
SUMMARY REPORT

Application Ref:	20231097
Site Address:	25A Hunt Road Northfleet Gravesend Kent
Application Description:	Change of Use from Class C3(a) (Dwellinghouses) to Class E(e) (Health Services).
Applicant:	Dr Mihir Shar
Agent:	Offset Architects
Ward:	Painters Ash
Parish:	Non-Parish Area
Decision due date:	25 December 2023
Publicity expiry date:	20 March 2024
Decision Level:	Committee Decision
Reason for referral:	Councillor Call In
Recommendation:	Planning Permission, subject to conditions as set out within this report.

Summary of Reasons for Recommendations

The proposal is for the change the use of the existing first floor residential flat to be used as a Dentist, in conjunction with the existing ground floor dentist. This will result in an additional 3 dentist surgery rooms on the first floor. No changes are proposed to the external appearance of the building.

The proposals will have no detrimental impact on the surrounding landscape, character of the area, amenity, highway safety or parking. The scheme takes into account the history of the site wider context of the area.

The scheme provides benefit in terms increased physical and social infrastructure which improves community wellbeing and employment opportunities.

In order to be positive and proactive, during the course of the application discussions took place with the agent to address (where appropriate) comments received from consultees and 3rd parties.

All representations received from both 3rd parties and consultees have been taken into account when considering this proposal.

The development is considered to comply with local and national planning policy.

The recommendation is for planning permission, subject to conditions as set out within this report.

MAIN REPORT

1. Site Description and Surroundings

- 1.1. The application relates to a ground floor dentist with flat above, located in the Painters Ash Ward, in Northfleet. It is within the urban area of Gravesham, where the Local Plan Core Strategy supports development subject to the wider provisions of the Development Plan and material (planning) considerations. The site is not within a Conservation Area or a Landscape Character area.
- 1.2. The building is a brick built, two storey structure, located at the end of a row of terraced dwellinghouses. Unlike the neighbouring buildings, it has a flat roof front projection, with signage clearly designating the ground floor of the building as a Dentist.

2. Planning History

- 2.1. No relevant planning history.

3. Proposal

- 3.1. This application seeks to change the use of the first floor residential flat (C3 use) to be used as a Dentist (E (e) use), in conjunction with the existing ground floor dentist. The plans provided indicate that the existing first floor and the rear access steps are entirely independent from the existing ground floor dentist but fall within a c3 residential use. The proposed use would be entirely as a dentist at ground and first floors, changing the entire building to an E(e) use. This will result in an additional 3 dentist surgery rooms on the first floor. No changes are proposed to the external appearance of the building.
- 3.2. The proposed scheme would increase employment at the site, with staff numbers increasing from 9 full time equivalent (FTE) to 12 FTE and the number of patients that can be seen on a daily basis would more than double, from 30 patients a day to 75 patients a day. The existing practice provides both NHS and Private dental services and the increased dental space will provide increased capacity for both patients utilising both NHS and private services.

4. Planning Policy, Development Plan and other Material Considerations

- 4.1. Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS10 – Physical and Social Infrastructure
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

- 4.2. 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.

- 4.3. 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 6 – Building a Strong, Competitive Economy
- Section 8 – Promoting Healthy and Safe Communities
- Section 12 – Achieving Well-designed Places

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006);

5. Consultations and Publicity Responses

Consultations

5.1. GBC Environmental Protection

Having reviewed the submitted information and also any history of complaints regarding the existing use as a dentist on the ground floor (there are none), there are no objections to this application.

Although the proposed dental rooms on the 1st floor could potentially be adjacent to bedrooms in the property next door, the hours of use/opening are reasonable – 09:00 to 17:30 Monday to Fridays only (no use on Saturdays or Sundays). In order to protect residential amenity, it is recommended that these hours of use are placed as a condition on any permission.

5.2. GBC Highways Officer

08/11/2023 (First Comments)

This application requires very careful consideration, given the aim appears to be to provide NHS dentistry in an area where there is limited if any alternative establishment that is taking NHS patients, this can mean demand will be high.

The adopted car parking guidance is Kent County Council SPG4 and sets a maximum provision. However, the National Planning Policy Framework states except in special circumstances maximum requirements should not be set.

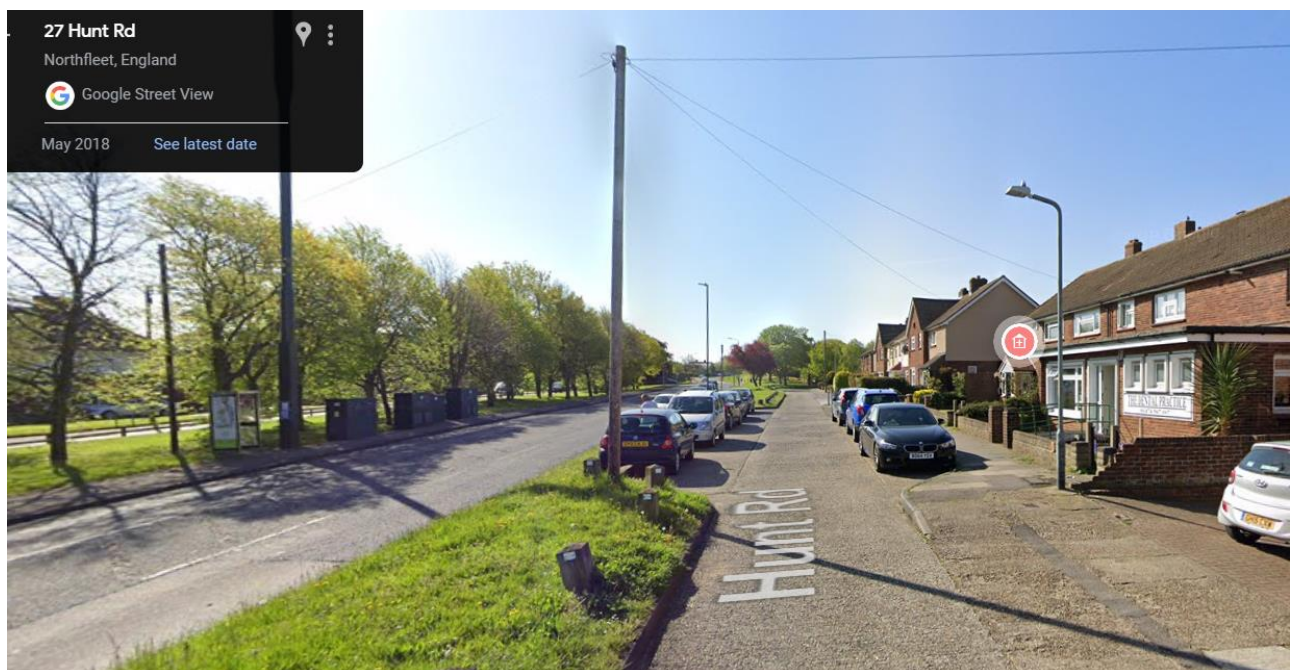
The guidance suggests that there should be one parking space for every two staff plus 4 spaces per consulting room. Obviously at this property no off street car parking can be provided and there is no nearby public off street car parking so all cars would have to park on street, as would delivery vehicles, however as this is an existing practice delivery vehicles already attend the property and so will not form part of this consideration.

It is noted that the number of employees will double from 6 to 12, which would suggest three additional car parking spaces should be provided, but this can be reduced by one as the residential flat would be expected to have that provision. A well-managed appointment system should reduce the need for on street parking, with only two spaces required per treatment room, permitting for a person receiving treatment whilst another is either waiting or paying and given treatment appointment times vary depending on the treatment in progress, this should allow sufficient flexibility to minimise parking demand. However, this still results in the need to provide 8 parking spaces which obviously cannot be provided.

Looking at the Google Street View images, parking demand in the lay-bys on Hunt Road, vary, but generally they can be considered to be well used.



Google Street View November 2022



Google Street View May 2018



Google Street View May 2012



Google Street View October 2008

The October 2008 image appears to include a vehicle parked on Coldharbour Road, that may or may not be related to the dental surgery. The provision of low wooden bollards along the verge would suggest at some point in the past, vehicles were parked on the verge.

I also note that currently the dentist does not appear to be taking new NHS patients.
<https://www.nhs.uk/services/dentist/quigley-dental-practice-northfleet/V005341>

So, any relaxation in car parking provision should be linked to reserving the new surgeries for the benefit of NHS patients only, a much needed facility to ensure that there is a benefit to offset the inconvenience of the potential additional car parking

demand. It is also noted that the surgery operates from 9am to 1pm and from 2pm to 5:15 pm Monday to Friday and this should be restricted by condition to minimise the impact of the on street parking for the surrounding residents.

Consideration could also be given to requiring the applicant to reinforce the grass verge by an approved means to accommodate some car parking, although this would require the agreement of the landowner and potential Kent County Council as highway authority. Alternatively extending the lay-bys would be a better option but is limited to the same constraints and would be expensive to provide.

However, much depends on the existing residents' views on the application and whether the existing practice causes a parking issue or object to the expansion because of parking concerns.

So, whilst not objecting outright due to the lack of car parking, much depends on the views of Kent County Council, the neighbours and the applicant's wiliness to accept limitations on operation of the practice and the potential need to provide additional parking along where the existing grass verge is, subject to the necessary agreements and approvals being achieved.

Updated comments 21/02/24 (Second comments)

It is noted that the applicant has presented additional information on the availability of on street car parking in support of this application. It is not known if the applicant discussed the survey method with the County Council, but it seems to rely on the Lambeth Method of surveying rather than the requirements set in Kent County Council's supplementary planning guidance (SPG4). The Lambeth Method survey requires a longitudinal parking bay of 5 metres, whilst the Kent County Council guidance requires 6 metres to ease access and egress from the parking space. However, in this instance a resurvey does not appear to be warranted given the relatively good availability of on street car parking generally.

The applicant also states that there are three bus services that travel close to the development, but of these only one has a regular service of every 30 minutes, one being hourly and the other at best once every two hours. It should be noted within their patient survey not one person used the bus to access the site, the majority coming by car as either passenger or driver with the remainder walking which is disappointing and it must be questioned if the practice is in the best location for a sustainable site, a town centre with its many options for sustainable transport and/or linked trips being a better option. However, the practice is where it is and there is some possibility of linked trips to the nearby supermarkets, library, and schools.

If this were a new application, then it would attract a recommendation of refusal, on the grounds of sustainability. As an expansion of an existing dental practice with an established presence an objection on highway grounds would be difficult to sustain at appeal, given the information submitted. However, given the width of Hunt Road between the cul-de-sac end and the junction with Coldharbour Road, there is merit in requiring a daytime waiting restriction to deter pavement parking during surgery hours to ensure a pedestrian route is maintained. This process would have to be fully funded by the applicant irrespective of the outcome.

5.3. KCC Highways

27/11/24 (First Comment)

This application is for the conversion of the existing one bed residential flat to the expansion of the existing dental surgery. Whilst I do not have concerns regarding the change of use, I do have concerns regarding the parking facilities, of which there appear to be no off street parking spaces either currently or proposed.

In accordance with the current Kent Parking Standards (SPG4), a dental surgery should have one parking space per 2 staff plus 4 per consulting room. The application form indicates that there will be 12 full-time staff + 5 consulting rooms - a total of $6 + 20 = 26$ spaces. None are being provided.

Whilst there are a number of on-street parking spaces available in adjacent roads, it should be demonstrated by the applicant that during the opening hours of the dental surgery a sufficient number of parking spaces are available. I would suggest that a parking survey is required to demonstrate sufficient availability within, say, 300 metres of the surgery. Since the dental surgery already exists and there are likely to be vehicles parked in association with the existing staff / patients, this will need to be taken into account. Perhaps an easier and more reliable calculation would be to demonstrate the parking availability for the expanded surgery i.e. 3 additional consulting rooms plus 6 additional staff. It would also be relevant for a survey of clients to be carried out to determine how many patients do not travel to the surgery by car but by other means - bus, walking, cycle or car sharing.

Until the above information is provided, I would recommend a holding objection on this application on the grounds of lack of parking.

Updated comments 04/03/24 (second comment)

I refer to my previous response dated 27th November 2023 in which I raised concerns regarding the parking provision for this proposal and the fact that no off-street parking was being provided. I suggested that a parking survey be undertaken for the roads within a 300m radius of the site. I requested a holding objection whilst further data was collected.

The applicant has now submitted a Highways Technical Note produced by Motion dated 13th February 2024. It provides a parking survey as requested carried out on Wednesday 31st January 2024 as well as the results of a staff and patient travel survey. The latter would indicate that 67% of staff and 84% of patients attended the existing dental surgery by car (either driving or as a car passenger) and that no staff or patients travelled by sustainable means, either cycle or bus. This is of concern since the level of parking in the local streets could be reduced significantly if greater use could be made of local bus services.

However, the parking survey indicates that a maximum parking stress level on the local roads (within 300 metres) is a maximum of 55% during the surgery opening hours whereas an area is considered to be over-parked when the stress level reaches 85% or more. It is also noted that there are sufficient parking restrictions in the nearby road to prevent any unacceptable parking which may result in a safety hazard to other road users. It is therefore considered that my previous holding response should be rescinded and that it would be difficult to raise an objection to this application on highway grounds given the evidence of parking availability in the area and the fact that the dental surgery already exists and this application is for its expansion to the first floor. However, there are concerns regarding the demonstrated lack of use of sustainable transport (bus, cycle and walking) by both staff and patients alike against the recommendations of the NPPF. It is therefore recommended that a Travel Plan,

which should be monitored by the applicant, be submitted as a Condition of any consent granted. This would help to reduce parking demand.

It is therefore concluded that no objection to this application is made to this application on highway grounds provided the following Condition is applied to any consent granted:

1. *The development shall not be brought into use until a Travel Plan, to reduce dependency on the private car, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. Thereafter, the Travel Plan shall be put into action and adhered to throughout the life of the development, or that of the Travel Plan itself, whichever is the shorter.*
2. *Provision and permanent retention of secure cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.*

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

5.4. Neighbouring Properties

The application has been advertised by site notice, and individual letters to eleven neighbouring properties. 10 letters of objection have been received, and 1 neutral letter. A summary of responses can be found below:

Summary of objections:

- This will result in the loss of a home.
- It will cause increased traffic (particularly at school times), and collisions/road incidents.
- Increased NHS dentist availability would be welcomed but this road cannot accommodate the increased footfall and vehicular traffic.
- Parking along Hunt Road and Coldharbour Road is already a safety issue with restricted visibility at the entrances
- Reports of neighbouring boundary walls being knocked down, private driveways used for turning and vehicles damaged by customers/ staff members using the existing dentist.
- Currently inadequate spaces are available for existing residents including disabled parking.
- An increase would result in 6 additional staff members and 3 patients plus 3 patients waiting without parking availability.
- There are available commercial spaces in the town centre which would better serve such a proposal.
- This would result in increased noise and disturbance to the residential amenity of neighbours.
- Cars currently park on curbs outside peoples houses restricting emergency vehicle access.
- Commercialisation of the residential area is inappropriate.
- Not all neighbours on the road were sent notifications.

Summary of Representations:

- The applicants are to be commended for wishing to increase their NHS dental patient capacity given the news reports that there is a lack of NHS dentist capacity.
- The current practice is located on a residential road with limited parking.
- The proposal would increase staff members by 100% six to twelve and likely an increase in patients. This will increase the pressure on parking.
- There is already pressure on the surrounding road with Coldharbour road being a busy classified B road.
- The road is a primary route for emergency vehicles from Thameside Fire and Ambulance stations.
- If approved, the applicant should be encouraged to promote travel to the dental practice by walking, cycling or public transport. There are nearby bus routes.

Officer Note:

- Adjoining neighbours were consulted and a site notice displayed meeting the requirements for consultation as set by national government.

6. **Planning Analysis and Head of Planning Comments**

Principle of Development

- 6.1. This site is in the Urban Boundary as defined by the Policies Map of the Core Strategy Document (2014). Paragraph 4.2.4 (Table 2: Settlement Hierarchy) of the Local Plan Core Strategy (2014), identifies Northfleet as a First Tier Settlement. Paragraph 4.2.5 states that these areas are the most sustainable parts of the borough.
- 6.2. Paragraph 5.4.1 of the Gravesham Local Plan Core Strategy (2014), states:
- 'It is important that sufficient infrastructure is provided to meet the needs of existing and new residents, employees and businesses within the Borough. Facilities such as GP surgeries, schools and libraries play an important role in providing for the health, welfare, social, educational and spiritual needs of the community. Such facilities can add vibrancy to communities, provide a focus for activities, foster community spirit and contribute to the quality of life for many residents. They can also provide an essential service to communities. The loss of such facilities can have adverse consequences in terms of accessibility to services locally, and can lead to unsustainable travel patterns. It is also important to address existing deficiencies in services. At the same time, planning for infrastructure is being carried out when there are uncertainties over future service delivery models and future funding decisions by national government.'*
- 6.3. Policy CS10 of the Gravesham Local Plan Core Strategy follows this statement and states:
- 'Support will be given to proposals and activities that protect, retain or enhance existing physical and social infrastructure, or lead to the provision of additional infrastructure that improves community well-being. Where there is the threat of loss of existing infrastructure, consideration will be given to viability and whether sufficient alternative provision is available.'*
- 6.4. As the proposed scheme would result in the improvement of dentist provision within this community, in a sustainable location, it would comply with Policy CS02 and CS10 of the Core Strategy 2014. In principle, the development would be acceptable.

Housing Need

- 6.5. In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated;
- "It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than "guidance" and as such a "material consideration" for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme."*
- 6.6. It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in March 2023, it

demonstrates that based on data up for the period 2022-2027, the Council can only demonstrate a land supply of 2.9 years.

- 6.7. Given the Council's current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2023). This requires that in regard to housing development, planning permission should be granted 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.
- 6.8. In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:
- habitats sites (and those sites listed in paragraph 187) and/or designated as Sites of Special Scientific Interest;
 - sites designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; and
 - irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 72); and areas at risk of flooding or coastal change
- 6.9. In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land NPPF 2023 (paragraph 129(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.
- 6.10. In this case, the proposed development would result in the loss of 1 residential unit which would result in a minor reduction towards meeting this local need and, accordingly, officers consider that this should be accorded appropriate weight in the consideration of the application.

Provision of Dental Health Services

- 6.11. Paragraph 2.8.1 of the Gravesham Local Plan Core Strategy (2014), highlights that Gravesend and Northfleet are amongst the most deprived in England. It states:

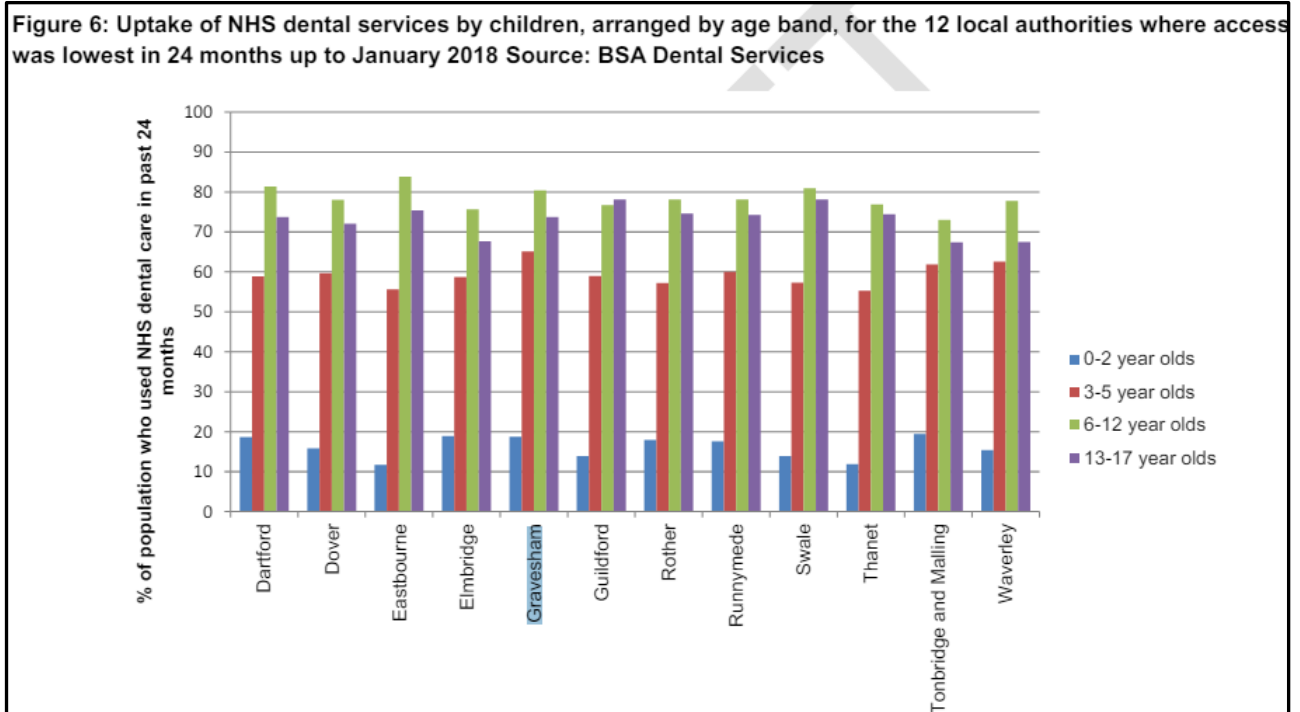
'To help overcome the deprivation issues experienced in Gravesham, there is a need to improve the local economy as well as to ensure that existing communities gain benefits as a result of the new developments in their area such as improved access to better facilities and improvements to the built environment.'

6.12. Paragraph 5.4.1 states:

'It is important that sufficient infrastructure is provided to meet the needs of existing and new residents, employees and businesses within the Borough. Facilities such as GP surgeries, schools and libraries play an important role in providing for the health, welfare, social, educational and spiritual needs of the community. Such facilities can add vibrancy to communities, provide a focus for activities, foster community spirit and contribute to the quality of life for many residents. They can also provide an essential service to communities. The loss of such facilities can have adverse consequences in terms of accessibility to services locally, and can lead to unsustainable travel patterns. It is also important to address existing deficiencies in services. At the same time, planning for infrastructure is being carried out when there are uncertainties over future service delivery models and future funding decisions by national government.'

6.13. A needs assessment for General Dental Services in Kent, Surrey and Sussex (2018) identifies Gravesham as a deprived area, in the lower third for uptake of NHS dentistry for adults and children. It states that; *'Children and adults from lower socio-economic groups are particularly at risk of suffering from oral diseases. They tend to experience more dental decay, periodontal (gum) disease, tooth loss and edentulousness (no teeth). They also have more untreated disease than more advantaged groups, e.g. decayed teeth that have not been filled.'*

6.14. This document also shows that Gravesham was in the 12 local authorities where access was lowest, in the 12 months preceding January 2018. The table below shows a comparison of dental care uptake for the ages between 0-17 years old of the 12 local authorities with lowest access. This shows a large number of children in this period did not access any dental healthcare in Gravesham.



6.15. Evidence of a lack of dental healthcare in children is supported by the high number of dental extractions compared to the average in North Kent. Population Health Needs, Inequalities and Commissioning Opportunities in North Kent (2019), identifies that in

2015/2016 the rate of dental extraction for 0-19 year olds was 39.7 per 1000. However, significantly higher rates were indicated in Gravesham at 49.8 per 1000.

- 6.16. Policy CS10 of the Gravesham Local Plan Core Strategy (2014) states; 'Support will be given to proposals and activities that protect, retain or enhance existing physical and social infrastructure, or lead to the provision of additional infrastructure that improves community well-being. Where there is the threat of loss of existing infrastructure, consideration will be given to viability and whether sufficient alternative provision is available.'
- 6.17. The proposal accords with Policy CS10 of the Local Plan Core Strategy (2014) that seeks to enhance existing physical and social infrastructure that improves community well-being.

Employment

- 6.18. It is acknowledged that a benefit of this proposal is that the development will employ an additional 3 full time equivalent staff members. The increase in employment gives some weight to the development proposals in the overall planning balance.
- 6.19. There would also be associated opportunities for job creation including in the construction of the development and through services to support the increased activities within the larger dentist.
- 6.20. The proposal accords with Policy CS07 of the Local Plan Core Strategy (2014) that seeks to enhance opportunities for all local people to access new jobs arising from the Council's employment policies.

Design, Character and Appearance

- 6.21. The proposed development would not result in any external changes to the building. As such, there would be no impact in terms of Design, Character and Appearance.
- 6.22. The proposed development would comply with the requirements of Policy CS19 of the Local Plan Core Strategy 2014 and paragraph 135 of the NPPF (2023) in terms of design, character and appearance.

Neighbouring Amenity

- 6.23. 23 Hunt Road is located to the southeast of the site and is attached to the dentist.
- 6.24. 27 Hunt Road is located to the northwest of the site and there is spacing of 2.9m between the buildings.
- 6.25. There would be no external changes proposed and so no impact on the neighbours in terms of potential, overshadowing, overlooking, overbearing bulk and location of built form.
- 6.26. The change of use of the first floor of the dentist does raise the potential for noise impact on the adjoining dwellinghouse, particularly upper floor bedrooms, although it is not clear how the neighbouring property is laid out.
- 6.27. However, GBC Environmental Protection have advised that should a permission be forthcoming, a planning condition restricting the hours of use to 09:00 to 17:30 Monday to Fridays only (no use on Saturdays or Sundays), would be sufficient to mitigate noise impacts on those using the bedrooms on the first floor in the neighbouring property.

They also note that there have been no previous noise complaints from the use of the building as a dentist on the ground floor.

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

Parking and Highways Safety

- 6.29. The change of use of the first floor from residential to a dentist, would result in an increased requirement in parking provision, from both staff members and visitors to the surgery.
- 6.30. Comments from both KCC Highways and the GBC Highways Officer initially held objections given the lack of on-site parking provision. However, following a request for information on local parking availability, both consultees removed their objections to the scheme.
- 6.31. The submitted document (Highways Technical Note), details that the proposed change of use would result in an increase to both staff and patients visiting the site per day. Currently there are 9 full time equivalent staff members, and this is expected to increase to 12 full time equivalent staff members. Approximately 30 patients visit the surgery each day and this is expected to increase to 75 per day.
- 6.32. The travel survey given to both staff members and patients indicates that 78% of staff members and 67% of patients who completed the survey travelled to the dentist via car.
- 6.33. Based on the surveys undertaken, with the increased parking requirements from the proposed development, the dentist would require a total of 9 staff parking spaces and 7 visitor spaces per hour. This would be an increased parking requirement of 6 spaces per hour (4 visitor and 2 staff parking spaces).
- 6.34. The parking survey undertaken details a total of 225 parking spaces available in a 300-metre radius of the site. A survey was undertaken hourly between the hours of 09:00 and 17:00 and the results showed that between 93 - 124 on street parking spaces were in use during those hours. This resulted in a stress percentage between 41% - 55%.
- 6.35. Based on these results, with the additional requirement of 6 vehicles parking spaces between 99 – 130 spaces would be in use, in the same circumstances, resulting in a stress percentage between 44 - 58%. At its highest parking usage of 130 parking spaces, there would still be an additional 95 on street parking spaces available within a 300 metre radius of the site.
- 6.36. KCC Highways Officer comments conclude that there is some concern regarding the high levels of car use from patients and staff at the surgery. However, they go on to say that within 300 metres of the surgery there is a maximum of 55% stress level on local roads. An area is only considered to be over-parked when the stress level reaches 85% or more. Therefore, the area is not considered to be over-parked. They summarise that adequate on-street parking provision is available and have removed their objections subject to conditions requiring implementation of a travel plan and provision of cycle parking facilities.
- 6.37. The GBC Highways Officer also noted that based on the survey there appears to be good on street parking availability. The officer also questioned whether sustainable

transport options were readily available for the site in their comments. However, the GBC Highways Officer notes that given that the proposal is for the expansion of an existing dental practise, it would be difficult to sustain a highways objection at appeal, based on lack of sustainable transport options as the survey shows adequate on street parking availability.

- 6.38. Given the evidence provided by the applicant and view of the Highway Authority, officers support the view that it would be difficult to sustain a refusal of this application based on insufficient parking being available to serve the proposal.
- 6.39. Subject to details reserved by condition, adequate vehicle and cycle parking provision would therefore be available in compliance with paragraphs 114 to 117 of the National Planning Policy Framework (2023), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Local Plan Core Strategy 2014.

7. Conclusion

- 7.1. The proposed scheme would be acceptable in principle, located in a sustainable urban location in accordance with Policy CS02 of the Local Plan Core Strategy (2014) and Section 11 of the NPPF (2023).
- 7.2. The proposed scheme would retain and enhance existing physical and social infrastructure which improves community wellbeing in accordance with Policy CS10 of the Local Plan Core Strategy (2014) and Section 11 of the NPPF (2023).
- 7.3. The proposed scheme would result in the loss of 1 residential unit, resulting in a minor increased deficit in housing need provision within the borough. However, the benefits to be gained from the provision of additional dental services in the Borough, and the impact it would have on a greater number of people in the local community are considered to outweigh the loss of 1 residential unit.
- 7.4. The proposal accords with Policy CS07 that seeks to enhance opportunities for all local people to access new jobs arising from the Council's employment policies.
- 7.5. The proposed design, layout and appearance of the site would not be altered. The scheme would therefore comply with Policy CS19 of the Local Plan Core Strategy (2014).
- 7.6. The proposal would safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Local Plan Core Strategy 2014 and Section 12 of the NPPF (2023).
- 7.7. The proposed scheme demonstrates that there is adequate local public parking provision to accommodate the increased parking requirements from the proposed dentist use. The development would therefore comply with Policy CS11 of the Local Plan Core Strategy (2014), and Section 12 of the NPPF (2023).
- 7.8. On balance, the benefits of the scheme would outweigh the minor impact of the loss of 1 residential unit. The proposed scheme complies with all relevant national and local planning policies. The recommendation is therefore to approve the scheme.

Recommendation

Planning Permission, subject to conditions as set out within this report.

Suggested Conditions

Time Limit

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The development hereby permitted shall be carried out only in accordance with the following schedule of approved plans:

Application Form

8618-PD-01 Revision A – Existing and Proposed Plans and Site and Location Plans

Reason: For the avoidance of doubt and in the interests of proper planning.

Hours of Operation

3. The use hereby permitted shall only operate and be open to the public between the times of 09:00 and 17:30 Monday to Friday. No works or ancillary operations related to this use of the premises, that are audible at the site boundary shall take place outside of the hours stated in this condition.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Prior to Operation

Cycle Storage

4. Prior to the approved development first commencing, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the proposed cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to any part of the first floor dentist as hereby approved first being occupied and thereafter be retained for such purposes at all times.

Reason: In order to encourage options for sustainable travel in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

Travel Plan

5. Prior to the approved development first commencing, and notwithstanding the details shown on the approved plans, submitted documents and application form, a Travel Plan, detailing the measures designed to help and thereafter maintain a modal shift in favour of reduced reliance on private car usage for travel to and from the development, shall be submitted to and approved in writing by the Local Planning Authority. It shall require that a Travel Plan Co-Ordinator be appointed, who shall be responsible for

monitoring the use of staff and patient travel methods, and in the event that private vehicle usage exceeds 67% for staff members and 84% for patients, the parking co-ordinator shall forthwith notify the Council and the Owner and/or Tenant will enact additional elements, to limit impact of additional parking on local roads, as detailed in the approved Travel Plan. All elements of the Travel Plan shall continue to be implemented at all times following its approval for as long as any part of the development is occupied or used.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policy CS11 of Gravesham Local Plan Core Strategy (2014) and Section 9 of the NPPF (2023).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2023, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

2 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority as proceeding without the necessary permissions could nullify this permission.

3 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

4 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.

ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.

iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.

iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.