



Delegated Report

Prior Approval Application

Planning Application No: 20240942

Location: 44 - 46 The Grove Gravesend Kent DA12 1DF

Description: Prior approval for the change of use of 44-46 The Grove from office use (Class E) to 37 residential units (Class C3) under Part 3, Schedule 2, Class MA of the General Permitted Development (England) Order 2015 (GPDO).

Applicant: Substantia Capital

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

Planning Application Form;
Drawing No. 100.001 – Existing Block and Location Plan;
Drawing No. 100.002 – Existing Site Plan;
Drawing No. 100.012 – Existing Lower Ground Floor Plan;
Drawing No. 100.013 – Existing Ground Floor Plan;
Drawing No. 100.014 – Existing 1st Floor Plan;
Drawing No. 100.015 – Existing 2nd Floor Plan;
Drawing No. 100.016 – Existing 3rd Floor Plan;
Drawing No. 100.020 – Existing Elevations;
Drawing No. 200.001 – Proposed Site Plan;
Drawing No. 200.010 – Proposed Lower Ground Floor Plan;
Drawing No. 200.011 – Proposed Ground Floor Plan;
Drawing No. 200.012 – Proposed 1st Floor Plan;
Drawing No. 200.013 – Proposed 2nd Floor Plan;
Drawing No. 200.014 – Proposed 3rd Floor Plan;
Drawing No. 200.020 – Proposed Elevations;
Cover Letter;
Phase 1 Desk Study (Contamination Report);
Daylight and Sunlight Assessment;
Transport Note; and
Noise Impact Assessment.

Relevant Planning History

Reference	Description	Decision	Decision Date
20210291	Application for a determination pursuant to Article 3, Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as to whether Prior Approval is required in respect of the proposed change of use of second and third floors from Class E (previously Class B1(a)) (offices) to 12 residential	Granted	29.04.2021

	units (Class C3 (dwellinghouses)).		
20210256	Application for a determination pursuant to Article 3, Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as to whether Prior Approval is required in respect of the proposed change of use of the first floor from Class E (previously Class A2) (financial and professional services) to 2 residential units (Class C3 (dwellinghouses))	Prior Approval Not Required	29.04.2021
19870536	Circular 18 84 consultation in respect of the erection of a single storey rear extension to form office	Refused	08.03.1988
19623494	revised application for car park	Permitted	08.01.1970
19622494	Petrol filling station with retail sales and parking facilities with multi-storey offices over. Foul water to main sewer in The Grove.	Permitted	27.01.1966
19632393	Garage forecourt & storage tanks	Permitted	12.08.1963
19620494	Six storey block comprising garage and petrol filling station with retail sales on ground floor and office accommodation.	Permitted	25.10.1962

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles

Gravesham Local Plan: First Review (1994)

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

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed and beautiful places

- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – nationally described space standard (2015)
- SPG4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)

Consultations, Publicity and Representations

The application has been advertised on site. The consultation period expired on 22 November 2024.

Consultees

Kent Police Designing Out Crime

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We recommend SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. The points below identify my recommendations for the layout and design of this scheme.

1. Consideration should be given to the provision of informal association spaces for members of the community, particularly young people. These must be subject to surveillance but sited so that residents will not suffer from possible noise pollution, in particular the green spaces surrounding the site, any parking areas/ courts and pedestrian routes. These areas must be well lit and covered by natural surveillance from neighbouring properties.
2. Perimeter, boundary and divisional treatments must be a minimum of 1.8m in height. Any alleyways to have secure side gates, which are lockable from both sides, located flush to the front building line.
3. To meet SBD guidance we would strongly recommend the installation of pavements on both sides of the roads to avoid vehicle and pedestrian conflict and promote safer spaces for families. It is now common practice to have some shared vehicle/ pedestrian areas on secondary routes. If pavements cannot be installed in these shared spaces, we strongly recommend traffic calming measures, especially where there is a curvature in the road.
4. Parking - To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. SBD or solid secure ground or wall anchors can help provide this. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an "active" window e.g. lounge or kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse. Undercroft areas can attract crime and therefore, should be finished in a light colour and be well lit. If car ports are unavoidable, we recommend they be lit and painted in a light colour to optimize surveillance opportunities. For car parks, we recommend the Safer Parking Scheme, which follows CPTED guidance from both the police and the British Parking Association.
5. New trees should help protect and enhance security without reducing the opportunity for surveillance or

the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.

6. Lighting - Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states: "18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided." Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.

7. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors and individual flat entrance doors to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please note PAS 24 is a minimum-security standard, and communal doors may require a higher standard, such as STS or LPS.

8. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.

9. We advise on the use of ground/ wall SBD or sold secure anchors within a cycle storage area/ sheds of dwellings to deter bicycle theft. Bin storage must also be secure with access control.

10. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access-controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.

11. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.

12. We recommend "A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019" for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.

13. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.

14. CCTV is advised for all communal entry points and to cover the mail delivery area.

15. Security Compartmentation is required in larger apartment blocks (over 25 units) or fewer in densely populated buildings or areas of higher crime. It helps reduce the opportunity for crime, the taking over the home of a vulnerable person in order to create a base for criminality and unauthorised free access throughout the building. It can be achieved with formal access control on lifts, staircases and lobby doorsets on all floors.

16. Defensible spaces. Corner properties require well established boundaries to avoid desire lines across front gardens. This can be provided by using hedges or knee rails/ fences, for example.

17. Blank Walls. It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces. This type of elevation tends to attract graffiti, inappropriate loitering, and ball games. The provision of a 1m buffer zone using either a 1.2 – 1.4m railing or a 1m mature height hedge with high thorn content should address those issues.

18. Vehicle mitigation may be required on pedestrian routes, to prevent mopeds or similar vehicles accessing the area and causing nuisance.

19. Open space. Open space areas must be well lit and boundaries must be clearly defined to avoid conflict or ball games causing nuisance. For any LAP or LEAP, we recommend fencing at a minimum height of 1.2m and vandal resistant play equipment. Consideration should be given to a single dedicated entry and exit point to enable adult control/supervision.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant,

machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

NHS Primary Care Estates

NHS Kent and Medway has responsibility for planning healthcare services in Kent and Medway and reviews planning applications to assess the direct impact on healthcare.

I refer to the above full planning application which concerns the proposed residential development comprising up to 37 dwellings.

NHS Kent and Medway has assessed the implications of this proposal on delivery of healthcare services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution.

In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests:

1. Necessary
2. Related to the development
3. Reasonably related in scale and kind

We have applied these tests in relation to this planning application and can confirm the following specific requirements. **The calculations supporting this requirement are set out in Appendix 1.**

	Total Chargeable units	Total (See Appendix 1)	Project
Healthcare services provided in the community	37	£31,968	Towards refurbishment, reconfiguration and/or extension of existing general practice and other healthcare premises covering the area of development <u>or</u> new premises for general practice or healthcare services provided in the community in line with the healthcare infrastructure strategy for the area.

The obligation should also include the provision for the re-imbursement of any legal costs incurred completing the agreement (where relevant).

Justification for infrastructure development contributions request

This proposal will generate approximately 89 new patient registrations in general practice based on the dwelling mix provided in Appendix 1. The proposed development falls within the current practice boundaries of Gravesend Medical Centre, Parrock Street Surgery, Old Road West Surgery, Rochester Road Surgery and Springhead Health. The proposal will also increase demand on other healthcare services provided to the local population and will be considered as part of the integrated models of care that will be developed along with the infrastructure strategy

for the Dartford, Gravesham and Swanley Health and Care Partnership area.

There is currently limited capacity within existing healthcare premises to accommodate growth in this area. The need from this development, along with other new developments, will therefore need to be met through the creation of additional capacity in general practice and other healthcare premises. Whilst it is not possible at this time to set out a specific premises project for this contribution we can confirm that based on the current coverage of health care services and location of this application, we would expect the contribution to be utilised as set out above. Any premises plans will include the pooling of S106 contributions where appropriate.

In addition to the above we request that any S106 agreement regarding a financial contribution recognises the following:

- Supports the proactive development of premises capacity with the trigger of any healthcare contribution being available linked to commencement or at an early stage of development.
- Allows the contribution to be used towards new premises in the area serving this population in line with the Infrastructure Strategy and priorities for the Dartford, Gravesham and Swanley Health and Care Partnership area.
- Allows the contribution to be used towards professional fees associated with feasibility or development work for existing or new premises.

I would be grateful if you could advise me of the Council's decision in due course, should you require any further information, or points of clarification in the meantime please contact me using the above email address.

Appendix 1

NHS Kent and Medway currently uses a formula for calculating s106 contributions which has been used for some time and is calculated as fair and reasonable. This calculation is based the number of proposed units multiplied by the assumed occupancy multiplied by £360.

Where the application identifies unit sizes the following predicted occupancy rates will be used.

1 bed unit @ 1.4 persons
2 bed unit @ 2 persons
3 bed unit @ 2.8 persons
4 bed unit @ 3.5 persons
5 bed unit @ 4.8 persons

Where the unit sizes are not identified then an average occupancy of 2.4 persons will be used.

The calculations for this development are:

37 dwellings x 2.4 persons = 88.8 persons
88.8 persons x £360 = £31,968

Officer Comments: It should be noted that S106 Contributions do not apply in prior approval applications and therefore these contributions will not be sought.

GBC Environmental Protection

We have the following comments;

Noise

Whilst a noise impact assessment report has been provided (ref 26800.NIA.02) it makes no mention of the

Royal Mail depot directly opposite the proposed development. The postal depot will see traffic movements, collections and deliveries during unsociable hours when other background traffic noise will be minimal to absent, and this could lead to disturbances if appropriate glazing is not in place.

The report advises that the current glazing is single glazed. Whilst this would have been suitable for an office, it is very likely to be unsuitable for residential use and offer minimal insulation from external noises, such as traffic movements and other associated activities at the postal depot.

We therefore recommend that the report's recommendations under 6.0, 6.1 and 6.2 for the installation of either double glazing or secondary glazing are conditioned.

Code of Practice on Construction and Demolition:

Please apply to prevent nuisance from noise and dust during the conversion and construction phases, occurring to nearby premises.

Smoke Control Informative:

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative:

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

The proposed change of use would result in a substantial increase in the amount of foul waste entering the public sewer therefore we recommend that Southern Water Services is contacted by the applicant, all subsequent advice from Southern Water is followed and consent is obtained from them.

Contaminated Land

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Asbestos informative:

Owing to the likelihood of the existing building containing asbestos products, the applicant should be informed to contact the Health and Safety Executive (HSE) for advice on the submission of a suitable method statement for removal. Any asbestos found on site must be removed in a controlled manner by an appropriately qualified operator. This is in the interests of safeguarding the amenity of the surrounding area and safety.

Officer's Analysis

Proposal

This application seeks determination pursuant to Article 3, Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as to whether Prior Approval is required in respect of the proposed change of use from Commercial, Business and Service (Use Class E) to Dwellinghouses (Use Class C3).

The existing property comprises a four-storey property with lower ground floor parking area, currently in use as offices under Use Class E. There have been two previous prior approval applications for the change of use of the first, second and third floors into residential (App. Refs. 20210256 and 20210291), which were granted on 29.04.2021 . It would appear that these have not been implemented.



The proposal involves the conversion of the ground, first, second and third floors to residential, with some internal alterations only and the lower ground floor parking area reconfigured to provide secure cycle and refuse storage. There will be no external changes. The accommodation will provide 37 new residential units, comprising of 7no. studios and 3no. 1 bedrooms on the ground floor, 8no. studios and 1no. 1 bedroom on the first floor, second and third floors. The studio comprise of a combination of open plan and partially portioned, living, kitchen and bedroom areas with separate bathroom. The 1 bedroom units have an entrance hall, bathroom, bedroom and open plans kitchen/dining/living area.

The front forecourt and lower ground floor provides 21 parking spaces (inc. 1no. disabled) secure cycle parking and refuse.

Assessment

Class MA of Part 3 of Schedule 2 of the Town and Country (General Permitted Development) (England) Order 2015 (as amended) permits development consisting of a change of use of a building and any land

within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order. Class MA was inserted by SI 2021 No. 428, and recently amended by SI 2024 No. 141.

Paragraph MA.1. states that development is not permitted by Class MA:

- (b) unless the use of the building fell within one or more of the classes specified in sub-paragraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;
- (d) if land covered by, or within the curtilage of, the building—
 - (i) is or forms part of a site of special scientific interest;
 - (ii) is or forms part of a listed building or land within its curtilage;
 - (iii) is or forms part of a scheduled monument or land within its curtilage;
 - (iv) is or forms part of a safety hazard area; or
 - (v) is or forms part of a military explosives storage area;
- (e) if the building is within—
 - (i) an area of outstanding natural beauty;
 - (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981;
 - (iii) the Broads;
 - (iv) a National Park; or
 - (v) a World Heritage Site;
- (f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or
- (g) before 1 August 2022, if—
 - (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
 - (ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

The following points assess the submitted application against the above criteria:

- (b) Google Maps Street Views show the property as being occupied in November 2022 by 'Job Centre Plus' and is also shown as the same in October 2008; the submitted covering letter (from Savills) describe the building as Job centre and offices. This use falls within one of the classes in sub-paragraph 2 (Class E).
- (d) The site is not part of a site of special scientific interest; a listed building; a scheduled monument; a safety hazard area; or a military explosives area.
- (e) The building is not within: an area of outstanding natural beauty; an area specified for the purposes of section 41(3) of the Wildlife and Countryside Act 1981; the Broads; a National Park; or a World Heritage Site.
- (f) The site is not occupied under an agricultural tenancy.
- (g) The proposal does not fall within Class O (offices to dwellinghouses).

Development under Class MA is permitted subject to the following conditions set out in paragraph MA.2:

- (2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—
 - (a) transport impacts of the development, particularly to ensure safe site access;
 - (b) contamination risks in relation to the building;
 - (c) flooding risks in relation to the building;
 - (d) impacts of noise from commercial premises on the intended occupiers of the development;
 - (e) where—
 - (i) the building is located in a conservation area, and
 - (ii) the development involves a change of use of the whole or part of the ground floor, the impact of

- that change of use on the character or sustainability of the conservation area;
- (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
- (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses; and
- (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost.
- (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

(a) Transport impacts of the development

The site lies close to the Town Centre within the urban area of Gravesend. It is in a sustainable location with good access to public transport links and public car parking. There is provision for parking provision for the property.

In addition to a good level of parking and cycle store, the property is located in a sustainable location.

Prior approval would not therefore be required in terms of the transport and access aspects of the proposed development under paragraph 115 of the NPPF 2023, Policy CS11 of the Core Strategy 2014 and Policies T1 and P3 of the Local Plan 1994.

(b) Contamination

The application involves the conversion of an existing building involving internal alterations only. There would be a low environmental risk from such a proposal. Therefore, no contamination issues should arise as a result of the development and prior approval would not be required in terms of the contamination risks in relation to the building under Policy CS19 of the Core Strategy 2014 and paragraph 189 of the NPPF 2023.

(c) Flooding

The development is in flood zone 1. This means it has a low probability of flooding from rivers and the sea. Therefore, no flood issues should arise as a result of the development and prior approval would not be required in terms of the flood risks in relation to the building under Policy CS18 of the Core Strategy 2014 and paragraph 173 of the NPPF 2023.

(d) Noise

The application site is located within close proximity to a busy town centre location with a late-night economy and early morning/out of hours activities (deliveries etc). The surrounding properties are a mix of residential and commercial with a day care nursery to the south and offices and Royal Mail depot opposite.

A Noise Impact Assessment Report was submitted with the application which concluded that noise levels measured internally demonstrate that the existing external building fabric would be sufficient in providing a suitable residential environment, and existing noise levels meet the design criteria of BS8233:2014, with consideration of the surrounding commercial noise sources. No further mitigation measures should be required in order to protect the proposed habitable spaces from external noise intrusion.

Whilst the majority of the report is accepted, it makes no mention of the Royal Mail depot directly opposite the proposed development. The postal depot will see traffic movements, collections and deliveries during unsociable hours when other background traffic noise will be minimal to absent, and this could lead to disturbances if appropriate glazing is not in place.

The report advises that the current glazing is single glazed. Whilst this would have been suitable for an office, it is very likely to be unsuitable for residential use and offer minimal insulation from external noises, such as traffic movements and other associated activities at the postal depot.

A condition of additional glazing should address the impact on the residential amenity of any future residents of the proposed flats.

On the basis of this condition, the impact on the future occupiers of the application property in terms of noise disturbance would be considered to be sufficiently addressed. Therefore, subject to an appropriate condition, prior approval is granted in terms of the impacts of noise on the intended occupiers of the development under Policy CS19 of the Core Strategy 2014 and paragraph 180 of the NPPF 2023.

(e) Conservation

The building is not located within a conservation area and therefore prior approval would not be required in this regard.

(f) Natural light

As can be seen on the accompanying floorplans, the proposed dwellings will benefit from windows that will serve all habitable rooms and mean that future occupiers will receive a good provision of natural light. Prior approval is therefore granted in terms of the provision of adequate light for the development under paragraph 135 of the NPPF 2023 and Policy CS19 of the Core Strategy 2014.

(g) Industrial area

The site is not in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses, and therefore there would be no adverse impact on the intended occupiers of the development with the introduction of a residential use. Prior approval would not be required in this regard.

(h) Loss of services

As the premises comprises offices, the development does not involve the loss of services provided by a registered nursery or a health centre, and therefore there would be no impact or loss on the local provision of such services. Prior approval would not be required in this regard.

(i) Fire safety

In relation to the interpretation under MA.3., the development does not relate to a building that contains two or more dwellinghouses and satisfies the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (the building is less than 18m in height and less than 7 storeys).

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.

In addition to the criteria of Class MA, the proposed development is subject to Regulations 73 to 76 of the Conservation of Habitats and Species Regulations 2010 (as amended), which require the Local Planning Authority to take into account whether the proposal would, either alone or in combination, have likely

significant effects on a European Site (SPA/SAC/Ramsar site). Regulation 73 (1) of the Habitat Regulations states: "It is a condition of any planning permission granted by a general development order... that development which is likely to have a significant effect on a European site... (either alone or in combination with other plans or projects)... must not be begun until the developer has received written notification of the approval of the local planning authority under regulation 75."

The proposed development is considered to have likely in-combination effects due to its recreational impacts. Thus, any successful application would need to satisfy the requirements of the Habitat Regulations and would require a financial contribution of £328.27 per residential unit to mitigate the adverse impacts.

An informative to this effect would be added to any approval.

Conclusion and Recommendation

The application meets the criteria as set out in Class MA of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and in considering that criteria, the proposal is considered acceptable with regard to transport impacts, contamination risks, flooding risks, noise impacts, the provision of adequate light, impact in relation to a residential use in an industrial area, loss of services and fire safety. On this basis, no objection is raised under Paragraphs 115, 135, 173, 180, and 189 of the NPPF 2023 and Policies CS02, CS11, CS18, and CS19 of the Core Strategy 2014, and saved Policies T1 and P3 of the Local Plan 1994. Prior approval is granted subject to the time limit and restricted use conditions set out at (5) and (6) of paragraph MA.2, as well as conditions relating to noise and sound insulation assessments.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	5 th December 2024	Dated:	9th December 2024