on the internal noise and a design criterion in terms of noise level is provided. The installation of an MVHR system will provide occupants with an alternative means of ventilation to opening windows and therefore will assist in minimising any impact from traffic noise.

Sound insulation testing was also undertaken the NIA gives recommendations for sound insulation standards and suitable construction for all internal partitions (floor, ceiling and wall).

The requirement for the noise mitigation measures, sound insulation requirements and also the installation of the MVHR system can in most situations be dealt with by conditions. However, as this is a Listed Building, it is important that these schemes are supported by the Conservation Officer. In this respect (as in other similar applications recently considered), additional/supporting information regarding the noise mitigation measures (secondary glazing, partition sound insulation) and MVHR should be provided upfront to ensure that there is no impact on the listed building. In this respect, it is recommended that additional details, technical specifications, detailed plans/drawings etc are submitted.

Air Quality - As mentioned previously and in the pre application advice, this site is close to the A226 One-way system AQMA declared for exceedances of Nitrogen dioxide. I'm pleased to see that the applicant has taken on board previous advice that a suitable mechanical ventilation system (MVHR) be installed. We can provide a checklist to the applicant giving advice on this and information on what needs to be submitted to get a suitable scheme approved.

With regards to other matters, the following conditions and informatives are advised.

Code of Practice on Construction and Demolition - Please apply as appropriate to minimise any impact on nearby premises.

Drainage/sewerage - The foul sewage shall be removed by means of the mains drainage system and not

by the use of non-mains sewerage systems.

Smoke Control Informative - The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Lighting - Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring.

GBC Highways Officer - The proposal gives some concern as the red line does not include any link between the back garden and the highway except through the building. This means all the cycles and bins have to be moved through the ground floor hall.

The front hall between the stairwell and the ground floor rooms appears to be only some 800mm or less wide. (This is assuming there are no obstructions such as radiators or cupboards in the hall) This is restrictive for wheeling cycles and possibly bins through the building. There appears to be no guidance on the width required to walk a cycle through the building, although Building Regulations does have minimum corridor clear passageway widths which may or may not apply in this instance, given it is an existing building.

I therefore have no grounds on which to object to the proposal.

GBC Waste and Recycling Manager - I have reviewed the attached planning application and I can confirm that I am happy with the bin provision of this property. On collection days the waste team will collect from the rear.

Local Ward Councillors - No comment received.

External Consultees

Natural England - No objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites (European sites).

Kent County Council Heritage - The site lies within an area of multi-period archaeological potential. However, I consider it unlikely that these proposals, immediately adjacent to the existing dwelling, would have a significant below-ground archaeological impact and have no further comments to make in this case.

The Georgian Group (non-consultee response) - Based on the information available to date, the Group forwards the following advice to assist your local authority in determining this application.

Significance of Heritage Asset - 195 and 196 Parrock Street are grade II listed as a pair of dwellings, constructed in the early 19th century. The architectural and historic interest of the pair relate to their external and internal decorative elements, along with the internal planform which largely survives and remains legible enhancing the interest. The ability to illustrate past development of the area contributes to the historic interest of the buildings.

Proposal - The applications for Listed Building Consent and Planning Permission include the conversion of the building from office use to a house of multiple occupation, requiring the installation of ensembles to the separate floors of the building along with servicing for the proposed flats.

The Georgian Group's Advice - In order to convert the existing building from office use to a HMO the introduction of ensembles is proposed to ground, first, second and third floors where they did not exist before. At present the historic plan form of the building is still legible and the spatial qualities of the rooms can still be appreciated, something that is enhanced by the presence of the chimney breasts within the individual rooms. The survival of the plan forms to the separate floors is something that contributes to the significance of the grade II listed building.

The application proposes ensembles to the front and rear rooms on the ground, first, second and third floors which would have a negative impact on the significance of the building causing an element of harm.

Recommendation - As the application stands, there would be less than substantial harm caused to the significance of the heritage asset.

Paragraph 199 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation'. Conservation within the glossary of the NPPF is defined as 'the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance'.

Paragraph 200 sets out that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'.

As the proposals cause an element of less than substantial harm to the significance of the heritage asset, paragraph 202 of the NPPF is engaged. Paragraph 202 sets out the need to weigh public benefits against the harm caused. Your local authority should ensure that the harm caused is given sufficient weight when undertaking this balance.

In determining this application, you should bear in mind the statutory duty of section 66 (1) and 72 (1) of the Planning (Listed Building and Conservation Area) Act 1990. Within the Act, it states that special regard should be given to the desirability of preserving a building or its setting or any features of special architectural or historic interest which it possesses; and in reference to conservation areas (section 72), that special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Publication and Neighbour Consultation

The applications were advertised in the Gravesend Messenger and notices were displayed on site.

In addition, twenty-one surrounding properties were consulted, and no representations were received.

The consultation period expired 4th September 2023.

Officer's Analysis

Site Description

The site is Grade II Listed, in the King Street Conservation Area, in an Area of Archaeological Potential, in the Gravesend Town Centre Opportunity Area and in the Thames Estuary And Marshes Ramsar Buffer Zone.

The listing description for the property is as follows: -

An early C19 pair. 3 to 4 storeys and basement stock brick. The centre portion with 2 windows is flanked by 3 storey wings set back. Slate roof. Cornice and parapet. The centre portion has 3-light curved bays through the lower floors with decorated cambered head linings. No 195 has 2 sashes in its wing with some glazing bars intact and a Tuscan portico. No 196 has 1 sash and a round-headed doorcase with no portico.



Proposed Development

This application proposes the conversion of a Grade II Listed Building into a self-contained basement flat and a 9no. bedroom HMO. This includes restoring the original basement light-well and some internal alterations to the non-historic fabric.

Principle of the Development

The site is located within the Town Centre Opportunity Area (Policy CS05), Gravesham's Primary Shopping Area (Policy CS08) and the King Street Conservation Area. Moreover, the application properties no. 196 & 197 Parrock St is a Grade II Listed Building. As such, a key consideration in this application will be if the development preserves the Grade II Listed Building or any of the features of special architectural or historic interest that it possesses, and whether the proposal would preserve or enhance the character and appearance of the King Street Conservation Area.

It is also considered that local adopted policies CS07 (Economy, Employment and Skills); CS15 (Housing Density); and CS19 (Development and Design Principles) provide together an assessment framework in line with the guidance provided by paragraph 53 of the National Planning Policy Framework (2023). Therefore, these policies are key to the whether the scheme is appropriate.

The principle considerations in the assessment of this application are:

- Housing Need
- Suitability for Conversion
- Density of Development
- Design and Impact on Listed Buildings and Conservation Area
- Residential Amenity
- Parking and Highways
- Any Other Material Planning Considerations

Housing Need

In *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 (NPPF) (2023) is only a

material consideration in planning decisions and that 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 March 2023, it demonstrates that based on data up for the period 2022-2027, the Council can only demonstrate a land supply of 2.9 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 Gravesham’s Local Plan Core Strategy (LPCS) (2014) Policy CS02 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:

1. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
2. 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.

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 NPPF paragraph 182)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68)
- 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 (paragraph 125(c)) in context, 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.

Suitability for Conversion

The application site is E class employment floorspace [formally Class B], and as such Policy CS07 (Economy, Employment and Skills) (LPCS) is relevant. Within the Town Centre Opportunity Area (Policy CS05), the Council will:

- *Support the provision of new residential development where a satisfactory living environment can be achieved;*

- *Support the redevelopment of under-used sites where this makes more efficient use of the sites and improves townscape character; and*
- *Support existing retail, commercial and service functions on the ground floors and the provision of offices and residential uses on upper floors subject to achieving a satisfactory living environment.*

Subject to the assessment of living conditions, a proposed residential development would comply with this policy. However, Policy CS07 states that:

Development resulting in the loss of B class [now E class] employment floorspace will not be supported unless otherwise allowed for by policies set out in the Core Strategy or where:

- *the proposal will deliver at least an equivalent number of new jobs on-site or elsewhere within the Borough and the proposed use is consistent with other policies set out in this plan; or*
- *the existing premises are no longer suited for employment purposes or are incapable of being made suitable at reasonable cost and it has been shown that there is no demand for them through an appropriate marketing exercise carried out in accordance with Council guidance (Appendix 5); or*
- *the existing premises have an unacceptable environmental impact on the area within which they are situated, and this is incapable of reasonable mitigation or the environmental benefit that would arise from the existing use stopping would outweigh the potential loss in employment.*

The scheme proposes the loss of all office use into residential development at this site.

The site lies within a defined area where changes to office use will be supported (as set out within Policy E5 of the Local Plan 1994). This does not necessarily prevent proposals where a loss of office accommodation is proposed but does highlight a need to justify any loss of office accommodation and prove that the benefits of the development would outweigh any harm in this regard.

Indeed, the application of Policies CS05 and CS07 require specific matters to be demonstrated in order to justify the loss of employment floorspace proposed. This justification has not been set out within this submitted planning application. The reference to the loss of office accommodation is within the Design and Access Statement stated as follows:

“The building designation is Class B1. It has not been occupied for more than five (years).”

“The property has failed to sell as office accommodation, both through an estate agent and by auction. This is consistent with low demand for offices in most small towns.”

Appendix 5 (LPCS) clearly sets out the guidance for marketing requirements in relation to the loss of existing employment premises, which includes a minimum of 6 months marketing.

The applicant has provided evidence that the office space has been marketed for 6 months (included as an appendix in Supplementary Information – Validation Requirements’). The marketing exercise concluded in May 2022 and the property consultant was not able to secure a lease agreement. This is considered sufficient evidence to satisfy Appendix 5 (LPCS) and is adequate justification for the loss of employment floorspace. As such, the proposed development is in accordance with Policies CS05 and CS07 (LPCS).

Density of Development

Development on this site should meet the requirements of Policy CS14 (LPCS), where the Council expects new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area.

Policy CS15 (LPCS) requires that all new housing will be developed at a density, which is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration, new residential development within the urban area will be expected to achieve a minimum density of 40 dwellings per hectare. It is clear that whilst Policy CS15 (LPCS) seeks

to achieve this minimum density, this should not be at the expense of compromising the character of the surrounding area.

Based on the site area of the site the density of the development would be circa 464 dwelling units per hectare thus substantially over the target minimum density. Although the density calculation might suggest overdevelopment of the site, which might not be in character with the surrounding area, there are other issues that also need to be considered. The site is also within a town centre location and therefore density calculations would be expected to show higher density.

Design and Impact on Listed Buildings and 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 (2023) 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 TC2 of the Local Plan 1994 sets out that for development involving alterations to listed buildings, the primary consideration is the maintenance of the integrity of the original listed building, and whether the character or appearance of the listed building will suffer as a result. Proposals must be sympathetic in terms of their appearance and materials.

Policy TC3 of the Local Plan 1994 also states that development is expected to make a positive contribution to the conservation area. As the application site comprises Grade II Listed Buildings that lies within the Upper Windmill Street Conservation Area, these policies are 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), 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 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.

From a historic building/conservation point of view, the application site forms one of a pair of early C19 pair of 3-4 storeys and basement, characterised by 3-light curved bays. The development proposed minimal work to the external elevations of the property, except for the works to restoration of the basement lightwell to the front and introduction of a lightwell at the rear. The internal alterations proposed are minimal and considered reversible. The Conservation Officer has raised no objection to the development, following details agreed at the pre-application stage following the site meeting. For instance, the front basement entrance and lightwell were agreed to be original on the site meeting, therefore there is no objection to this. Moreover, the Conservation Officer considers, on balance, that 'the benefit of the proposal such as housing needs and future sustainability of the heritage asset in a busy town centre location outweigh the less than substantial harm of the insertion of fully reversible ensuite shower rooms and kitchenettes'. This is subject to a list of conditions to protect the heritage asset which will be attached to the decision notice.

Overall, subject to conditions, the proposal would not cause harm to the character or architectural or historic interest of this Grade II Listed Building or the setting of the neighbouring cottage and in this respect would be compliant with Policies CS19 and CS20 of the Local Plan Core Strategy (LPCS) (2014) and saved Policy TC2 of the Local Plan First Review (1994).

Residential Amenity

Having established that the site is located in an appropriate area for conversion, the key to ensuring a satisfactory living environment can be achieved for future occupants. Policy CS19 (LPCS) seeks to ensure that the design and layout of new development accords with the adopted Residential Layout Guidelines (RLG) (2020). It also seeks to ensure that new development is fit for purpose and located, designed and constructed to safeguard the residential amenity, including privacy, daylight and sunlight, of existing and future occupants.

Internal living space

HMO Rooms

In relation to the internal living space, Gravesham's RLG (2020) and the Nationally Described Space Standards (2015) which set out minimum internal areas for new dwellings based on the level of occupancy, bedrooms size and number of storeys. However, these relate more to flat conversions rather than HMOs.

The Council's own adopted 'Guidance for HMO Amenity Standards' (2023) includes a more appropriate room sizes for this application type, which vary depending on the room and what amenity is provided within the room. The table below demonstrates the minimum floor area requirements:

Room Description	1 Person Unit	2 Person Unit
Combined bedroom, living and kitchen	13m ²	20.5m ²
Combined bedroom and living space	10m ²	14m ²
Bedroom	6.51m ²	10.22m ²

Table 1 - HMO Room Requirements

Within the proposed HMO there are 9 rooms, with a maximum of 13 occupants. The rooms are varied in terms of size and facilities included, as demonstrated in the table below:

	Occupants	Facilities	Total Floor Space (m ²)	Living Space (m ²)	Complies
Unit 1	1	kitchenette / ensuite	18.2m ²	15.6m ²	
Unit 2	1	kitchenette / ensuite	17m ²	14.4m ²	
Unit 3	2	living / ensuite	18.7m ²	16.1m ²	
Unit 4	2	living / ensuite	18.5m ²	16.1m ²	
Unit 5	2	living / ensuite	18.1m ²	16.1m ²	
Unit 6	2	living / ensuite	20m ²	17m ²	
Unit 7	1	living / ensuite	13.6m ²	11.1m ²	
Unit 8	1	kitchenette / ensuite	17.5m ²	14.9m ²	
Unit 9	1	living / ensuite	13.1m ²	10.5m ²	

Table 2 - HMO Room Breakdown

As demonstrated in the Table 2 all rooms within the HMO would comply with the minimum bedrooms floor area in Gravesham's 'Guidance for HMO Amenity Standards' (2023). It should also be noted that all rooms are served by an ensuite bathroom.

There will be two kitchens, an additional dining space and a laundry room for the HMO. The HMO Amenity Standards (2023) provides minimum requirements for communal kitchens/dining areas:

Where a kitchen is shared by (communal)	1 – 3 occupants	4 occupants	5 occupants	6 occupants	7 – 10 occupants
Kitchen (minimum)	5m ²	6m ²	7m ²	9m ²	11m ²
Dining area	2m ² per person	2m ² per person	2m ² per person	2m ² per person	2m ² per person

Table 3 - HMO Communal Kitchen and Dining Requirements

The two kitchens have a combined floor area of 19.1m², which exceeds the minimum requirement for a HMO with 6 occupants (9m²). The additional dining room has an area of 2.9m², which when combined with the kitchens falls marginally below the recommended 21m² for 6 occupants. However, the dining areas are described within the HMO guidance as recommended, which does not mean they are required. Moreover, while this is contrary to guidance, the rooms within the HMO exceed the minimum bedroom requirements and therefore on balance their amenity would be safeguarded, even with the marginally undersized dining areas. As such, the development would provide acceptable communal living facilities for future occupiers.

Gravesham Private Housing have provided comment on this application and raised no objections to the change of use into a HMO.

Flatted Accommodation

The Nationally Described Space Standards (2015) sets out minimum gross floor areas for a two storey, two bedroom dwelling. These figures vary depending on the number of persons occupying the dwelling. In this case the plans demonstrate a one bedroom, one person flat within the basement of the building. Therefore, the flat would be considered against the one person dwelling within the Nationally Described Space Standards.

Bedroom(s) /Person(s)	National Housing Standard Guidance	Unit Floor space
1 (1 person)	39m ²	46.2m ²

Table 1 - National Space Standards Comparison

The table above demonstrates that the dwelling will comply with the minimum floor space for a one bedroom one person unit, and would provide acceptable living standards. However, Gravesham's RLG breaks down the measurements further, recommending minimum floor areas for specific rooms as shown in the table below. These recommended minimum floor areas have been compared to the proposed room sizes within the property for comparison.

	RLG (minimum floor area)	Proposed Room Size
Living/Diner	18m ²	18.5m ²
Kitchen	7.2m ²	4.2m ²
Utility	-	2.9m ²
Larder	-	5.7m ²
Single Bedroom	7.5m ²	11.1m ²
Ensuite Bathroom	3.6m ²	3.6m ²

Table 2 - RLG Room Breakdown

Table 2 has been colour coded (green complies) to show which rooms within the dwelling meet the guidance within the RLG. The table demonstrates that most rooms within the new dwelling meet the requirements set out in the RLG, with the exception of the kitchen. Although falling below the minimum kitchen size, the occupants of the flat would have a larder and utility room, which would reduce the required space within the kitchen for storage of food, tins and utensils, as well as washing machines and fridges etc. Therefore, even though the kitchen falls below the recommended minimum size, on balance this will not impact amenity as there is additional space provided within the utility and larder.

External Amenity

There is no amenity space provided for future occupiers. Nevertheless, the block is within close proximity to the Riverside leisure area and Gravesend promenade, which is considered to overcome any concerns with the amenity space provided in this development.

Neighbouring Amenity

Policy CS19 (LPCS) seeks to protect amenity and ensure acceptable future living conditions. Section 16 of the NPPF (2023) also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to “secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

The proposed development does not involve any extension to the property and therefore there is not considered to be any detrimental impact on the amenity of neighbouring properties in terms of overshadowing, overlooking, loss of outlook or sense of enclosure.

However, the conversion of the property is likely to increase the noise as a result of the change in use. The neighbouring property to the north is being converted into residential flats and the properties to the south are also residential with a retail use at ground floor. As such, the proposed residential use of the property is not considered to detrimentally impact the amenity of surrounding occupants in terms of noise through use.

Overall, the development will safeguard the amenity of surrounding occupants in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

Summary

Overall, it is considered that the proposed change of use of the building into a HMO and flat will provide satisfactory standards of living accommodation, in line with local and national space standards. In addition, there will be no adverse impact on the amenities of future occupiers of neighbouring properties. As such, the proposal safeguards the residential amenity in accordance with Policy CS19 (LPCS), Section 12 of the NPPF (2023) and specifically the guidance on HMO amenity standards (2023).

Parking and Highways

The site is in a central location in the town where public transport links are good and there are sufficient parking restrictions in the locality and public car parks available nearby. There are three parking spaces available on site, which is considered acceptable given the central location of the property.

Secure cycle storage is shown on the plans, located in the rear of the building. However there is no details of the proposed store, therefore a condition will be attached to the decision notice to ensure that secure storage is provided, at the expense of the vehicular parking, to accord with Gravesham’s adopted parking standards SPG4 (2006).

Any Other Material Planning Considerations

Waste Management

The provision of suitable arrangements for waste storage is a condition of issuing a HMO license. The plans do not indicate where the bins will be stored, nor the quantity of bins that will be provided.

A condition relating to refuse will be attached to the decision notice to ensure that adequate bins are provided and that the store will not have a detrimental impact on the character or appearance of the street scene. Moreover, an informative will be attached to the decision notice detailing that bins should be purchased from the Council.

Noise

The application site is located on Parrock St which is a busy one-way road and is located close to commercial and licenced premises. Therefore, the potential for noise disturbance for future occupiers is a material consideration. Gravesham's Environmental Protection Team are satisfied with the details and recommendations included in the Noise Impact Assessment (by Anderson Acoustics), but have requested that conditions are attached to ensure the further detail is provided and approved by the Local Planning Authority, to ensure that no harm is caused to the historic fabric of the Listed Building. Subject to these conditions, the proposal is acceptable in terms of noise and will safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS).

Air Quality

The application site does not fall within the Air Quality Management Area (AQMA), however is within a few meters of the A226 one-way systems that is part of the AQMA for nitrogen dioxide (NO₂). Gravesham's Environmental Protection Team previously recommended that ventilation systems are installed to mitigate NO₂ levels from the AQMA.

The Noise Impact Assessment (by Anderson Acoustics) suggests that rooms fronting the AQMA will be mechanically ventilated by an ADF system 4, to avoid any passive ventilation systems that would involve harm to the fabric of the Listed Building. A condition will be attached to the decision notice to ensure that details of the proposed ventilation system are submitted and approved in writing by the Local Planning Authority. Subject to the condition and a suitable ventilation system being agreed, this will safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS).

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 water birds 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 £314.05 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 an 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 £314.05 per new dwelling unit.

The applicant has paid the SAMMS Mitigation Contribution Agreement tariff and therefore complies with the requirements of the Habitat Regulations, as well as Section 15 (specifically paragraphs 180 and 181) of the NPPF (2023) and Policy CS12 (LPCS).

Conclusion

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

Subject to conditions the proposal would not cause harm to the character, architectural or historic interest of this Grade II Listed Building or the setting of the adjoining Listed Building. There are minimal external or internal alterations proposed, with the exception of the excavation of original lightwells and installation of reversible en-suites bathrooms and kitchenettes. The development will safeguard the amenity of future occupiers, by providing acceptable living conditions, introducing noise and air quality mitigation, as well as adequate waste storage. There is no impact for neighbouring residents nor the highway network.

As such, it is recommended that permission is granted subject to conditions.

Recommendation

20230794 – Permission (Planning Application)

20230795 – Permission (Listed Building Consent)

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	29 th September 2023	Dated:	29 September 2023