



Delegated Report

Planning Application

Planning Application No: 20250243

Location: 26 King Street Gravesend Kent DA12 2DU

Description: Change of use to mixed use including performing arts theatre, performing arts instruction/teaching, public activities, nursery and children's activity centre, after-school club, and cafe/canteen

Applicant: Annie Guo, PPT London

Site Visit Date: 04/12/26

Submitted Documents/Plans

Application Form
Location Plan
Block Plan
KSG/GFP/E Rev A – Existing Ground and First Floor Plan
KSG/GFP/P Rev C – Proposed Ground and First Floor Plan
KSG/0424/01 – Court Room part plan and Section D-D as existing
Heritage Statement
Repurposing Gravesend County Court: A Catalyst for Community Development and Engagement
Document with information about the development
Noise Management Plan
Noise Impact Assessment
Terms and Conditions for Noise

Superseded Plans:

~~KSG/GFP/P Rev B – Proposed Ground Floor Plan~~
~~Repurposing Gravesend County Court: A Catalyst for Community Development and Engagement~~
~~Noise Management Plan~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20260087	Installation of a traditional retractable external awning.	Pending Consideration	
20260088	Application for Listed Building Consent; Installation of a traditional retractable external awning.	Pending Consideration	
20260089	Advertisement Consent for installation of external signage identifying the premises as THE LITTLE THEATRE.	Pending Consideration	
20260028	Application for Listed Building Consent; Repositioning of Ground Floor Staircase to Mezzanine.	Pending Consideration	
20260029	Application for Listed Building Consent; Installation of	Pending	

	external illuminated fascia signage.	Consideration	
20240946	Application for Listed Building Consent; Removal of raised platform, Judge's bench and remaining court furniture and alterations to Judge's canopy. Construction of panelling between existing (retained panelling) and lower floor level following removal of platform. Construction of steps between court room and adjoining studio to address change in level following removal of platform.	Pending Consideration	
20170642	Application for Listed Building Consent for the Retention of completed temporary mechanical and electrical refurbishment works	Permitted	11.06.2018
20100541	Change of use of former Court House (D1) to mixed use comprising cafe, meeting room, counselling rooms, open yoga area, offices, exhibition/court room, recording studio, installation of mezzanine floor to provide additional office space and demolition of cell block within central courtyard.	Permitted	24.05.2011

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
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact on the Highway Network
- TC2 – Listed Buildings
- TC3 – Development Affecting Conservation Areas

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 7 – Ensuring the vitality of town centres
- Section 11 – Making effective use of land
- Section 12 – Achieving Well-Designed Places
- Section 16 – Conserving and Enhancing the Historical Environment

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020

- SPG 4 – KCC Parking Standards (2006)
- Design for Gravesham – Design Code (2024)
- King Street Conservation Area Appraisal Supplementary Planning Document, 2017
- Management Plan – Gravesend Town Centre Conservation Areas Supplementary Planning Document, 2017

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

GBC Environmental Protection

Further Updated comments received on 24/02/26:

I've reviewed the submitted NIA and comments as follows:

The use of BS8233:2014 as the main standard in this type of situation is unusual as BS8233 is primarily used to assess noise affecting new dwellings. However, its use in this instance being paired with BS4142 is accepted. Appropriate on-site noise measurements have been carried out at both the front and rear (courtyard) of the property and noise mapping undertaken using CadnaA to assess noise breakout from the performing arts studio with amplified music playing.

In summary, the noise mapping demonstrates that with the addition of double glazing (to a specification of Rw 29) or secondary glazing (to give a similar specification) noise levels at the surrounding noise sensitive premises (dwellings) will be well below the measured/existing background noise levels and compliant with our criteria of being 10dB below background both during the day and at night (ie after 11pm). This is with windows closed. Mapping has also been carried out with windows partially opened, and whilst the report advises that levels will be acceptable, they do not meet our standard criteria – windows will have to be kept closed when amplified music or voice is taking place – again both during the day and at night.

Section 6 of the report provides appropriate glazing and ventilation specifications.

Plant noise has also been assessed. The report proposes that the plant noise limit be 5dB below background. However, as advised above, our standard criteria is that noise from new plant/noise sources must be 10dB below background at the facade of the nearest noise sensitive premises.

Noise from the nursery/after school rooms does not appear to have been assessed with regards to impact on nearby dwellings, but rather to ensure that the site is suitable for this type of use. However, as the use will be restricted to daytime use only, less noise problems are likely and can be addressed by management controls.

As the proposed cafe faces the front of the building, it's less likely to result in any particular noise problems. In addition, it's advised in the Noise Management Plan (NMP) that hours will be daytime/early evening only.

The above can be implemented by appropriate pre-commencement/operational conditions:

Noise Mitigation Measures

The noise mitigation measures as detailed in report 'BS8233 & BS4142 Assessment' dated 19th February 2026 by E2 Consultants Ltd shall be implemented in full by competent persons prior to any use commencing.

The mitigation measures must be retained thereafter.

Plant Noise Limit

The rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014. Background noise levels from the 'BS8233 & BS4142 Assessment' dated 19th February 2026 by E2 Consultants Ltd can be used in the BS4142 assessment.

In addition, the use should take place in accordance with the submitted NMP.

The applicant has advised that cooking will be minimal and as such no extract system will be needed. I've forwarded details to the Food and Safety Team as it doesn't look like they've been consulted previously in case they have any comments. If a kitchen extract system is needed, then conditions were recommended previously (response dated 16th May 2025) and these should also be attached.

Updated comments received on 18/12/25:

The Noise Management Plan is noted and contains some sensible 'good practice' measures. It refers to compliance with the requirements of BS4142. However, without a noise impact assessment being undertaken, this will be hard to achieve as no baseline/ambient noise levels are known.

As per the previous response dated 16th May, a noise impact assessment is advised pre-determination in order to ensure that noise from the venue can be adequately controlled.

Also noted regarding the limited style/type of cooking in the café and the applicant's statement that a kitchen extract system will not be needed. However, the concern is that if a café use is granted, future users could change to style of cooking which could result in odour issue without an adequate extract system

Received on 16/05/25:

Insufficient information has been provided to fully assess the implications of this application. There appears to be a wide variety of uses suggested for the space including performing arts studio, nursery, after school club and also a café. Very little consideration appears to have been given to the noise associated with these uses. The proposed hours of use are also quite extensive 06.30 to 23.45 7 days a week. The external area is also proposed for use by the nursery/afterschool club. Whilst this is a town centre location and there are other late night uses in the area, there are also a number of flats locally above shops etc.

In addition, plant and equipment is likely to be needed for example a kitchen extract system and also possibly mechanical ventilation or air conditioning for the performing arts studio. This hasn't been mentioned in the application details as far as I can see.

A noise impact assessment will therefore be needed. I understand that this is a listed building, so it would be sensible to ask for the noise impact assessment to be undertaken prior to determination in order to ensure that any mitigation work required can be achieved without detriment to the listed building.

Details on the kitchen extract system will also needed – again it's advised that these are submitted up front so that the proposed installation can be assessed by conservation.

A Noise Management Plan is also advised.

I have included some advice/condition wording below more as reference for the applicant in carrying out the assessments/providing the information.

Noise Control

1. The rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest

noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

2. Music - amplified sound systems (including speech) should be able to limit the 31.5 Hz and 63 Hz octave band and or have appropriate sound insulation to (such as "box-in-box" Studio construction) to prevent the breakout of these frequencies. Entertainment noise including amplified music, film and speech must also be designed/contained so that it is at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014.

Noise Management Plan

This should include, but not be limited to the following:

- o How customer noise and behaviour is managed on and off the premises as far as is reasonably practicable
- o How staff noise and behaviour including at the opening and closing of the premises
- o Operation of plant and equipment including ensuring that unessential plant and machinery are switched off at the end of operations
- o Management of noise from deliveries
- o Where takeaway is provided how deliveries and collections will be made without causing excessive noise including quiet closing of doors, idling of engines, maintenance of vehicles to ensure that they are properly silenced and serviced, not playing car audio
- o Prevention of noise from disposal of glass bottles
- o How external areas will be managed
- o Details of how and where complaints of noise from residents are responded to and logged
- o Prevention of noise where essential maintenance required

Cafe/Takeaway Odour

The kitchen extract system should be design in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)".

Full details of proposed extraction system to deal with grease and odour control should include:

- a) Plans and details of all duct work (internal and external) and equipment.
- b) Plans showing the location/position of the external flue/discharge stack, including its position in relation to neighbouring properties and window openings.
- c) Details of all grease filtration and odour control including the manufacturer's specification/data sheets. This includes the canopy.
- d) Details, including manufacturer's specification/data sheets of the fan.
- e) Details of proposed routine cleaning and maintenance of the system, and the service requirements of the installed odour control system, including details of system access panels and confirmation that they will be grease tight.
- f) Details of the type of food to be cooked, the cooking time per day; and the type of cooking appliances to be used. Where the end user is not yet known, the extraction system shall be designed for a 'very high' grease content, a 'very high' level of odour potential and a 'very high' smoke content (EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)).

Cafe/Takeaway Noise

Again, the scheme should be designed in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)".

A noise impact assessment will be needed which should assess the worst-case scenario noise impact from the proposed extract and ventilation system, on nearby residential properties and must:

- a) Assess the whole system and any tonal elements associated it; a 1/3 octave band analysis may be necessary.
- b) Assess structural transmission with the use of anti-vibration mounts where necessary, linings to ductwork to prevent noise transmission, any inline silencers and provide details of where they have been installed.
- c) Use the results of the noise survey to ensure that the noise generated at the boundary of any noise sensitive property meets the requirements laid down in BS4142:2014 "Method for Rating and Assessing Industrial and Commercial Sound". As above, the rating noise for the system must be at least 10dB below

the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

GBC Waste and Refuse

Received on 01/12/25:

I have reviewed this planning application and have the following comments on refuse collection arrangements.

Due to the location of the building, information needs to be provided on the storage and collection of waste needs to be provided. The collection will be classed as a commercial waste collection and under new legislation must include a collection for recycling, residual and food waste.

Gravesham Borough Council can provide advice on what is required for a commercial waste collection, if interested please email trade.waste@gravesham.gov.uk

GBC Conversation Officer

No comments received.

KCC Heritage

Received on 15/12/25: Thank you for your letter consulting us on the above planning application. In this instance I suggest that no archaeological measures are required.

I hope that the above is helpful and would be pleased to discuss further if required.

KCC Biodiversity

Received on 09/12/25:

We have reviewed the additional information submitted and advise that the following comments provided below are still valid as the amended information does not relate to ecology.

Original Response:

SUMMARY: SUFFICIENT INFORMATION

We have reviewed the information submitted by the applicant and advise that sufficient information has been provided for determination.

We are providing this advice based on the assumption that there are no major internal or any external changes proposed. Based on this assumption, we are satisfied that this application will have no impact on the existing on-site ecology.

BIODIVERSITY NET GAIN: DE MINIMIS EXEMPTION

The applicant has claimed an exemption from BNG (de minimis). Having reviewed the proposal we consider this application to be exempt from mandatory biodiversity net gain, as the proposal will not result in the loss of any outdoor space/garden. Therefore, a mandatory biodiversity net gain of 10% will not apply. We consider this application exempt because:

- the development will not impact any onsite priority habitat; AND
- the development will not impact more than 25 square metres of onsite habitat with a biodiversity value greater than zero; AND
- the development will not impact more than 5 metres of onsite linear habitat.

KCC Highways

Received on 15/12/25:

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

This is a town centre location within the pedestrian area and no parking provision is appropriate for this proposal.

Kent Police Designing Out Crime Team

Received on 02/05/25:

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. We recommend boundary treatments be a minimum of 2m and the installation of lockable gates to the sides of the unit to provide controlled access to the rear. These gates must be flush to the building line to optimize surveillance.
 2. If proposed, we recommend maximising natural surveillance for parking areas. As a secondary layer of security, we would also recommend CCTV be installed to further monitor use. We also strongly recommend gating access roads/ parking areas to prevent nuisance parking and misuse out of hours.
 3. Defined pedestrian routes to/ from the building are recommended to improve safety and avoid pedestrian and vehicle conflict.
 4. Lighting - Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g., a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. we recommend that a suitable lighting policy is installed to ensure that the units and staff have safe access to and from the units and to help deflect criminality.
External lighting to conform to min standard of BS5489-1:2020.
 5. CCTV to be installed, especially in areas with limited natural surveillance such as rear of the development, utility areas/ bin stores and on the access/ exit road. We also recommend cameras in the following areas to keep users safe and monitor their movements; any access points including emergency exits, any stairs, lifts, loading/unloading areas, reception, any bar areas, any area where tills are located or cash handing might take place, main office/ safe. The CCTV must not infringe any lighting plan.
 6. We strongly recommend alarms, with an auto-dial function, be installed on all external doors, including emergency exits.
 7. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation, and locks) including folding or sliding to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+.
- Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.
8. Windows on the ground floor to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or

LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes. Any curtain walling and fixings should be tested and meet BS EN 1627:2011 and/or be certified to LPS 1175: Issue 7, SR1 or STS 202: Issue 3, BR1.

9. Access control. Adequate access control is required for entrances used by staff only such as storage rooms and other restricted areas.

10. Bin Stores must be secure, lit and, if in an area with limited natural surveillance we recommend CCTV cameras be installed. We also strongly advise against placing this store close enough to the building that it can be used as a climbing aid into the building when closed.

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

24no. surrounding properties were consulted and a site notice placed in the vicinity of the site. The final date for comments to be submitted ended on 02.01.2026. 0 comments were received from members of the public.

Officer's Analysis

Proposal

The application seeks planning permission for the change of use of the building to a mixed-use development comprising a performing arts theatre and associated performing arts instruction and teaching space, public activities, a nursery and children's activity centre, an after-school club, and a café/canteen.

The café/canteen would be located toward the front of the building, fronting King Street, and would be open to members of the public as well as users of the building. The café is intended to provide light refreshments ancillary to the wider uses of the premises. The applicant has indicated that the café would operate primarily during daytime and early evening hours, with extended opening hours on certain days. It is anticipated that the café would employ approximately 2 full-time and 6 part-time staff.

The former courtroom would be used as a performing arts theatre and multi-functional community space, accommodating performances, rehearsals, teaching activities and public events. The applicant has indicated that the theatre would operate across daytime and evening periods, with later opening hours on some days of the week. It is anticipated that the theatre would employ approximately 4 full-time and 16 part-time staff, with audience numbers varying depending on the nature of the event. Internal alterations to facilitate this use form part of a separate Listed Building Consent application.

The middle part of the building would accommodate a nursery and after-school club, together with associated office and support space. The nursery and children's activity centre are proposed to operate during daytime hours only, accommodating up to 26 children aged between 6 months and 5 years, with staffing levels of approximately 6 full-time and 2 part-time staff. An external area to the rear of the building would be used as a children's outdoor play area in connection with the nursery and after-school club.

The applicant has confirmed that the basement use would remain unchanged and that no demolition of the rear office accommodation is proposed. No external alterations to the building are proposed as part of this application, and existing access arrangements would remain unchanged.

Principle of Development

Locational Sustainability

Core Policy CS02 sets out where development should be distributed in the borough. Preference is given to those urbanised areas as sustainable locations. Outside urbanised areas, those rural settlements which are inset from the Green Belt would also be considered acceptable in principle. This site is in an urban area and so would be considered a sustainable location.

Listed Building

It should be noted that Listed Building Consent for any changes impacting the Listed Building would be required in addition. It is noted there is an existing application for such works under reference 20240946, plus other applications submitted for Advertisement Consent and other associated works. Whilst this application relates only to the use of the site and so there would be no impact on the listed buildings historic fabric, the relevant consents for the associated works will need to be obtained.

Retail Function

Core Policy CS05 establishes this area as the 'Gravesend Town Centre Opportunity Area'. It states that in this area, residential development would be supported where a satisfactory living environment can be achieved. In particular it falls within sub-area 3.1 (Town Centre *includes key site). This area is described as:

'The Town Centre (sub-area 3.1) comprises the main commercial part of Gravesend town centre. It is relatively compact and has the main concentration of retail, leisure, cultural, tourist, civic and service facilities in the Borough. This includes shops, banks, restaurants, bars, the Town centric visitor and information centre, Gravesham Community Hospital, The Woodville, and the Council's offices. These serve the whole Borough. It also acts as a transport hub for both conventional and high-speed train services as well as buses'

Paragraph 4.6.21 notes that the ground floor premises are likely to continue with the existing retail, commercial and service functions. It does however also note that upper floors are a mix of offices and residential use and so this is expected. Core Policy CS05 also states that within the Opportunity Area, the Council will *'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.'*

It is noted that the proposed plans show an existing café use fronting the street and so this would not change. Given the existing retail function in the area, it is viewed favourably that the café frontage would be retained.

Policy CS08 identifies this site as falling within the Primary Shopping Area. Applying a sequential test the policy will prioritise town centre uses, such as retail uses to be located in the Boroughs Primary Shopping Area. Of particularly relevance to this case, policy CS08 states that the Council will; *'safeguard the retail character and function of existing and new centres by resisting development that would adversely affect their vitality and viability,'*. Again, the usage to the front would be unchanged and so the development would comply with policy CS08.

Employment and Office Space

Policy CS07 identifies sub area 3.1 also as an area for the creation and expansion of office-based employment under paragraph 5.1.16. It also aims to protect existing employment sites unless they are truly redundant for modern needs or have been identified through the Core Strategy as suitable for regeneration to alternative uses. It is noted that the current established use of the site is mixed, including offices. The additional information provided with the application indicate that the proposed use would lease the offices and outdoor space would be leased to a third part for use a nursery and after school club.

Paragraph 5.1.34 states that development resulting in the loss of Class B Employment (in this case offices would now fall under class E(g)(i)), would not be supported unless allowed by other policies in the 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.*

In this case, a Marketing Exercise has not been undertaken in line with Appendix 5. No information has been submitted detailing the equivalent number of jobs provided by the office space. However, it has been confirmed that these are rooms within the building used as offices and not independently accessed offices and so in this instance the requirement would not apply.

Cultural Function

Whilst a Musical Theatre School does primarily provide an educational function, it would also provide a cultural function.

Paragraph 4.6.4 of Policy CS05 notes that the cultural offer of the Opportunity Area is limited, and this reduces its attractiveness as a heritage riverside town and place to visit. Paragraph 4.6.41 states that within the opportunity area, the council will support and enhance retail, leisure, entertainment, cultural and tourism provision in accordance with the sequential approach.

Policy CS09 at paragraph 5.3.15 states that the council will, subject to the application of the sequential approach set out in paragraph 5.3.16, support the provision of new cultural and tourist facilities appropriate to their location and accessibility. The sequential approach at paragraph 5.3.15 proposals involving arts, culture and tourism development will be directed in the first instance to Gravesend Town Centre as the sequentially preferred location for such development in advance of edge of centre and then out of centre sites.

As this site would provide a cultural function and would be located in the Gravesend Town Centre as indicated on Figure 18 in the Local Plan Core Strategy, the council will support the provision of the new cultural facility.

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) requires development to respond positively to the character, scale and appearance of its surroundings. The application site comprises a Grade II listed former courthouse located within the King Street Conservation Area, and as such Policy CS20 and national heritage policy are also of relevance.

The proposed development does not involve any external alterations to the building. The existing frontage, fenestration and roof form would remain unchanged. Internally, alterations are largely limited to the former courtroom and are the subject of a separate Listed Building Consent application. A Heritage Statement has been submitted in support of the proposals, which confirms that the works have been designed to respect the historic significance of the building, with key architectural features retained and any removed elements recorded and stored on site.

Given the absence of external changes and the sensitive approach taken to internal alterations, it is

considered that the proposal would preserve the character and appearance of the listed building and the wider conservation area. The proposal is therefore considered to accord with Policies CS19 and CS20 of the Core Strategy, the Design for Gravesham Design Code (2024), and Section 16 of the National Planning Policy Framework (2024).

Neighbouring Amenity

The National Planning Policy Framework (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 Policy CS19 of the Core Strategy, which requires development to safeguard the amenity of neighbouring properties.

The site is located within Gravesend town centre, an area characterised by a mix of commercial, leisure and community uses, including premises operating into the evening. There are, however, residential properties in close proximity, including flats above shops and nearby commercial units.

The hours of use vary for each elements of the scheme and have also altered throughout the course of the application. They are currently proposed as follows:

Café/Canteen:

- 07:30am to 11pm daily

Performing arts theatre:

- 7:30am to 11:00pm daily

Nursery, Children's activity centre; after-school club and offices:

- 7:30am to 6:30pm daily

Concerns were raised by Environmental Protection in respect of noise arising from the proposed uses, the extent of the proposed hours of operation and the potential for future changes in café operations. In response, the applicant has submitted a Noise Management Plan setting out a range of operational and management measures intended to minimise disturbance, including controls over amplified sound, customer behaviour, dispersal, and plant operation.

Given the proposed use, there is potential for noise impacts. However, having regard to the town centre context of the site, the nature of the proposed uses, the absence of representations from neighbouring residents, and the ability to impose conditions restricting hours of use, controlling noise, and limiting the nature of café operations, it is considered that the proposal would not result in an unacceptable impact on neighbouring residential amenity. The GBC Environmental Protection Team have suggested conditions for mitigation. The Noise Impact Assessment also only assesses the impact of noise until early evening. As such, the latest opening hour has been altered to 11pm, with the applicant's agreement. Should they wish to alter the opening hours they will need to submit an application to vary the condition of the opening hours, with evidence that the impact of such a change would be acceptable.

Subject to appropriate conditions, the proposal is therefore considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 of the Core Strategy (2014) and the relevant provisions of the National Planning Policy Framework (2024).

Parking and Highways

The application site is located within Gravesend town centre in a pedestrianised area with good access to public transport. Kent County Council Highways has confirmed that it raises no objection to the proposal and that no on-site parking provision is required in this location.

Adequate 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 Gravesham Local Plan First Review

(1994), and Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy (2014).

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

KCC Biodiversity has reviewed the submitted information and confirmed that sufficient information has been provided to determine the application. As the proposal does not involve external alterations or the loss of habitat, it has been confirmed that the development qualifies for a de minimis exemption from mandatory Biodiversity Net Gain requirements.

The proposal is therefore considered acceptable in biodiversity terms.

Waste and Refuse

Comments have been received from the Council's Waste and Refuse team advising that appropriate provision will be required for the storage and collection of commercial waste, including recycling, residual and food waste streams. The site is located within the town centre where commercial waste collection arrangements are common.

The applicant has been advised to liaise directly with the Council's trade waste service to ensure suitable arrangements are put in place. It is considered that this matter can be addressed through operational arrangements and does not raise an objection to the proposed development in planning terms.

Conclusion

The application seeks planning permission for the change of use of the former courthouse building to a

mixed-use development comprising a performing arts theatre and associated teaching space, public activities, a nursery and children's activity centre, an after-school club, and a café/canteen, within Gravesend town centre.

The site benefits from an established lawful mixed use, and the principle of a range of community, cultural and ancillary commercial uses in this location is acceptable. The proposal would support the vitality and viability of the town centre, provide cultural and community benefits, and secure the continued use and maintenance of a Grade II listed building.

Whilst the proposed use of the site does raise potential issues in relation to noise, hours of use and the potential operation of the café, it is considered that, having regard to the town centre context of the site, the submitted Noise Management Plan, the absence of objections from neighbouring occupiers, and the ability to impose appropriate planning conditions, the proposal would not result in an unacceptable impact on neighbouring residential amenity.

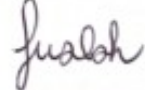
The development would not give rise to unacceptable highway impacts, raises no biodiversity or archaeological concerns, and no external alterations are proposed which would harm the character or appearance of the listed building or the King Street Conservation Area.

Overall, it is considered that the proposal accords with all relevant local and national planning policies when read as a whole, and that any limited potential impacts can be satisfactorily mitigated through the use of planning conditions. The application is therefore recommended for approval.

Recommendation

The recommendation is to approve the development.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	24 th February 2026	Dated:	27 February 2026