



Delegated Report

Full Planning Application

Application No:	20220216
Location:	Garage Block, 64 Peacock Street, Gravesend, Kent, DA12 1EG
Description:	Demolition of existing buildings and erection of 2no. two bedroom self-contained flats.
Applicant:	Mr J Collier
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

The applicant has submitted the following in support of the application:

Application form;
Drawing no. D-01 Rev. B (Site Location Plan and Existing Block Plan);
Drawing no. D-05 (Proposed Block Plan);
Drawing no. D-06 Rev. A (Proposed Plans and Elevations); and
Design and Access Statement dated 24 February 2022.
(All received 28 February 2022.)

Relevant Planning History

<u>Application No.</u>	<u>Description</u>	<u>Status</u>	<u>Decision</u>
20210344	Demolition of existing buildings and erection of 2no. one bedroom and 1 no. two bedroom self-contained flats and associated parking	Non-determination appeal dismissed	11.02.2022
20180744	Outline application, with matters of appearance, landscaping, layout and scale reserved, for the demolition of existing buildings and erection of two no. 2 bedroom self-contained flats with associated parking.	Permitted	15.02.2019
20090389	Demolition of existing garages and erection of six office/work units incorporating an attached three storey building to provide two, two bedroom self-contained flats at first	Refused	23.07.2009

and second floors with parking at ground floor level.

20060800	Outline application for demolition of existing buildings and erection of infill building to provide two flats and two car parking spaces.	Permitted	01.06.2007
20060614	Outline application for the erection of a building providing 5 flats and car parking.	Refused	15.09.2006
19760031	Retention of 7 garages.	Permitted	17.02.1976

Development Plan

Gravesham Local Plan Core Strategy 2014

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Design and Development Principles

Saved Policies in the Gravesham Local Plan First Review 1994

- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF 2021 sets out that those 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 the review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review 1994 generally conform with the NPPF 2021, the Council will also seek to replace these saved policies via the emerging Local Plan.

Given Gravesham'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 Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF 2021. 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.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF 2021 at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF 2021, paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt;
- Local Green Space;
- Areas of Outstanding Natural Beauty;
- Irreplaceable habitats;
- Designated heritage assets (and other heritage assets of archaeological interest, see NPPF 2021, footnote 68); and
- Areas at risk of flooding or coastal change.

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 (paragraph 121(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.

Other Material Considerations

National Planning Policy Framework 2021

- Section 2 – Achieving sustainable development
- Section 5 – Delivering a sufficient supply of homes
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance (SPG)

- SPG2 – Residential Layout Guidelines (2020)
- SPG4 – KCC Parking Standards (2006)
- Technical Housing Standards – Nationally Described Space Standards (2015)

Consultations, Publicity and Representations

GBC Highways

This development is in a sustainable edge of town location and no off-street car parking is required given the Council's and Kent County Council's supplementary planning guidance. There are no objections.

GBC Waste

The refuse and recycling information provided is satisfactory.

There will need to be enough space for two sets of bins which include a 180ltr bin, 240ltr bin and 23ltr food caddy.

It is the property owner's responsibility to pay for the new bins; these should be sourced via the Waste Management Team at the Council.

Neighbouring properties

The application has been advertised by individual neighbour letters to 18 properties, and on site. The consultation periods expired on 24 March and 1 April 2022 respectively.

No letters of representation have been received from neighbouring properties.

The Local Ward Councillors were also consulted and no responses were received.

Analysis

Proposal

This application seeks permission for the demolition of the existing buildings and the erection of 2 two bedroom self-contained flats.

The proposal comprises a two storey building with a pitched roof. There would be a 3 person, two bedroom flat on the ground floor, with an open plan living/kitchen/dining area, and a bathroom (61.01m²). On the first floor there would be a 3 person, two bedroom flat with open plan living space (81.55m²). The rear of the site will be split into private garden areas for both flats.

There will be a refuse storage area at the front and rear.

In terms of appearance, the roof would be tiled to match the adjacent houses and street generally. There will be facing brick walls to match surrounding properties. Bathroom windows would be obscure glazed.

There will be no off-street parking, but there will be a minimum of two secure cycle spaces for each flat. The cycle spaces for the ground floor flat are to be located in a secure shed in the rear garden and the spaces for the first floor flat will be located within the ground floor hall area beneath the stairs.

Background

As shown in the planning history above, application 20210344 was dismissed in an appeal against the non-determination of the case. The main matters of concern with the appeal dismissal related to the development being considered to unacceptably harm the character and appearance of the area, due to the poor appearance of the proposed mansard roof and that the proposed three flats were considered to create a density per hectare that exceeded the target density of the area.

The current application should be assessed bearing in mind the previous proposal to determine whether the above concerns have been overcome.

Principle Issues

Given the previous acceptance of the principle of residential development on this site, and the dismissal of the previous appeal 20210344, the main issue to consider in the determination of this application is the design of this revised proposal and the impact on the character and appearance of the site and surrounding area.

Design and Character and Appearance of Surrounding Area

Section 12 of the NPPF 2021 relates to achieving well-designed places and sets out the Government's requirements in relation to design issues. Paragraph 126 emphasises the

importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 119), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF. Relevant to this proposal, paragraph 124 of the NPPF states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

In a similar vein, Policy CS14 of the Core Strategy 2014 sets out that new housing development is expected to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities. The proposal includes 2 flats and would therefore be supported by Policy CS14, providing design and character is also acceptable.

Policy CS15 of the Core Strategy 2014 seeks to achieve a minimum density for residential development in the urban area of 40 dwellings per hectare (dph), subject to the overriding consideration that it achieves good design and does not compromise the distinctive character of the area. The application site measures 0.0286 hectares; 2 dwellings on this site would exceed the density target of 40 dph at 70 dph, but this density is much closer to the density target compared to the previous proposal, which had an overly excessive density of 105 dph.

Dismissed proposal under 20210344 (front elevation):



Current revised proposal (front elevation):



This revised development comprises a two storey building with a pitched roof. The amended roof design in particular is much more in keeping with the surrounding street scene, which is characterised predominantly by two-storey, terraced residential dwellings with low hipped and pitched roofs. The height of the building has been brought down and is now comparable with that of the neighbouring terraces on both sides. The window and door shapes and details also take reference from surrounding properties. The amended design would result in a development that would appear much more harmonious within the street scene, and more appropriate within the context of the lower scale neighbouring properties.

The NPPF 2021 seeks to support development that makes efficient use of brownfield land such as this site, and with the design revisions that have been made to this scheme, the development plan objective to maintain and improve the character of the area is also considered to have been met. The proposed building would integrate well into the area and is considered to make a positive contribution to the street scene, in line with the requirements of paragraphs 124, 126 and 130 of the NPPF 2021 and Policies CS14, CS15 and CS19 of the Local Plan 2014.

Residential Amenity

The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land. The previous appeal found no significant concerns with respect to residential amenities but for completeness this will be considered below.

Future Occupiers

The Nationally Described Space Standard (NDSS) 2015 sets out the minimum gross internal floor area (GIFA) standard for new dwellings. The table below shows the minimum standard set out in the NDSS 2015 against the sizes of the proposed flats within the development:

Number of bedrooms (b)	Number of bedspaces (persons)	1 storey dwellings (NDSS) (m ²)	Proposed flat GIFA (m ²)
2b	3p	61	61.91 and 81.55

It is considered that the proposal would comply with the Council's residential layout guidelines and the Technical Housing Standards - Nationally Described Space Standards in terms of the size of the proposed accommodation and proposed amenity space.

The proposed refuse storage is also acceptable.

There is no conflict with Policy CS19 of the Core Strategy 2014 in respect of the accommodation standards for future occupants of the flats.

Neighbouring Properties

In terms of privacy, the windows of the proposed building are restricted to the front and rear elevations. The Council's SPG2 Residential Layout Guidelines sets out that proposals for new dwellings will be expected to comply with the Council's privacy distances and guidance on overshadowing. This includes a window-to-window distance of at least 21 metres between habitable rooms. In this case, this distance is achieved between the proposed rear windows of the flats and those within the rear elevations of residential properties on Parrock Street, and as such there would be no direct overlooking of neighbouring properties. It must also be recognised that this is a built-up area where buildings are typically in close proximity to each other. The proposal will not cause any significant loss of privacy in this regard.

The proposed building would extend beyond the rear building line of the neighbouring properties to either side. However, the rearward projections have been reduced compared to the previous scheme, and the maximum rearward projections would be single storey at ground floor (approximately 3.5m beyond No. 63 Peacock Street and 1.8m beyond No. 65). The submitted plans demonstrate that a clear 45 degree sight line can be achieved from the closest neighbouring windows to either side. Given the siting and south to west orientation of the new development, neighbouring properties are unlikely to experience a significant loss of sunlight and daylight.

There may be more of an impact in terms of potential increased noise and disturbance, and comings and goings from the more intensive use of the site, but the use will be in keeping with the residential character of the area and is unlikely to cause any significant amenity issues in this regard.

Parking and Highways

This development is in a sustainable edge of town location and no off-street car parking is required. It is therefore considered that there would be no parking impact from the proposal. There have also been no objections in this regard.

Secure cycle parking spaces can be achieved on the site and are shown on the submitted plans.

The proposal would comply with Saved Policy P3 of the Local Plan First Review 1994 and Policy CS19 of the Core Strategy 2014.

Other matters

Thames Estuary and Marshes Ramsar / Special Protection Area (SPA) – SAMMS Tariff:

As the application site is within 6km of the Thames Estuary and Marshes SPA/Ramsar Sites and would provide additional residential accommodation, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. On this basis a tariff of £551.76 is required (given there would be two dwellings proposed on the site).

The applicant has signed a SAMMS Contribution Agreement and paid the appropriate tariff for the development, which would meet the requirements of paragraphs 174 and 180 of the NPPF 2021 and Policy CS12 of the Core Strategy 2014.

Housing Need

The proposed development would provide a net increase of two dwellings at the site, and would offer a small contribution towards meeting local housing need. Accordingly, this weighs in support of the application, particularly where evidence has shown that the Council cannot currently demonstrate a five year housing supply. As the development would provide housing in the urban area, it would comply with the requirements of Policy CS02 of the Core Strategy 2014.

Conclusion

In this case, the proposal would provide a small contribution towards increasing housing provision in the area, and subject to conditions, the revised proposal is considered to be acceptable in terms of the design and impact of the proposal on the application site and the character and appearance of the surrounding area, and with regards to residential amenity and highway matters. In addition, the proposal would be acceptable in terms of bird interest. The proposal would therefore comply with the requirements of Saved Policy P3 of the Local Plan First Review 1994, Policies CS01, CS02, CS11, CS12, CS14, CS15 and CS19 of the Core Strategy 2014, and paragraphs 11, 111, 119, 124, 126, 130, 174 and 180 of the NPPF 2021, and the standards set out in the NDSS 2015, SPG2 2020 and SPG4 2006.

Recommendation:

Approval with conditions.

See draft Decision.

Case Officer: Katherine Parkin	Team Leader:
Signed: K. Parkin	Signed:
Dated: 20/04/2022	Dated: