

Delegated Report

Planning Application

Planning Application No: 20231332

Location: Gravesham Muslim Cultural And Educational Centre St Hildas Way
Gravesend Kent

Description: Erection of single storey front extension to form a new entrance to existing basement; conversion of part of basement from storage to women's/children's prayer area with w.c. facilities; and conversion of part of first floor from women's prayer area to dining/living area.

Applicant: Mr Ali

Site Visit Date: 13 March 2024

Submitted Documents/Plans

Application for Planning Permission form;
Drawing no. PL/GMCEC/SD101 Existing ground floor layout received 22 January 2024;
Drawing no. PL/GMCEC/SD102 Existing basement layout;
Drawing no. PL/GMCEC/SD103 Existing elevations;
Drawing no. PL/GMCEC/SD104 Rev. A Proposed ground floor layout;
Drawing no. PL/GMCEC/SD105 Proposed basement layout received 26 April 2024;
Drawing no. PL/GMCEC/SD106 Proposed elevations received 26 April 2024;
Drawing no. PL/GMCEC/SD107 Existing and proposed block plans received 26 April 2024;
Drawing no. PL/GMCEC/SD108 Existing first floor layout;
Drawing no. PL/GMCEC/SD109 Parking plan;
Drawing no. PL/GMCEC/SD110 Proposed first floor layout;
Site location plan;
Statement received 26 April 2024;
Email from the agent received 19 January 2024; and
Email from the agent received 04 April 2024.

Superseded Documents/Plans

~~Drawing no. PL/GMCEC/SD101 Existing ground floor layout received 03 January 2024;~~
~~Drawing no. PL/GMCEC/SD102 Existing basement layout;~~
~~Drawing no. PL/GMCEC/SD104 Proposed ground floor layout;~~
~~Drawing no. PL/GMCEC/SD105 Proposed basement layout received 22 January 2024;~~
~~Drawing no. PL/GMCEC/SD106 Proposed elevations received 22 January 2024;~~
~~Drawing no. PL/GMCEC/SD106 Proposed elevations received 03 January 2024;~~
~~Drawing no. PL/GMCEC/SD107 Existing and proposed block plans received 03 January 2024; and~~
~~Statement received 03 January 2024.~~

Procedural issues

The original proposal included two single storey front extensions and an enlargement of the men's prayer room at ground floor level. However, the development was amended to remove one of the

proposed single storey extensions and to include details of the proposed alterations at first floor level. The original description of the proposal was;

‘Erection of two single storey front extensions to form a new entrance to existing basement and enlargement of main prayer hall; Conversion of existing basement into women’s prayer area with w.c. facilities.’

As a result of the amendments, the description was amended to that shown at the start of this report. Both the original proposal and the amended proposal were subject to publicity and consultation.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211572	Application for removal of condition 12 attached to planning permission reference no. 20100837 to allow a new travel plan to supersede the previously approved plan.	Withdrawn	09.08.2022
20190640	Construction of hard surfacing and new vehicular access onto St Hildas's Way to create 12 no. additional car parking spaces which include 2 no. disabled car parking spaces to the rear of the property.	Withdrawn	11.02.2020
20190521	Application for the variation of condition 12 attached to application 20100837 granted on appeal under reference no. APP/K2230/A/11/2148234 for use of ground floor as a place of worship and education, to allow a revised travel plan.	Refused	24.02.2020
20170818	Construction of hard surfacing and new vehicular access onto St Hildas's Way to create no.12 additional car parking spaces which include no.2 disabled car parking spaces to the rear of the property.	Refused	17.07.2018
20141074	Change of use of first floor flat to 2 bed sitting rooms with shared facilities, a women’s prayer room and a caretakers room.	Permitted	15.01.2015
20130521	Application for the variation of condition 4 attached to application 20100837 granted on appeal under reference no. APP/K2230/A/11/2148234 for use of ground floor as a place of worship and education, to allow an extension of the opening hours from 22.00 hours to 24.00 hours Mondays to Sundays from the 1st June-31st August and for the annual festival of Ramadan.	Refused	12.09.2013
		Appeal AP2014/00004/REF Allowed	27.06.2014
20120464	Application for approval of condition 1 attached to planning permission reference number 20110129 relating to the colour of the roller shutters.	Details approved	22.06.2012
20111001	Application for approval of conditions 7, 8, 9, 11 and 12 attached to planning permission reference number 20100837 allowed on appeal under reference APP/K2230/A/11/2148234 relating to the car park lighting, floodlighting to building, storage and recycling of waste and boundary fencing and a Green Travel Plan.	Details approved	02.02.2012
20110129	Retention of the metal shutters at ground floor level on doors and windows on front (north) elevation and window on east elevation.	Permitted	22.03.2011

20100837	Change of use of ground floor from public house (A4 use) to a place of worship and education (D1 use) involving alterations to front elevation and erection of an enclosing fence at front of car park.	Refused	12.01.2011
	Appeal AP2011/00066/REF (PINs ref. APP/K2230/A/11/2148234)	Allowed	28.06.2011

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- 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 of Development on Highway Network
- TC7 – Other Archaeological Sites

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 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

GBC Environmental Protection Team (Regulatory Services)

Initial response:

No objection to this application or adverse comments to make.

Second response:

The amended plans are noted. There is no objection to this application or adverse comments to make.

GBC Highways Officer

This proposal could greatly increase the size of the congregation with a corresponding increase in vehicle parking that cannot be provided. For this reason, it is suggested that the numbers of people on site should be restricted to 70 people at any one time which corresponds to the numbers mentioned in the previous appeal for this site against application 20100837. Current guidance would suggest that there should be one car parking space per 5 “seats” or in this case I would suggest prayer mats, so the maximum number of people on site at 70 considerably exceeds the 15 car parking spaces available which would equate to 45 people.

Any departure from this would require a detailed analysis of the traffic generation and parking demands for the expanded Muslim Cultural And Education Centre.

Neighbouring properties

The application was publicised on two occasions by a site notice and to 18 neighbouring properties by letter. Four representations (objecting to the proposal) were received relating to the first publicity and are summarised as follows;

- The proposal would allow additional people to use the facilities, which would exacerbate existing adverse traffic, parking and highway safety impacts.
- There is not an implemented travel plan at the application site.
- Loss of light and overshadowing.
- Overlooking and loss of privacy.
- Adverse visual appearance from design and materials.
- Adverse layout and density of development.
- Adverse noise, smells and disturbance.
- Loss of trees.
- Adverse effect on listed buildings.
- Contrary to planning policies.
- Adverse impact to property value.

One representation (objecting to the proposal) was received relating to the second publicity and is summarised as follows;

- The proposal would allow additional people to use the facilities, which would exacerbate existing adverse traffic, parking and highway safety impacts.

Officer's Analysis

Background and Proposed Development

The application site has been in use as the Gravesend Muslim Cultural and Educational Centre for many years. Planning permission for the use was originally granted on appeal in June 2011 (under reference 20100837) and in June 2014 (under reference 20130521) also on appeal, the opening hours for the Centre were extended.

In January 2015, planning permission was granted (under reference 20141074) to provide two bedsitting rooms with shared facilities, a women's prayer room and a caretaker's room at first floor level.

The proposed development would comprise of a single storey front extension and the conversion of the basement, which would allow for the relocation of the women's prayer area from the first floor to the basement. The floor area of the women's prayer area would increase by 17 square metres and it would have a new separate entrance. In addition, the proposal would provide new toilet accommodation in the basement and a new dining/living room at first floor level.

It is noted that there would be no other changes to the existing ground floor layout and that the existing parking and access would remain unchanged.

The applicant has set out that prayer times and staff and visitor numbers would remain unchanged. However, with regard to visitor numbers, the Borough Council considers that the proposed increase to the floor area of the women's prayer room would provide slightly enlarged facilities, which would be able to accommodate circa 17 additional female worshippers (based on each person requiring around one square metre of floor area to pray). Therefore, it is likely that the proposed development would lead to an increase in visitor numbers at the application site.

Principle of the development

Policy CS10 of the Gravesham Local Plan Core Strategy (2014) gives support to proposals that protect, retain or enhance existing physical and social infrastructure or lead to the provision of additional infrastructure that improves community well-being.

The application site is a religious cultural and educational centre, which is an important facility for the local Muslim community. The proposed development would lead to an increase in the floor space of the centre and a general improvement in the facilities provided. As such, the proposal would be acceptable in principle and in line with Policy CS10 of the Gravesham Local Plan Core Strategy (2014).

The following paragraphs will assess the detailed impacts of the proposed development.

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 sets out that new development will be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the built environment and take account of the scale, height, building lines and other architectural features of buildings. Account should also be taken of strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place.

The proposed design would match with the general design of the front elevation and would remove one of the existing unsightly roller shutters. The proposed facing materials and fenestration would match with existing. Whilst the proposed extension would extend beyond the side wall of the building, the proposal would not add significant bulk to the building and the extension would be seen against the backdrop of existing side extensions.

Overall, the proposed development would be appropriate in terms of design and would not have an adverse impact on the character or appearance of existing building or the surrounding area. Therefore, the proposal would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Amenity of Future Occupiers

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution.

The existing first floor women's prayer room has a number of windows and therefore provides female worshippers with natural light and a positive environment. However, the proposed prayer room would be located entirely within the basement with no windows or natural light. Therefore, whilst additional space would be available for women's prayers, the lighting conditions would be worse than the existing situation and would provide a poor environment for future worshippers.

The applicant has highlighted that the front window in the proposed extension and the glass entrance doors to the women's prayer room would provide some natural light. Furthermore, it should be noted that people would not spend significant amount of time in the prayer room. As such, it is considered that the lack of natural light would not be so significant an issue as to warrant a refusal of planning permission.

The proposed living/dining room at first floor level would improve the living conditions for future residential

occupiers.

Overall, the proposal would not be detrimental to the residential amenity of future occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring occupiers and to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution. In this regard, the Borough Council's adopted Residential Layout Guidelines (RLG) are relevant.

The closest residential properties to the application site are nos. 1a, 3a and 5a St Dunstons Drive (located to the west), no. 166 St Hildas Way (located to the south), nos. 156 to 162 St Hildas Way (located to the east, across the roadway) and nos. 2 to 12 St Dunstons Drive (located to the north, across the roadway).

Due to the design of the proposed development, to the screening provided by boundary treatments and to the layout and orientation of the surrounding properties, there would be no adverse overlooking, overshadowing or overbearing impacts to the occupiers of the surrounding dwellings.

The proposed development would result in a small increase in the floor area of the women's prayer area and as such, visitor numbers would be likely to increase by circa 17 persons. As such, the proposal has the potential to cause adverse increased noise and disturbance impacts. The GBC Environmental Protection Team (Regulatory Services) has not raised an objection to the proposal and it is considered that, in the context of the existing use, a small increase in visitors would not lead to any significant adverse noise or disturbance impacts to surrounding occupiers.

Local residents have raised concerns regarding adverse smells associated with the proposed development. However, as the proposal would not result in the provision of a new kitchen and no objection has been raised by the GBC Environmental Protection Team (Regulatory Services), then this would not be a justifiable ground of refusal.

Overall, the proposed development would not be detrimental to the residential amenity of surrounding occupiers and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Parking and Highways

Paragraph 114(b) of the NPPF 2023 requires new development to ensure that safe and suitable access can be achieved for all users and paragraph 115 sets out that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety.

Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994 require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

The application site has a frontage parking area which can accommodate a number of vehicles (15 according to the applicant) and vehicle access exists from St Hildas Way and St Dunstons Drive. No alteration to the existing parking or access arrangements is proposed.

The applicant suggests that the application site has a small number of visitors but that numbers increase during special events such as EID. It is noted that the applicant has set out plans to conduct two separate EID prayers to mitigate the impacts of increased worshipper numbers during EID, in the submitted Planning Statement.

From previous visits to the application site and according to local residents, it is known that the number of

vehicle movements associated with the application site is significant, especially on Friday lunchtimes, when the frontage parking area is at capacity and there are overspill vehicles being parked in the surrounding roads (including St Hildas Way, St Dunstons Drive and Freeman Road).

The GBC Highways Officer (with reference to the original proposal) has raised concerns regarding the potential for adverse parking impacts and suggests restricting the size of the congregation to mitigate them. However, should such a restriction not be achievable he seeks a detailed analysis of the traffic generation and parking demands for the expanded application site.

It is noted that the amended proposal no longer involves an extension to the ground floor men's prayer area and that the increase in size of the women's prayer area has been reduced from 50 to 17 square metres. Therefore, the potential for increased visitor numbers has significantly decreased. Notwithstanding this, it would appear that circa 17 additional worshippers could be accommodated at the application property.

Local residents have raised traffic, parking and highway safety concerns and set out that the parking associated with the application site on surrounding streets, is often inconsiderate and leads to the blocking of drives, junctions and access routes for emergency vehicles and that this would be exacerbated by the proposed development. The case officer has witnessed on various occasions, the existing parking situation. In particular, the large influx of visitors to the application property on a Friday lunchtime has been seen on two occasions and as such, it is accepted that insufficient parking exists at the application site to accommodate demand at this time. Whilst at other times, the case officer has seen (at the site visit and whilst posting site notices) that the site is relatively quiet, with very few visitors and that parking provision appears to be sufficient, which is in line with the information provided by the applicant.

The application site already operates under a Green Travel Plan, that was approved in February 2012. Therefore, due to the proposed change in circumstances leading to an increase in visitors and to the existing highways issues associated with the site being exacerbated, it would be reasonable for any planning permission granted, to require the submission and approval of an updated Green Travel Plan. An updated plan could assess the actual and proposed numbers of visitors to the site, how they travel and how the highway impacts can be mitigated by utilising more sustainable transport options.

The travel plan condition should be pre-commencement, in order to ensure any adverse highways impacts can be assessed and mitigated prior to the increased use of the application site commencing.

Provided that a travel plan condition is applied, then it is considered that the proposed development would be acceptable in terms of highway safety and be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review (1994).

Any Other Material Planning Considerations

Local residents have raised a number of concerns, the majority of which have been covered in the above discussion. The outstanding issues are summarised (in italics) and commented on as follows;

- *Loss of trees* – the proposal would not involve the removal of any existing trees.
- *Adverse effect on listed buildings* – there are no listed buildings in the vicinity of the application site.
- *Adverse impact to property value* – this is not a material consideration in the determination of this planning application.

The application site is located within the buffer zone for the St Gregory's Crescent and The Nest historic landfill sites. Therefore, to ensure that there would be no adverse ground contamination impacts, a watching brief contamination condition would be attached to any planning permission granted.

The application site is located within an area of multi-period archaeological potential. However, as the proposed development is within the confines of an existing property and only a relatively small amount of groundworks would occur, then it is considered that there would be no adverse impacts to archaeology. As such, the proposal would be in line with Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy TC7 of the Gravesham Local Plan First Review November 1994.

The application site is located in a smoke control area. As such, advice regarding smokeless fuels/appliances can be given to the applicant in an informative attached to any planning permission granted.

Agreement for imposition of pre-commencement condition(s) - in accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 036 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 26 June 2024 to the inclusion of the following pre-commencement condition.

Suggested Conditions

Time Limit

Development in accordance with the approved plans

Pre-commencement submission and approval of an amended green travel plan

Retention of frontage parking (subject to approved layout in travel plan)

Use of the basement and first floor area in line with approved drawings

Materials to match existing

Contamination watching brief

Conclusion & Recommendation

The proposal would comply with local and national planning policies and subject to the conditions set out above, the proposal would be acceptable.

Planning permission subject to conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	27 June 2024	Dated:	28 June 2024