



Delegated Report

Planning Application

Planning Application No: 20260327

Location: 61 Cross Lane East Gravesend Kent DA12 5HA

Description: Change of Use from 5 bedroom HMO to 4 bedroom Children's Care Home with an additional staff bedroom.

Applicant: Mr Joe Papa

Site Visit Date: 8th April 2026

Submitted Documents/Plans

Application Form
Site Location Plan
61CLE002 – Design and Access Statement
61CLE011 – Existing Block Plan
61CLE012 – Existing Layout and Site Plan
61CLE013 – Existing Elevations
61CLE014 – Existing Sections and Roof Plan
61CLE021 – Proposed Block Plan
61CLE022 – Proposed Layout and Site Plan
61CLE023 – Proposed Elevations
61CLE024 – Proposed Sections and Roof Plan
Statement of Purpose

Superseded Documents:

~~61CLE002 – Design and Access Statement~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20190137	Retention of a 2 metre high replacement front wall	Permitted	09.07.2019
19871083	Erection of single storey rear extension to form dining room and utility room and single storey side extension to form a garage	Permitted	11.02.1988

Development Plan

Gravesham Local Plan Core Strategy (2014)

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

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 12 – Achieving Well-Designed Places

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)
- Gravesham 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

Consultees

Ward Councillors

No comments received

KCC Highways

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters:

The parking requirements and vehicle movements for the Children's Care Home with 2 staff is likely to be less than the current use as a HMO. I therefore raise no objection to this application on highway grounds.

Kent Police Designing Out Crime Team

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. Due to the proposed use of the site, we would recommend the applicant review current site security and boundary treatments. We advise boundary treatments to be a minimum of 1.8m in height with support beams facing inwards, any gates to a rear/ side access must also be securely lockable from both sides. It is essential that there is no unauthorised access to the rear of the site either via the side access route or via neighbouring premises.
2. We recommend CCTV be installed at the main entrance doors to monitor the movements of the occupiers. In some circumstances, it can be advisable for staff carry personal attack alarms and in some instances BWV cameras for safety purposes.
3. We recommend lighting to cover entrances to aid in natural surveillance.
4. If new external doors and windows are proposed, we recommend these to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Existing rear doors and windows that are not being replaced may require limiters/ restrictors to help maintain security.

To note, as Designing Out Crime Officers we use Secured By Design Guidance in our recommendations. Whilst our comments may be standardised within this letter, we encourage the applicant to contact us to discuss the plans in further detail.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Neighbouring properties

7no. surrounding properties were consulted and a site notice placed. The final date to submit comments was 01.05.26. 1 comment was received objecting to the development. The comment is summarised as follows:

- Based on current experience with HMO the car parking to the rear is not regularly used, due to the extremely rough and rutted track to access it. So the scheme will likely involve more parking difficulty for residents and obstruction of driveways on an extremely busy and dangerous road.
- A mature laurel hedge will take time to grow but the police reports suggestion of fencing and a wall will make it look like a prison, although safer for the children.
- Concerns raised regarding noise level, anti-social behaviour from children in their older teens, and substance abuse, petty and other theft and littering.

Officer's Analysis

Proposal

This proposal is for the change of use of an existing small HMO for up to 6 persons to a children's care home accommodating up to 4 children with up to 2 staff members present at one time. Externally no changes are proposed, with the exception of increased planting. The care home would cater to children between the ages of 7-16 years old. However, if it is considered in the young persons best interest to remain at the home post 17, each young person will have pathway plan/transition plan in place which will be reviewed regularly and individual risk assessments taken for 17+. There would be a bed available for a staff member for overnight supervision.

The statement of purpose details the supervision as follows:

Time	Staff on Shift
07:30–14:30	Morning Staff
14:30–15:00	Morning + Afternoon (handover)
15:00–21:30	Afternoon Staff



21:30–22:00	Afternoon + Night (handover)
22:00–07:30	Night Staff
07:30–08:00	Night + Morning (handover)

Site Description

This is a 5 bedroom, bungalow, located in an urban residential setting. There is existing parking to the rear accessed via a track to the side. The property appears to have been used a small HMO for a number of years, based on the details submitted, licensing details and the neighbour comment. Such a change generally does not require planning permission and so this is not reflected in the planning history.



Photograph taken on 8th April 2026

Principle of Development

The following matters are relevant to the consideration of this application:

- Housing Need and principle of development;
- Design and impact on the surrounding area;
- Amenity of future occupiers;
- Amenity of neighbouring properties;
- Parking and highway safety; and
- Ecology and biodiversity.

The application site lies within a residential area. Policy CS14 of the Local Plan Core Strategy (LPCS) requires that the Council protects the mix of housing in the existing housing stock while also expecting new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.

The proximity of the site to the town centre, local amenities and public transport links is such that its sustainable location is acceptable in principle as per Policy CS01 (LPCS).

Whilst the proposal would not be a conversion of the building and just a change of use from C3 dwelling house to C2 residential children's home, it is important that the change of use of the building does not cause harm to the character and amenity of existing areas. Therefore, Saved Policy H5 (LPFR) is still

relevant.

Saved Policy H5 (LPFR) with regard to proposals for conversion of existing properties to provide flats states that the Borough Council will have regard for the following criteria;

(i) The building shall be in an appropriate area for conversion to flats maisonettes, bedsitters and multiple occupancy. Unless there are special or overriding circumstances, conversions will not normally be permitted in an area comprised for the most part of single family dwellings.

Conversely conversions will not normally be permitted in areas which are environmentally unsuitable for young families and which already demonstrate a predominance of multiple occupation.

(ii) The building shall be of such a size and arrangement as to be generally unsuitable for single family occupation.

(iii) The proposal shall have regard to the Borough Council's Residential Layout Guidelines, as set out in supplementary planning guidance.

(iv) The adopted Vehicle Parking Standards must be achieved wherever feasible.

Saved Policy H6 (LPFR) with regard to the provision to meet special housing needs states that the Borough Council will in principle support proposals in appropriate locations by Housing Associations, the private sector and other organisation which incorporate:-

(iii) With regard to proposals for residential hostels and homes, whether by new build or by conversion, the Borough Council will take particular care to ensure that these do not cluster together and harm the overall character of the area.

The property is currently in use as a C3 Small HMO. It is noted that use class C3(b) would cover up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems. Whilst this application applies for a C2 use, it is noted that a similar type of care can be provided within the existing use class of this property. As such, the care use would not be dissimilar to a C3(b) use, particularly given that 4 children would be housed with a maximum of 2 staff members on the property at any given time. Taking this into consideration the residential character of the area, a wholly new type of use is not being introduced into the area. There is no clustering effect which may harm the overall character of the area. The property is located in a street predominantly consisting of single family dwellings. As such the character of the area is domestic, and the proposed change of use will not erode the domestic character of the area.

It is considered that the proposal is in accordance with saved Policies H5 and H6 of (LPFR), but also Policy CS14 (LPCS) which states development provide a range of dwelling types and sizes taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.

The preamble to this policy in paragraph 05.10.6 states that the Council's strategy is to plan for a mix of house sizes and types that will be appropriate to the differing needs of the community. Paragraph 5.10.7 states that while the Council will look to support the provision of housing to meet the requirements of people in special need of help or supervision, the use should not change the character of the area nor involve a loss of amenity to residents because of potential noise and disturbance it could create outside normal working hours. The care home would not be materially different to a single family dwelling.

Having regard to the above, it is concluded that the principle of the change of use of the property is acceptable.

Design, Character and Appearance

Externally the proposals include the addition of mature laurel plants planted at the boundaries, which is considered to be an improvement in terms of improving the soft landscaping available in the currently fully hard surfaced area to the rear. There are no changes to the external parts of the building.

In terms of design, the proposed development accords with Policies CS19 and CS20 (LPCS) and paragraphs 135 and 208 of the NPPF (2024).

Amenity of Future Occupiers

The NPPF (2024) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, 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. The impact on neighbours will be assessed in the next section of the report. The Residential Layout Guidelines provides minimum space standards for a dwellinghouse. It is noted that this scheme would be for C2 use and not a dwellinghouse, however these standards provide a useful benchmark to understand whether the development would provide adequate space standards for users.

Room Type	Proposed Internal Floor Area (m ²)	Minimum Space Standard (m ²)
Kitchen	10.23	7.2
Bedrooms	15.12 10.71 11.89 12.87 10.55	6.5 (Single) 11.2 (Double)
Bathroom and WC	5.2	3.6

Garden Measurement	Proposed Garden Space	Minimum Space Standard
Area (4+ bed)	41m ²	100m ²
Depth (4+ bed)	7m	10m

Essentially, the room layout and sizes and external amenity spaces would be unchanged from the existing situation. Whilst the garden area would be undersized, this is the existing situation and not being compromised any further by the application, accommodating 6 people at the same size. It is noted that no separate communal living area proposed. However the plans show there is a reception area, which is most likely the living area. As such, it is considered that the proposals would have little impact on the future occupiers of the property, if anything it would make the external amenity spaces more usable given the introduction of plant screening in the front and rear garden areas.

Neighbouring Amenity

As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, no objection to the proposal was received.

There would be no external changes to the building and so no impact to neighbours related to altered structure of the building. In terms of occupancy and a potential intensification of use and increased noise, the existing dwelling contains 5 bedrooms. Whilst it is a HMO, it was formerly a dwellinghouse. It is therefore reasonable to consider that this family sized dwelling may have in the past or could in the future housed children or teenagers. In addition, the current small HMO use for up to 6 adult individuals leading and living separate lives, is likely to have a greater impact in terms of footfall and comings and goings than a care setting, with 2 staff members caring for 4 children. Therefore, the proposal to provide full time care for 4 children would not likely result in any increased activity or noise as a result of this application. Overall, and taking into account the existing built form of both the application site and the surrounding buildings, it is considered that there will be no loss of outlook, daylight or sunlight to any neighbouring property and therefore complies with Policy CS19 (LPCS) and paragraph 135 of the NPPF (2024) in this regard. The proposed use is not materially different from a single-family dwelling due to the modest nature of the proposed children's home.

In addition, it is acknowledged that the proposed development has potential to impact neighbours in terms of increased noise. However, given that the dwellinghouse is fully detached and currently used as a 6

person HMO with no evidence of noise complaints, it is unlikely that the scheme for 4 children and 2 adults in a care home setting, will result in any significant noise impacts greater than the current situation, or as expected in a standard family dwellinghouse.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Parking and Highways

KCC Parking Standards (2006) lays out the required parking provision for C2 uses as per the table below.

Land Use Class C2: Residential Institutions			
55. Use Class C2 covers development that provides residential accommodation which includes an element of care for people in need, and residential accommodation for an education establishment.			
Maximum Vehicle Parking Standards			
	Goods Vehicles	Car Parking	
		Employees	Residents/visitors
Nursing/Residential Care Homes	Minimum of 1 space for an Ambulance (see Note 1)	1 space per resident staff + 1 space per 2 other staff	1 space per 6 beds or residents
Hospitals & Hospices	See Notes 1 & 2	1 space per 2 staff	2 spaces per 3 beds
Residential Schools, Colleges or Training Centres	See Note 1 & 3	1 space per resident staff + 1 space per 2 other staff	1 space per 15 students
Notes:	1. Adequate facilities should be provided to enable delivery vehicles to park and manoeuvre clear of the public highway. 2. Sufficient ambulance bays and/or parking should be provided to meet the operational needs of the development. Exact details should be agreed with the Local Planning Authority. 3. At special schools there is a need to include appropriate additional spaces for ambulances, taxis and coaches		

The proposed plans detail spaces to the rear of the property. The Design and Access Statement confirmed that this would provide 2 spaces to the rear with additional space for drop-offs of deliveries. No details are provided for ambulance parking. Though it is considered that an ambulance may have difficulty manoeuvring to this rear parking in any case and would likely be required to park on street, as is the case for many residences requiring emergency medical assistance. In any case, it is noted by the KCC Highways Officer that the proposed use would have a lesser parking requirement than the existing HMO use and have not objected to the scheme for parking reasons. In addition, it is noted that comments were raised suggesting that current HMO users do not use the rear parking and instead park on the street and raises concerns that this would continue. Whilst it is unfortunate that this is the case, this does demonstrate that the proposal would likely result on lesser on street parking from 2 staff members as opposed to 6 independent individuals.

Adequate vehicle and cycle parking provision is therefore available in accordance with paragraphs 109 to 114 of the National Planning Policy Framework (2024), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014 subject to further details of cycle parking provision.

Biodiversity

Net Gain

Under the Environment Act 2021 and supporting Statutory Instruments Biodiversity Net Gain (BNG) is now mandatory for most development. The legislation requires a minimum 10% gain in biodiversity from applicable development either onsite, offsite or a combination of both.

BNG provided under the mandatory requirements offsite and significant BNG onsite must be secured by a legal agreement for 30 years under an approved Habitat Management and Monitoring Plan (HMMP)

There are strict legal requirements in terms of what an application must contain in relation to BNG before it can be accepted as valid. This is set out in Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and requires the completed metric calculation tool showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application and other information.

However, certain applications are exempt from the BNG regulations (the Biodiversity Gain Requirements Exemptions) Regulations 2024) including householder applications and include:

- Householder development as defined within article 2(1) of the Town and Country Planning Development Management Procedure) (England) Order 2015.
- Development granted planning permission by a development order under section 59. This includes permitted development rights.
- Development subject to the de minimis exemption - development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of habitat, or 5 metres of linear habitats such as hedgerows.
- Self-build and custom build development - development which:
 - consists of no more than 9 dwellings, and
 - is carried out on a site which has an area no larger than 0.5 hectares, and
 - consists exclusively of dwellings which are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015

The application form states that this site would be subject to the de minimis exemption as the development does not impact a priority habitat and impacts less than 25 square metres. Based on the existing high level of hard landscaping and that the scheme would not remove and soft landscaping, the proposal is considered to meet the BNG exemption as submitted.

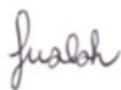
Conclusion

The proposed development complies with all relevant national and local planning policies.

Recommendation

The recommendation is to approve the application.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	21 st May 2026	Dated:	21 May 2026