



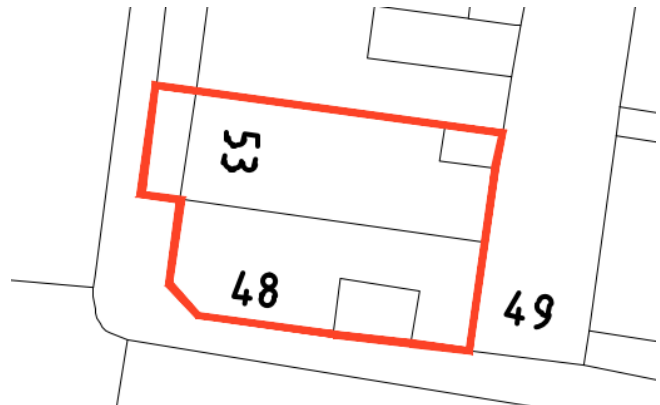
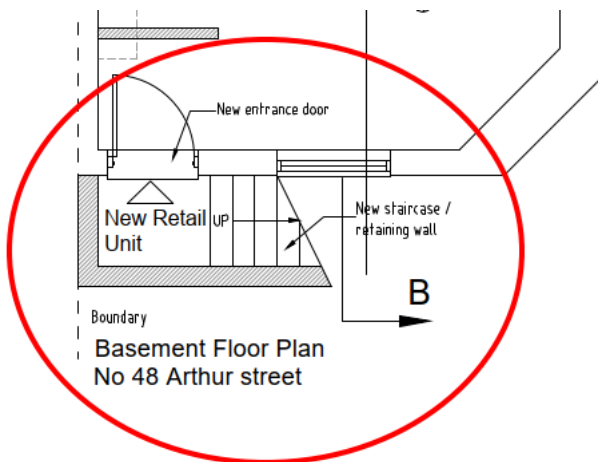
Delegated Report

Full Planning Application

Application No:	20230065
Location:	48 Arthur Street & 53 Cutmore Street, Gravesend, Kent, DA11 0PR
Description:	Erection of a two storey rear extensions and change of use of the basement to create new commercial unit including new front access and small rear lightwell.
Applicant:	Mr Tony Panaser
Site Visit:	12 th July 2022

Procedural Note

The application proposes the creation of a stepped access down to the commercial unit in the basement, however the site location plan does not include this area within the redline. The redline location plan should include all land necessary to carry out the proposed development.



If permission was likely to be forthcoming, the agent would have been contacted regarding this procedural error and the matter would have been rectified.

Submitted Documents/Plans

- Application Form - dated 16/01/2023;
- Drawing no. 2022-230-001 - Site Location Plan (scale 1:1250);
- Drawing no. 2022-230-002 - Existing Floor Plans;
- Drawing no. 2022-230-003 - Existing Elevations;
- Drawing no. 2022-230-004 - Existing Sections;
- Drawing no. 2022-230-005 - Proposed Floor Plans;
- Drawing no. 2022-230-006 - Proposed Elevations;
- Drawing no. 2022-230-007 - Proposed Sections;
- Drawing no. 2022-230-008 - Existing Block Plan;

- Drawing no. 2022-230-009 - Proposed Block Plan.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211557	Erection of a two storey rear extension to form 1no. bedsit and a two bedroom self-contained flat.	REFUSED	13.07.2022
20061113	Conversion of part of ground floor from residential to provide additional retail area involving alterations to existing first floor flat.	PERMITTED	21.02.2007

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale and Distribution of Development
- CS07 - Economy, Employment and Skills
- CS08 - Retail, Leisure and the Hierarchy of Centres
- CS11 - Transport
- CS12 - Green Infrastructure
- CS14 - Housing Type and Size
- CS15 - Housing Density
- CS18 - Climate Change
- CS19 - Development and Design Principles

Gravesham Local Plan: First Review (1994)

- P3 - Vehicle Parking Standards

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 5 - Delivering a sufficient supply of homes
- Section 6 - Building a strong, competitive economy
- Section 7 - Ensuring the viability of town centres
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020
- Technical Housing Standards - Nationally Described Space Standard (2015)
- SPG 4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021).

Consultations, Publicity and Representations

Consultees

Local Ward Councillors - No comment received.

Neighbouring properties

Sixteen surrounding properties were consulted and no representations were received. The consultation period expired 16th May 2023.

Preliminary Matters

This application follows a refusal for a similar development, proposing the “Erection of a two storey rear extension to form 1no. bedsit and a two bedroom self-contained flat” (ref. 20211557). The application was refused by the Local Planning Authority on the following grounds:

1. *The proposed extension dominates the original property, is a disproportionate addition that extends an existing extension and results in an overdeveloped appearance. Moreover, the extension will have a terracing effect by connecting to the neighbouring property at the rear, which closes an established gap within the street scene and is poor design that is harmful to the character of the street scene. The development is therefore contrary to Gravesham's Design Guidance SPD (2021), as well as Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).*
2. *The proposed development fails to safeguard the amenity of future occupiers, by virtue of providing cramped and undersized units with substandard rooms, poor level of natural light and no amenity space. As such, the proposal is considered overdevelopment of the site, which provides a poor quality living environment to the detriment of amenity of future occupiers, contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).*
3. *The proposed extension to the property is an unneighbourly form of development that would result in material harm to the amenity of adjoining occupiers, which by virtue of its height and depth on the shared boundary is oppressive and creates an unacceptable sense of enclosure, ruins outlook and causes overshadowing. As such, the development is harmful to the amenity of the adjoining neighbour and is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).*
4. *The proposal fails to provide sufficient cycle storage to accord with Kent County Council's Vehicle Parking Standards (SPG4) (2006). Therefore the development is contrary to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (September 2014), saved Policy P3 (Vehicle Parking Standards) of the Gravesham Local Plan First Review (1994) and the Kent County Council's adopted Vehicle Parking Standards (SPG4) (2006) which seek to ensure that adequate cycle parking is available on site.*
5. *The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an*

Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations, Section 14 (specifically paragraphs 180 and 181) of the National Planning Policy Framework (2021) and Policy CS12 (Green Infrastructure) of Gravesham's Local Plan Core Strategy (2014).

It is noted that this proposal includes the adjoining neighbour no. 53 Cutmore St, however the reasons for refusal for the previous application (ref. 20211557) remain relevant. In order to receive a favourable decision, this application must be considered to overcome the reason for refusal attached to the previous application.

Officer's Analysis

Site Description

48 Arthur St and 53 Cutmore St are two storey terraced properties located on the corner of Arthur St and Cutmore St. 48 Arthur St is ibn mixed use, with a commercial unit on ground floor and residential accommodation above, with the basement level used for storage. 53 Cutmore St is a residential dwelling.



The properties both have part width single storey extensions to the rear.

Development Proposal

This application proposes the erection of first floor rear extensions to both properties. The rear extension would have gable ends that connect to the flank wall of the adjoining property at the rear. As part of the development

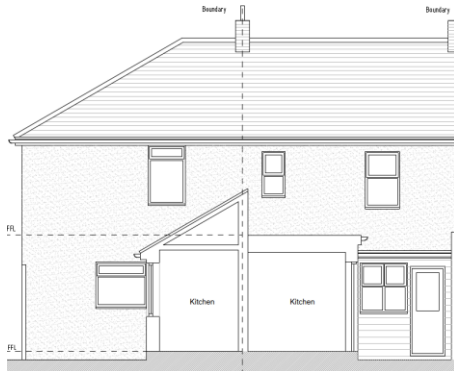
The dimensions of the extensions are as follows:

No. 48 Arthur St

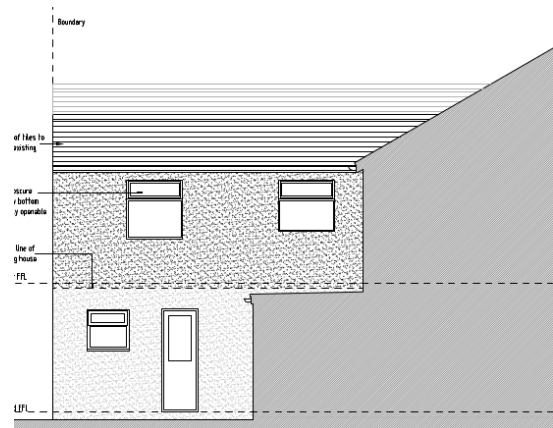
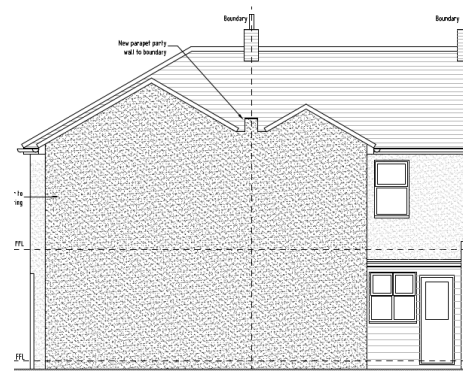
- Depth - 6.25m
- Width - 4.82m
- Height (max) - 6.8m
- Height (eave) - 5.4m

No. 53 Cutmore St

- Depth - 6.25m
- Width - 2.7m
- Height (max) - 6.2m
- Height (eave) - 5.4m



A diagram of a building facade. A vertical dashed line labeled 'Boundary' runs through the center. To the left of the boundary, there are two windows: a smaller one on the upper floor and a larger one on the lower floor. To the right of the boundary, there is a chimney on the roof, a large window on the upper floor, and a large door on the lower floor. The building is divided into four quadrants by the boundary line and a horizontal dashed line.



The extension to no. 53 Cutmore St would create space for a new shower room and study at first floor level.

Principle of Development

The site is defined on the Policies Map of the Gravesham Local Plan Core Strategy (the Core Strategy) as lying within the urban boundary of Gravesend, Northfleet and Ebbsfleet. Therefore, the site is within the urban area of Gravesend and Policy CS02 (LPCS) prioritises development in the urban area as a sustainable location for development. As such, there is no objection to the broad principle of residential development within this location subject to it meeting the detailed requirements of government and development plan policy, which will be assessed in later sections of this report.

The principle considerations in the assessment of this application are:

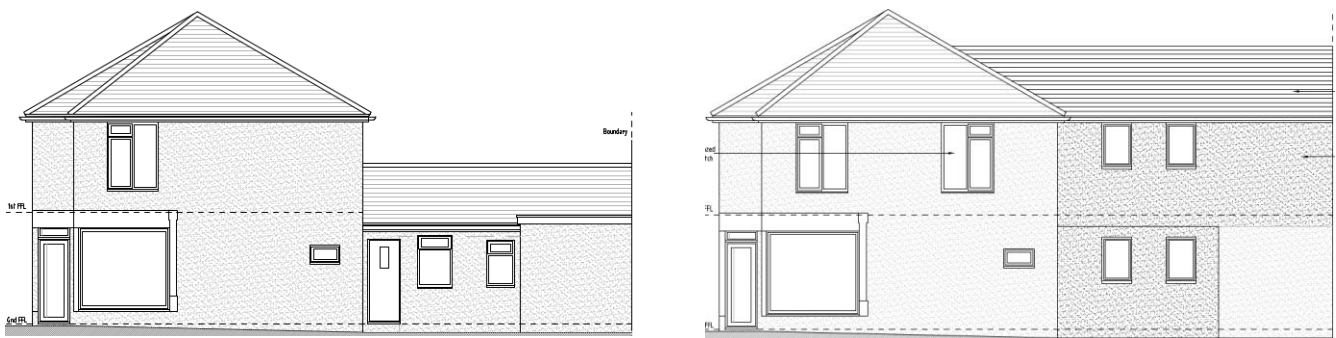
- Design, Character and Appearance
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Any Other Material Planning Considerations

Design, Character and Appearance

Policy CS19 of the Gravesham Local Plan Core Strategy (2014) states that new development will be visually attractive, fit for purpose and locally distinctive. It also seeks to conserve and enhance the character of the local built, historic and natural environment and integrate well with the surrounding local area, whilst ensuring that the design, layout and form of new development will be derived from a robust analysis of local context and character and make a positive contribution to the street scene, the quality of the public realm and the character of the area.

The below is taken from the delegated report for the previous application (ref. 20211557), it remains relevant as the rear extension to no. 48 Arthur St has not been changed:

“The extension proposed will not change the overall depth of the existing single storey rear projections, but will notably increase the bulk and massing by creating a first floor which increases the height and width, as well as changing its roof form (see screenshot below):



Gravesham’s Design Guidance SPD (2021) addresses two storey/first floor rear extensions, stating that “extensions to extensions will generally not be supported” and that care must be taken to ensure “the extension does not dominate the original property”, which “can cause the site to appear overdeveloped, and cause long dark internal spaces”. In this case, the extension to the outrigger dominates the original property, is a disproportionate addition that extends an existing extension and as aforementioned results in an overdeveloped appearance. Moreover, the extension will connect with the property at the rear (no. 49 Arthur St) and will have a terracing effect. The extension will close an established gap within the street scene, which is considered poor design and harmful to the character of the area. This gap is replication on the property location on the opposite corner, known as The Cricketers Public House and show in the image below;



The proposal is also creating an undercroft area below the proposed first floor extension which is considered poor design and will appear as an incongruous addition.”

Therefore, the proposed rear extensions are contrary to Gravesham’s Design Guidance SPD and is poor design that would have a detrimental impact on the street scene. The proposed development is contrary to Policy CS19 (LPCS) and Section 12 (Achieving well-designed places) of the NPPF (2021).

Amenity of Future Occupiers

Policy CS19 (LPCS) requires that all development should be ‘fit for purpose’ and be ‘adaptable to allow changes to meet the need of users’ and that ‘the design and layout of new residential development, including conversion, will accord with the adopted Residential Layout Guidelines’ (RLG) (2020). Moreover, on 25 March 2015 the Government issued a written ministerial statement, which introduced new technical housing standards in England and set out how these would be applied through planning policy. These standards came into effect on 1 October 2015.

The assessment of future occupier amenity has been separated for each property.

48 Arthur St:

Flat

Flat no.	Bedroom(s) /Person(s)	National Housing Standard Guidance	Unit Floor space
First Floor	2 (4 person)	70m ²	64m ²

Table 1 - Unit Floor Area Breakdown (no.48 Arthur St)

As shown in Table 1, if the flats are assessed at maximum capacity, the flat would fail to comply with the recommendations within the National Space Standards. Therefore, the unit would provide poor quality accommodation and represents overdevelopment of the site failing to safeguard the amenity of future occupiers. However, Gravesham’s RLG breaks down the Council’s individual requirements for certain rooms, these have been formulated into a table to compare with the floor area of rooms within the three proposed flats.

	Gravesham RLG (2020)	First Floor Flat
Kitchen/Living	20.4m ²	18.5m ²
Bedroom (double)	11.5m ²	15.65m ²
		12.35m ²
Bathroom & w.c.	3.5m ²	4m ²

Table 2 - Flat Floor Area Breakdown (no.48 Arthur St)

Table 2 has been colour coded (green complies, red fails) to show which rooms meet the guidance within the RLG. Although there is no figure provided within the RLG for a combined kitchen/living, this was calculated by adding the minimum living (13.2m²) with the minimum kitchen (7.2m²). The table demonstrates that the majority of rooms fail to comply with recommendations and will provide poor quality living conditions for future occupiers, with the exception of the bedrooms and bathroom. Therefore, the proposed development is considered to provide cramped and poor-quality living environment for future occupiers by virtue of substandard unit and rooms sizes.

Commercial Unit (basement)

The proposed development would create a new commercial unit in the basement. The unit would be accessed by a new staircase to the front of the property. It would contain a floor area of 24m² for the shop as well as a kitchenette and wc. It is unclear from the plans what use class the unit would fall within.

There would be a new lightwell window on the front of the unit and a lightwell at the rear. There are concerns with the quantity of natural light that the commercial occupants of the basement unit would receive. The rear lightwell will be located within the courtyard area, which is an undercroft area covered by the extension above and would provide lower levels of natural light and create a gloomy poor-quality environment. As such, the proposed development will create a poor-quality retail unit, which is detrimental to its viability and function, and is therefore contrary to Policy CS08 (LPCS).

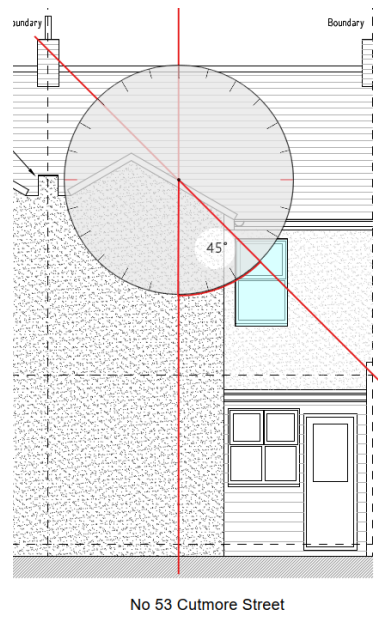
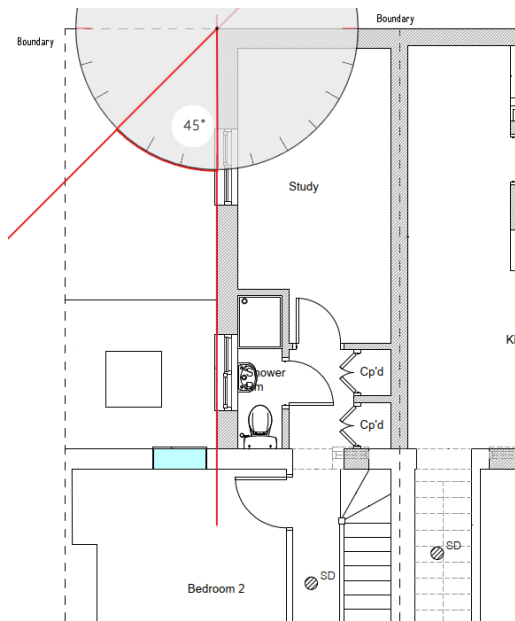
Commercial Unit (ground floor)

The proposed development will retain the commercial use on the ground floor of the property. The application fails to highlight the current/intended use of the shop unit. The development would provide additional facilities for the unit through a new kitchen and bathroom. This is considered to be acceptable for future occupiers of the ground floor commercial unit.

53 Cutmore St:

The extension to no.53 Cutmore St would create space for a study and shower room at first floor, with the remainder of the property remaining as a single family dwelling. There is no figure provided for a study within Gravesham's RLG. The shower room (1.5m²) would fall below the recommendation for a bathroom, however less space is required for a shower basin, and therefore this is considered to be acceptable.

Nevertheless, the extensions are considered to impact on the amenity of future occupiers of no. 53 Cutmore Street. Due to the orientation of the properties and the extension being constructed to the south of the bedrooms 2's window, it would likely overshadow the bedroom to the detriment amenity. The closest window to the extension serves a habitable bedroom. The BRE daylight and sunlight assessment states that a 45° measurement should be taken from plan and elevation drawings, if the 45° line intersects the middle point of the window it would result in unacceptable levels of overshadowing. The tests undertaken are shown below:



As demonstrated in the assessment above, the extension fails the 45° rule on both plan and elevation form, and it would overshadow the bedroom window to an unacceptable level. As a habitable room, the bedroom should not be overshadowed to safeguard amenity of future occupiers, and by virtue of failing the BRE tests the development would provide a poor quality living environment for future occupiers of no.53 Cutmore St and cannot be supported. Moreover, the extension would create a sense of enclosure and provide poor outlook from the bedroom, which would detrimentally affect amenity.

Conclusion of Future Occupier Amenity

In summary, the proposal fails to safeguard the amenity of future occupiers by virtue of providing a cramped flat unit at no.48 Arthur St and an overshadowed bedroom, with increased sense of enclosure and poor outlook for no.53 Cutmore St. Therefore, the development fails to provide a good quality living environment for future occupiers and would cause material harm to their amenity. As such, the proposal is contrary to Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Neighbouring Amenity

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 127 of the NPPF (2021) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

The proposed development is not considered to impact neighbouring amenity in terms of loss of privacy, sense of enclosure or loss of outlook. The extension to no. 53 Cutmore St is part width and set away from the shared boundary with the adjoining neighbour to the north and is not considered to have any impact. Moreover, this distance and the existing rear projection to the neighbour mean that there is unlikely to be any detrimental overshadowing or loss of light.

Overall, the proposed extensions are considered to safeguard the amenity of neighbouring properties in accordance with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Parking and Highways

The site is in a central location in the town where public transport links are good and there are sufficient parking restrictions in the locality and public car parks available nearby. Therefore, the provision of no on site parking is not considered to be a reason to refuse the application.

However, the development will not provide any cycle storage spaces. Gravesham's adopted parking standards (SPG 4) (2006) require 1 cycle space to be provided per unit of accommodation, which in this case would increase with the new proposed retail use at the property. As such it would be expected that a minimum of three cycle spaces are provided, and therefore there is an under provision of cycle spaces contrary to the guidance in SPG4 (2006).

Any Other Material Planning Considerations

Refuse - Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.

The proposal shows a number of wheelie bins in the courtyard space, which would be moved out onto the street on collection day. If the Local Planning Authority were minded to support the application a condition would be attached to ensure that an appropriate mix of bins would be provided on site.

Ecology and Biodiversity (Bird Mitigation) – the proposed development does not create any additional residential units. Therefore the SAMMS mitigation payment is not required and ground of refusal 5 attached to ref.20211557 is not relevant.

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

Although different to the previous refusal, a number of the grounds of refusal remain relevant to this proposal and have failed to be overcome. The development is poorly designed and would have a harmful impact on the street scene, fail to safeguard the amenity of future occupiers and fail to provide sufficient cycle storage.

As such, it is recommended that the application is refused on the following grounds:

1. The proposed extensions dominates the original properties, are disproportionate additions that extends existing extensions and results in an overdeveloped appearance. Moreover, the extensions will have a terracing effect by connecting to the neighbouring property at the rear, which closes an established gap within the street scene and is poor design that is harmful to the character of the street scene. The development is therefore contrary to Gravesham's Design Guidance SPD (2021), as well as Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).
2. The proposed development fails to safeguard the amenity of future occupiers, by virtue of providing a cramped, undersized flat with substandard rooms and significant overshadowing, sense of enclosure and reduced outlook from a habitable bedroom window. As such, the proposal is considered overdevelopment of the site, which provides a poor quality living environment to the detriment of amenity of future occupiers, contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).
3. The proposed development would create a poor-quality, dark and gloomy retail unit in the basement, which is detrimental to its viability and function, and is contrary to Policy CS08 (Retail, Leisure and the Hierarchy of Centres) and Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014).
4. The proposal fails to provide sufficient cycle storage to accord with Kent County Council's Vehicle Parking Standards (SPG4) (2006). Therefore the development is contrary to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (September 2014), saved Policy P3

(Vehicle Parking Standards) of the Gravesham Local Plan First Review (1994) and the Kent County Council's adopted Vehicle Parking Standards (SPG4) (2006) which seek to ensure that adequate cycle parking is available on site.

Recommendation

Refusal

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	8 th June 2023	Dated:	8th June 2023