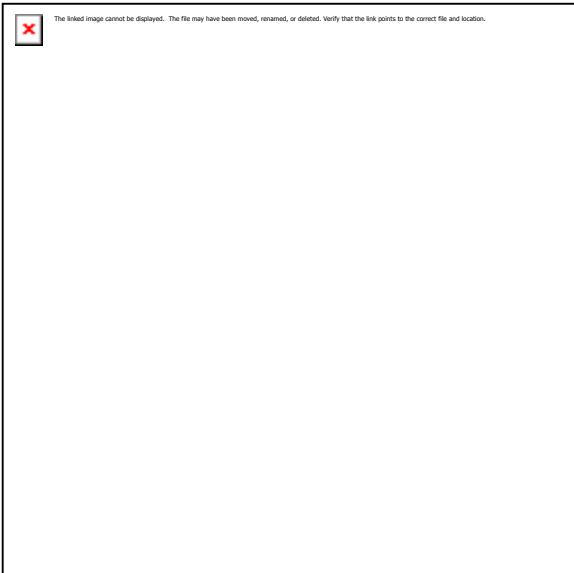




Delegated Report

Planning Application

Planning Application No: 20220174

Location: Revitalize 168 Windmill Street Gravesend Kent

Description: ****REVISED/AMENDED DESCRIPTION****
Application for the removal of Condition 2 attached to application reference 20190768 for variation of condition 2 attached to planning permission reference number 20170438 for continued use of the basement and ground floor from A4 to A1/D1 health and fitness clinic, alterations to the Stone Street frontage to replace the shop front and to install a new internal staircase leading to the existing first floor flat, new internal staircase between the basement and ground floor; to remove the requirement to provide a pavement light.

Applicant: Mr Elliott Read, Revitalize

Site Visit Date: 22 April 2022

Submitted Documents/Plans

- Application form;
- Drawing no. 001 Rev. B (West Elevation As Existing, As Approved & As Proposed & Site Plan);
- Drawing no. 002 Rev. B (Ground Floor Plan As Existing, As Approved & As Proposed).

Relevant Planning History

Reference	Description	Decision	Decision Date
20170438	***AMENDED APPLICATION/REVISED PLANS*** Continued use of the basement and ground floor from A4 to A1/D1 health and fitness clinic, alterations to the	Permitted	10.08.2017

	Stone Street frontage to replace the shop front and to install a new internal staircase leading to the existing first floor flat, new internal staircase between the basement and ground floor.		
20190768	Application for the variation of condition 2 attached to planning permission reference number 20170438 for continued use of the basement and ground floor from A4 to A1/D1 health and fitness clinic, alterations to the Stone Street frontage to replace the shop front and to install a new internal staircase leading to the existing first floor flat, new internal staircase between the basement and ground floor; to remove the requirement to provide a pavement light.	Permitted	10.10.2019

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- TC3 – Development Affecting Conservation Areas
- TC9 - Shopfronts

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)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places

Supplementary Planning Guidance

- King Street Conservation Area Character Appraisal (2009)
- Management Plan – Gravesend Town Centre Conservation Areas (2009)

Consultations, Publicity and Representations

Consultees

KCC Heritage

I have no archaeology comments to make in this case.

No response from:

- GBC Conservation Officer

Neighbouring properties

14 surrounding properties were consulted plus site notice – no responses received. Overall consultation date expired 1 April 2022.

Officer's Analysis

The application site consists of a former public house which is now in use as a health and fitness clinic. The building has frontages onto both Windmill Street and Stone Street and it is the elevation fronting Stone Street which is the nature of this current application. The site is located in the King Street Conservation Area.

The principle consideration in the assessment of the application is design, character, appearance and heritage.

Planning permission was granted under ref. 20170438 for continued use of the basement and ground floor from A4 to A1/D1 health and fitness clinic, alterations to the Stone Street frontage to replace the shop front and to install a new internal staircase leading to the existing first floor flat, new internal staircase between the basement and ground floor. The applicant themselves was proposing to alter the existing frontage and install a shopfront, this was not the result of any other instigation.

Conditions were as follows:

1. *The development hereby permitted shall be carried out in accordance with the following approved plans:*

*Drawing No 17/199/01: Existing Floor Plans;
Drawing No 17/199/02: Existing Elevations;
Drawing No 17/199/03: Proposed Floor Plans;
Drawing No 17/199/04: Proposed Elevations; and
Drawing No 17/199/05: Proposed Second Plan.*

and pursuant to any conditions contained herein after and there shall be no deviation therefrom, save with the prior written consent of the Local Planning Authority having first been obtained.

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

2. *Within 2 months of the date of this permission, and notwithstanding the details shown in Drawing no's. 17/199/03 & 17/199/04, full details of the pavement light and proposed shop front (to include all components of the shopfront - cornice, fascia, corbel, pilasters, cill and stallriser at a scale of ½ or full size in plan, section and elevation) including a method statement and schedule of repairs for the retention of the existing rear cornice and parapet above the proposed shop front, and which should include a 1/5 detail section, shall be submitted to and approved in writing by the Local Planning Authority. The approved shopfront and pavement light shall then be installed and the agreed repairs undertaken within 6 months of the date of the approval of these details.*

Reason In order to ensure an acceptable standard of development upon completion, in accordance with adopted Policy CS19 and CS20 of Gravesham Local Plan: Core Strategy (September 2014) and saved policy TC3 of Gravesham Local Plan First Review (1994).

3. *The use hereby permitted shall be restricted to an Osteopathic and Sports Injury Clinic only within the meaning of Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, with ancillary Class A1 retail sales and the basement and ground floor of the premises shall not be used for any other purpose including any other use within Class D1 of the said Order, or any provision equivalent to that Class in any statutory instrument revoking*

and re-enacting that Order with or without modification, unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason To ensure that the premises are used for purposes appropriate to the town centre location and in accordance with Policy CS05 of Gravesham Core Strategy (2014).

4. *The D1 use as hereby permitted shall operate only between the hours of 06:00 and 20:00 on Monday to Friday and 07:00 to 16:00 Saturday and the A1 ancillary use shall operate only between the hours of 09:00 and 18:00 on Monday to Friday and 09:00 to 16:00 Saturday.*

Reason To safeguard the interests of occupiers of adjoining and nearby residential properties and in accordance with Policy CS19 Development and Design Principles.

In 2019 a variation of condition application (20190768) was approved for 'Application for the variation of condition 2 attached to planning permission reference number 20170438 for continued use of the basement and ground floor from A4 to A1/D1 health and fitness clinic, alterations to the Stone Street frontage to replace the shop front and to install a new internal staircase leading to the existing first floor flat, new internal staircase between the basement and ground floor; **to remove the requirement to provide a pavement light**. This was approved on 29 April 2021 with the following conditions – the amendments to the original conditions are highlighted in red:

1. *The development hereby permitted shall be carried out in accordance with the following approved plans:*

Originally Approved Plans:

Drawing No 17/199/01: Existing Floor Plans;

Drawing No 17/199/02: Existing Elevations;

Drawing No 17/199/03: Proposed Floor Plans; (except insofar as revised by Drawing no.WS168-A-P1 below)

Drawing No 17/199/04: Proposed Elevations;

Drawing No 17/199/05: Proposed Second Plan;

Revised Plans Approved:

Planning application form for removal or variation of condition;

Red line site boundary plan; and

Drawing No. WS168-A-P1 Original, approved and proposed ground floor layout.

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

2. *Notwithstanding the details shown in Drawing no's. 17/199/03 & 17/199/04, full details of the proposed shop front (to include all components of the shopfront - cornice, fascia, corbel, pilasters, cill and stallriser at a scale of ½ or full size in plan, section and elevation) including a method statement and schedule of repairs for the retention of the existing rear cornice and parapet above the proposed shop front, and which should include a 1/5 detail section, shall be submitted for approval by the Local Planning Authority before 02 December 2019. The approved shopfront shall then be installed and the agreed repairs undertaken within 6 months of the date of the approval of these details.*

In order to ensure an acceptable standard of development upon completion, in accordance with adopted Policy CS19 and CS20 of Gravesham Local Plan: Core Strategy (September 2014) and saved policy TC3 of Gravesham Local Plan First Review (1994).

(Note: Reference to details of pavement light to be submitted have been deleted and a new 2 month period given for submission of the shopfront details from the date of the decision of ref. 20190768)

3. *The use hereby permitted shall be restricted to an Osteopathic and Sports Injury Clinic only within the meaning of Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, with ancillary Class A1 retail sales and the basement and ground floor of the premises shall not be used for any other purpose including any other use within Class D1 of the said Order, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, unless a specific grant of planning permission has been given by the Local Planning Authority.*

To ensure that the premises are used for purposes appropriate to the town centre location and in accordance with Policy CS05 of Gravesham Core Strategy (2014).

4. *The D1 use as hereby permitted shall operate only between the hours of 06:00 and 20:00 on Monday to Friday and 07:00 to 16:00 Saturday and the A1 ancillary use shall operate only between the hours of 09:00 and 18:00 on Monday to Friday and 09:00 to 16:00 Saturday.*

To safeguard the interests of occupiers of adjoining and nearby residential properties and in accordance with Policy CS19 Development and Design Principles.

Condition 2 was approved under ref. 20200263 on 29/10/2020 and accordingly the approved shopfront was to be installed within 6 months of the date of the approval of those details. The shopfront was not installed within that 6 month period and has still not been installed.

The applicant has now submitted this current application to remove the requirement of condition 2 of for a new shop front facing Stone Street to be installed. It is said that the shopfront is no longer required.

There are a number of other buildings along Stone Street which do not have shopfronts such as the Oxfam unit at no. 166 Windmill Street. Furthermore, the elevation of the application site facing Stone Street is considered to not be unattractive given that it has historic brickwork (albeit painted) and a simple elevation treatment of two single doors and a small window. It is noted that the elevational treatment has been altered from when the building was in use as the Trocadero pub when it had an opening with a door opening with a recess and a high level window although the current elevational treatment has been in place for more than four years and so would be immune from any potential enforcement action.

Although it would be pleasant to have a traditional shopfront as was originally proposed particularly given the site's location in a Conservation Area, the existing situation is not unsympathetic and there are other buildings in Stone Street which also have no shopfront. It is therefore considered acceptable for the shopfront to not be installed if the applicant no longer wishes to install it. Retaining the existing two doors and a window would mean the character and appearance of the King Street Conservation Area would be preserved.

Conclusion

The proposal would be acceptable in respect of design, character appearance and heritage and as such permission is recommended.

Recommendation:

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Ms Rebecca Harrison	Team Leader:	Richard Hart
Signed:	<i>Rebecca Harrison</i>	Signed:	<i>R Hart</i>
Dated:	4 July 2022	Dated:	4th July 2022

Gravesham Borough Council