

Section 55 Town and Country Planning Act

Design and Access Statement

Change of Use from 6 Bedroom HMO (C4) to 8 Bedroom HMO (Sui Generis)

94 Gordon Road, Northfleet, Gravesend, Kent, DA11 9JW

Site Information

Consultant	Francelita Balbido
Client	Aaron Prowse
Site Address	94 Gordon Road, Gravesend, DA11 9JW.
LA	Gravesham Council
Description of Development	Change of Use from 6 Bedroom HMO (C4) to 8 Bedroom HMO (Sui Generis)
Pathway (PD/Application/Appeal)	Planning Application

Constraints Review

Flood Risk Zone	1
Contaminated Land	No
Tree Preservation Order	No
Heritage Assets	No
Noise Abatement Areas	No
Explosive Hazard Areas	No
Area of Outstanding Natural Beauty	No
Special Protection Area	No
Site of Special Scientific Interest	No
RAMSAR Convention Site	No
Site of Importance to Nature Conservation	No
Article 4(2) Directions	No

Local Policy Requirements

Local Plan/Core Strategy

Gravesham Local Plan Core Strategy (September 2014)

Effective Policies in Development Control

Policy CS01: Sustainable Development
Policy CS02: Scale and Distribution of Development
Policy CS11: Transport
Policy CS14: Housing Type and Size
Policy CS15: Housing Density

SPG/SPD's

Supplementary Planning Guidance 2: Residential layout
guidelines including Housing Standards Policy Statement
October 2015 Adopted February 1996 - amended June
2020*

Guidance to HMO Amenity Standards Version 2.2.1
31/07/2006

Report Date

27 April 2023

1. Introduction

- 1.1. The application site relates to a two-storey building at the end of terraced houses. The property is situated at the southern end of Gordon Road at No. 94. The application seeks to get approval for the change of use of the 6-bedroom HMO (C4) to an 8-bedroom HMO (Sui Generis).

About Town Planning Expert

- 1.2. Town Planning Expert is a general needs planning consultancy formed in 2012 and practising as a Chartered Planning Practice. Town Planning Expert is instructed to submit a planning application for development as set out below.

Our VICTORY© Framework

- 1.3. Our VICTORY Framework applies a policy, plan lead approach to development with the intent of gaining planning permission in a manner that complies with National and Local Planning Policy in accordance with S38 of the Planning and Compulsory Purchase Act 2004.

The Development Proposed

- 1.4. Planning Permission was sought for the change of use from a 6-bedroom HMO (C4) to an 8-bedroom HMO (Sui Generis).
- 1.5. The conversion proposes to block the front door and install a new door at the side of the house as the main entrance. Also, a fire escape door will be installed for the basement bedroom.

2. National and Local Development Frameworks.

National Planning Policy Framework

- 2.1. The National Planning Policy Framework is a vital tool in ensuring that we get planning for the right homes built in the right places of the right quality at the same time as protecting our environment. The Ministry of Housing, Communities and Local Government (MHCLG) published the revised National Planning Policy Framework on 24 July 2018. This was the first revision of the National Planning Policy Framework since 2012. It implemented around 85 reforms announced previously through the Housing white paper, the planning for the right homes in the right places consultation and the draft revised National Planning Policy Framework consultation. Following a technical consultation on updates to national planning policy, we have made very minor changes to the text and published an updated Framework in July 2021.
- 2.2. The current Core Strategy post dates the 2014 relevance date within the NPPF and together with the NPPF provides the most current planning policy for Gravesham. The relevant sections of the NPPF are set out below:

Achieving sustainable development

7. *The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.*
8. *Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*
 - a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
 - c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*
- 9. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*
- 10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*
- 11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:*
- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;*
 - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. 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.*

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. 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*
 - ii. 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.*

Making effective use of land

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Local Policy

2.3. The relevant policies are located within the Adopted Local Plan.

2.4. The applicant sets out below their reasons why this development complies with the noted policies in full.

Policy	Comment
Policy CS01: Sustainable development	Improves the economic, social and environmental conditions.
Policy CS02: Scale and Distribution of Development	Maximising the use of space to create two additional accommodations.
Policy CS11: Transport	Access to services and facilities that would minimise the need to travel.

Policy CS14: Housing type and size	Provide housing for workers and other future occupants looking for an affordable size of accommodations.
Policy CS15: Housing Density	Additional two accommodations in the same area of land that follows the space standards for HMO will increase the efficiency of the use of land.

3. The Planning History

3.1. 20220357 - Granted on 24 May 2022

Application for a Lawful Development Certificate for the proposed conversion of existing dwelling to six-person house of multiple occupancy (HMO) including construction of a dormer window to rear, installation of roof light to front and chimney removal.

3.2. 20210390 - Permitted 25 August 2021

Conversion of dwelling into 2 self-contained maisonettes (1 no. one bedroom and 1 no. two bedroom) incorporating the formation of a new basement lightwell at the front, an enlarged dormer window in the side roof slope and entrance door on the side elevation.

3.3. 20160319 - Granted on 24 May 2016

Application for a Lawful Development Certificate in respect of the proposed erection of a single storey rear extension.

3.4. 20141039 - Permitted on 31 December 2014

Conversion of dwelling into 2 self-contained, two bedroom maisonettes incorporating the formation of a new basement lightwell at the front, an enlarged dormer window in the side roof slope and entrance door on the side elevation.

4. Site, Context and Comparable Forms of Development

- 4.1. The property is a two-storey terraced house at 94 Gordon Road, Northfleet, Gravesend, Kent. It is accessed from the B2175 to the north and off Gordon Road going south.
- 4.2. The site is surrounded by railway stations and bus and coach stations. Northeast of the property is the Gravesend Railway station and a bus stop, which are 2.25 km away. Northwest is the Ebbsfleet International Railway station which is 3km away from the property. These two stations are the nearest to the site.
- 4.3. The two-storey building consists of storage in the basement, 1 bedroom, WC, dining room, and kitchen on the ground floor, 2 bedrooms and a bathroom on the first floor and 3 bedrooms in the loft. It enjoys a large garden at the back of the property.

5. The Development Team

- 5.1. The developer comprises a letting and management business operating within Gravesend and delivering quality units of living accommodation for local occupations.
- 5.2. Where possible, the applicant utilises local builders and other trades in order to carry out development.

6. Alternative Forms of Development Considered

- 6.1. The existing building comprises a 6-bedroom HMO and the creation of two additional bedrooms including the internal works is achievable without planning permission as this does not result in a material change of use.
- 6.2. The internal works pursuant to this development are exempted from the definition of development under S55(2)(a)(i) of the Town and Country Planning Act 1990.
- 6.3. As such, the only component of this development that requires full planning permission is the change of use from 6-bedroom HMO (C4) to 8-bedroom HMO (Sui Generis)

7. Constraints to Development

- 7.1. HMO development can be refused if it has negative impacts on traffic and pedestrian safety on account of increased parking pressures, adverse impacts to residential and/or business amenities, will produce excessive noise and disturbance, absence of refuse storage space and materially altering the character of the area.

8. The Principle of Development

- 8.1 This conversion responds to an identified need to provide additional homes suitable for one-person households and an ageing population identified under the Population section of the Local Plan and the need to provide mixed house types as well as affordable housing. The house is already lawfully used as a 6-bedroom HMO; therefore, the additional 2 bedrooms will further contribute to the number of housing provisions in the Borough.

- 8.2. The Council's Residential Layout Guidelines states that:

In considering proposals for the conversion of existing properties to provide flats, maisonettes, bedsitters and multiple occupancy, the proposal shall have regard to the Borough's Residential Layout Guidelines, as set out in supplementary planning guidance.

- 8.3. The proposal seeks to allow the two bedrooms to be occupied by a single person in each room. The sizes of all the rooms are above 7.5 square metres, which is the allowable size for 1-bed spaces as described in Gravesham Supplementary Guidance 2 - Residential Layout Guidelines amended in June 2020. It is noted that Gravesham Borough Council has adopted the national space standards for the conversion of existing properties to provide flats, maisonettes, bedsitters and multiple occupancy.

- 8.4. The size of the kitchen plus dining room is 26sqm. *The minimum floorspaces for living rooms, dining rooms, kitchens, kitchen/ diners, lounge/diners, bathrooms and WCs, bathrooms only, WCs only, bedsits, and hallways & landings will no longer apply as there is not an equivalent national standard. (Gravesham Supplementary Guidance 2)*

- 8.5. The applicant understands that where the building is an HMO consisting of self-contained units, the lack of a communal living room would be offset by the size of the bedrooms. Also, the occupants could use the dining area if a communal area is required.
- 8.6. There are parking spaces at the front and around the property. However, it is generally accepted that occupants of HMOs tend to have lower rates of car ownership than other households and prefer to use public transport.
- 8.7. The location is particularly suited to HMOs where residents will not necessarily need a car as the location has ready access to services and facilities/amenities like bus stops, train stations, shops, schools, and hospitals.
- 8.8. A bicycle rack for eight bicycles is provided at the rear of the property to encourage the occupants to use a cleaner and healthy way of using transport.
- 8.9. Bin storage for three large wheelie bins is proposed at the rear of the property.

9. Impact of Additional Residents

- 9.1. If properly managed, adding two occupiers to the property is unlikely to cause harm in terms of noise and nuisance to the current occupants and neighbours.
- 9.2. In 2008 the Government produced a report, "Evidence Gathering – Housing in Multiple Occupation and possible planning responses". This identified a number of measures as evidenced by good practice around the country, by which local authorities can control anti-social behaviour associated with HMOs through non-planning mechanisms.
- 9.3. In 2010 a report was commissioned by the Department of Communities and Local Government entitled '*Evaluation of the Impact of HMO Licensing and Selective Licensing*'. This was produced by the Building Research Establishment in 2010.

9.4. Paragraph 4.4 is particularly pertinent:

4.4 *Summary of the private rented sector in the twelve case studies*

The Rugg¹ review provides a comprehensive analysis of the modern private rented sector. This study, however, looks closely at the HMO market, which has a defined role within this sector and the privately rented properties affected by selective licensing. Interviews with the case studies reveal that LAs vary in their understanding of the dynamics of the local housing market and the role of the private rented sector in these markets.

Consequently, there are distinct differences in how they see private sector initiatives (including licensing) linking into their broader strategic roles. For some case studies, raising standards in the sector is a must for regeneration strategies. For other LAs, the private rented market has been left to its own devices. The following provides a summary of the issues raised by the case studies:

- The case studies underline the growing diversity and complexity of the private rented sector generally as 'new' tenants and landlords enter it. There has been an expansion at the 'top' end of the market to meet the needs of young professionals. Here, standards tend to be good, often managed by larger portfolio landlords.*
- large portfolio landlords were considered more knowledgeable and more experienced, treating the profession as a business.*

- 9.5. It is a long-standing tenet of planning that decisions should be based on evidence and not upon anecdotal or personal opinions. The above indicates that such evidence as exists show that HMOs create no greater nuisance than any other form of property.
- 9.6. The rental market for young professionals is growing and provides a first step on the housing ladder for those leaving University but wishing to stay in the area either for employment or to set up their own businesses, and provides a cheaper option than renting a flat.
- 9.7. This concluded that if properly managed, HMO's caused no greater disturbance than other residential uses.

¹ The Private Rented Sector: Its Contribution and Potential. Julie Rugg and David Rhodes
Centre for Housing Policy. University of York 2008

10. Site Capacity Assessment.

10.1. This application seeks to change the use of existing 6-bedroom HMO to 8-bedroom HMO.

Scale

10.2. There are no changes to the size of the existing building.

Layout

10.3. The front door will be blocked, and the main entrance to the side of the building. A bicycle rack and bin storage will be added at the rear side of the property.

Amount

10.4. There is no development to the existing house apart from the installation of the main door, and a fire exit door for the basement bedroom at the side of the building. The proposal utilises existing rooms to create 8 bedrooms.

10.5. As the amount of development proposed is optimal and does not result in an overdevelopment.

Landscape

10.6. No landscaping changes are proposed.

Amenity of adjoining, surrounding and proposed occupiers.

10.7. The conversion of the property into an 8-bed HMO will not have any demonstrable effect on the amenity of the surrounding neighbours and occupiers of the property. The proposal is to provide adequate amenity space for the occupiers of an 8-bedroom HMO and therefore complies with the Gravesham guidance for HMO amenity standards.

Appearance

- 10.8. The front view of the house is unchanged as the door remains to keep its character. The fire door and the main entrance door will be installed to the side of the house, but these have a minimal impact on the side view and do not affect the total appearance of the building, specifically on the front view.

11. Access and Parking Appraisal

- 11.1. The existing front door to the house will be blocked, and the main access moved to the side of the building. There is another access at the back side of the property for bicycles and bins, which can also be used as an alternative access to the building.
- 11.2. A cycle rack for eight bicycles will be provided to promote and encourage a sustainable mode of transport. Bicycle parking is in an enclosed area with its own access at the side of the building. This is also alternative access to the house.
- 11.3. The additional two prospective occupiers would expect to have no access to cars and would not affect the existing parking space requirement.
- 11.4. The footpath at the side of the property makes the site very accessible to the occupants.

12. Conclusion

- 12.1. In the opinion of the applicant, the proposed change of use from a 6-bed HMO (C4) to 8-bed HMO (Sui Generis) will have no demonstrable harm to the locality or to the adjoining residential amenity. It will also have no effect on traffic or the use of parking in the area. Given the sustainable location of the property, it is considered that the proposal would not cause any significant increase in parking in the area.
- 12.2. The applicant is of the opinion that the proposal is compliant with national and local guidelines and policies and therefore, it is respectfully requested that planning permission be granted.