



Delegated Report

Full Planning Application

Application No: 20211150

Location: 163 Parrock Street, Gravesend, Kent, DA12 1ER

Description: Erection of a four storey rear extension to provide cycle and bin storage at ground floor level, 2 no. one bedroom self-contained flats on the first and second floors, and an increase in the roof height by 700mm and a change in the roof pitch from 32 degrees to 36 degrees to facilitate the conversion of the roof to studio flat on the proposed third floor.

Applicant: Mr Sukhdeep Jawanda

Site Visit Date: Desktop assessment

Submitted Documents/Plans

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

Existing Site Plan received 16 September 2021;
Proposed Site Plan received 16 September 2021;
Existing Block Plan received 16 September 2021;
Proposed Block Plan received 16 September 2021;
Drawing no. A101 (Existing elevations and floor layouts) received 16 September 2021;
Application form received 4 November 2021;
Drawing no. A103 (Proposed Street Scene) received 10 February 2022; and
Drawing no. A102 Rev. C (Proposed Elevations and Floor Layouts) received 1 March 2022.

Relevant Planning History

<u>Application No.</u>	<u>Description</u>	<u>Status</u>	<u>Decision</u>
20210045	Erection of a three storey rear extension to provide a cycle and bin store at ground floor level, and 2 no. one bedroom self-contained flats above.	Permitted	17.06.2021
20160748	Erection of a three storey rear extension to provide cycle and bin storage at ground floor and 2 no. one bedroom self-contained flats at first and second floors.	Permitted	23.09.2016

Development Plan

Gravesham Local Plan Core Strategy 2014

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Design and Development Principles
- CS20 – Heritage and the Historic Environment

Saved Policies in the Gravesham Local Plan First Review 1994

- H5 – Increasing Housing Stock by Conversions
- TC3 – Development Affecting Conservation Areas
- 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 7 – Ensuring the vitality of town centres
- Section 9 – Promoting sustainable transport
- 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
- Section 16 – Conserving and enhancing the historic 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 proposal needs careful consideration as not only is the loft converted to a studio flat, but it appears the first and second floors appear to be converted from a single two bedroom dwelling into 2 x 1 bedroom flats.

The existing residential unit does not have any cycle parking, so with the two extra units only 2 secure cycle parking spaces are required and these are provided on the ground floor behind the shop.

Given the property is located on Gravesend's Town Centre ring road with public car parking nearby, no car parking is required.

No objections.

KCC Highways

Provided the following requirements are secured by condition or planning obligation, then no objection would be raised on behalf of the local highway authority:

- Provision and permanent retention of the cycle parking facilities shown on the submitted plans (drawing no A102 Rev B) prior to the use of the site commencing.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Neighbouring properties

The application has been advertised by individual neighbour letters to 12 properties and on site. As revisions have been made to the application, the most recent consultation periods expired on 10 and 18 March 2022 respectively.

One letter of representation was received further to the initial neighbour consultations, with the following comment:

- Plans should be submitted showing floor plans of loft conversion and an elevation that shows the roof height.

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

Analysis

Proposal

This application seeks permission for the erection of a four storey rear extension to provide cycle and bin storage at ground floor level, 2 no. one bedroom self-contained flats on the first and second floors, and an increase in the roof height by 700mm and a change in the roof pitch from 32 degrees to 36 degrees to facilitate the conversion of the roof to studio flat on the proposed third floor.

Initially, the description of the proposal was incorrect as it only referred to roof alterations. The description was then altered and additional plans submitted to deal with missing information.

The proposed extension is similar to that previously granted under application 20210045, but with an additional storey creating a full four storey extension at the rear, with a flat roof. The extension would extend across the whole width of the property and would project approximately 3.5m to the rear.

Principle Issues

As has been considered under the previous applications, the principle of residential development at this site in the town centre area of Gravesend is acceptable and supported by planning policy.

The proposed development would provide a net increase of 2 dwellings, which would offer a contribution towards meeting local housing need and, accordingly, this weighs in support of the application. The NPPF also encourages the effective use of land in meeting the need for homes, in particular by making as much use as possible of previously developed or 'brownfield' land (paragraph 119), which this site is considered to be. However, this has to be balanced against other requirements in the NPPF, and in particular paragraphs 126, 130 and 190, which respectively require development to achieve high quality, beautiful and sustainable buildings and places; and add to the overall quality of the area, be visually attractive, and create acceptable amenity for existing and future occupiers; and to sustain and enhance the significance of heritage assets and make a positive contribution to local character and distinctiveness. These matters will be considered further below.

The main issues to consider in the determination of this application are therefore the design of the proposed extension and the impact on the character and appearance of the existing property and surrounding area, the effect of the proposal on residential amenities, and its impact on highway safety and parking provision.

Design and Character and Appearance of Surrounding Area

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. 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.

In line with Policy CS05 (Gravesend Town Centre Opportunity Area) of the Core Strategy 2014, it is important that redevelopment is supported where this improves townscape character.

No. 163 Parrock Street is a three-storey, mid-terrace property. The property currently has a vacant retail unit at ground floor level, and a two bedroom self-contained unit of accommodation on the first and second floors. There is a basement to the property which is used as a store in relation to the retail unit on the ground floor. The property has a courtyard garden area to the rear, approximately 34m². There is a single storey rear projection to the property which is likely to have been original to the property.

This section of Parrock Street comprises a continuous terrace of three storey buildings with commercial uses at ground floor level and residential above. There is one building (No. 165) roughly in the centre of the terrace that is four storeys that serves as a central divide between the two slightly different ridge heights of the terrace either side of it. This property marks the boundary of the King Street Conservation Area; the remainder of the terrace (to the south of and including the application property) is outside the Conservation Area.

The roofs of the terrace to either side of No. 165 are hipped, uniform in shape and largely uninterrupted by roof additions. The extent of the rear addition proposed at No. 163 is considered to be excessive and completely out of character with surrounding properties. The ridge height of No. 163 would be increased by approximately 0.45m above the properties either side, which would appear excessive in the context of the lower ridge height of the adjoining properties. The continuation of the ridge height to the rear, and the incorporation of a third floor into the roof at the rear is particularly poorly designed, and gives the property the appearance of four full storeys with a flat roof at the rear. The combination of the roof height and design would result in a development that would look excessively incongruous within the street scene, and particularly dominant against the lower scale and pitched roofs of the neighbouring properties. Existing chimneys would also be removed, which is at odds with the existing roofscape.

Proposed street scene:



It must also be noted that under the previous permission, the amount of development initially proposed was similar to the current scheme, and was reduced due to concerns about the dominant scale and massing of the building being detrimental to the character of the area.

Whilst the NPPF 2021 seeks to support development that makes efficient use of brownfield land such as this site, this should not be outweighed by the clear development plan objective to maintain and improve the character of the area. In this case, the dominant and incongruous design of the proposed extensions to this property would fail to integrate the building into the area and is not considered to make a positive contribution to the street scene and nearby conservation area, contrary to the requirements of paragraphs 124, 126, 130 and 190 of the NPPF 2021 and Policies CS14, CS15, CS19 and CS20 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, and avoid adverse environmental impacts from pollution, including noise, air and odour pollution.

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)
1b	1p / 2p	39 (37) / 50	46.2

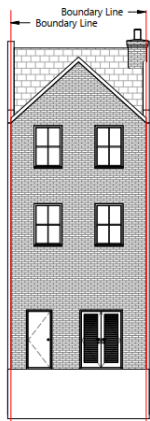
The floor areas of the proposed flats all fall between the acceptable standard for a 1 person or 2 person flat. Under the previous permission for the property, the proposed floor spaces (which have not changed under the current proposal) were considered to be acceptable as the bedroom sizes were greater than the minimum required under Gravesham's residential layout guidelines, the layout was well considered and there was access to shared amenity space. This has not changed under the current application.

On the basis that there is no conflict with the requirements of paragraph 130 of the NPPF 2021, Policy CS19 of the Core Strategy 2014 and the NDSS 2015 in respect of the living accommodation and amenity space for future occupants, the proposal is considered to be acceptable.

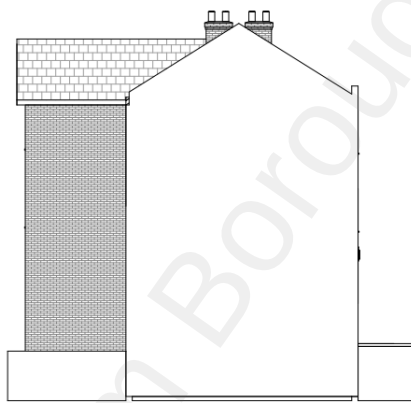
Neighbouring Properties

The depth of the extension was previously considered acceptable and this is not being altered under the current proposal. However, the height of the proposed extension is changing significantly:

20210045 Approved Plans (rear and side):

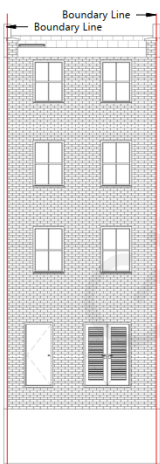


Proposed East Elevation

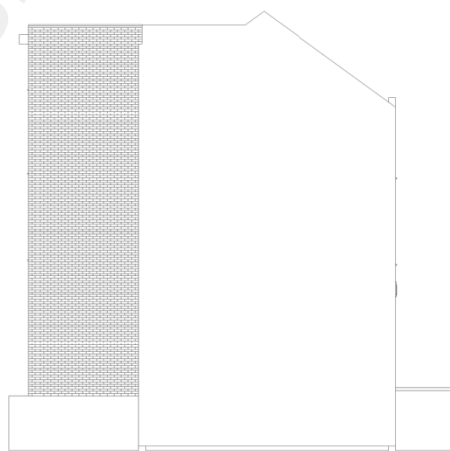


Proposed North Elevation

Current proposed plans (rear and side):



Proposed East Elevation



Proposed North Elevation

The impact on neighbouring amenities from the previously proposed three storey rear extension was considered to be acceptable due to the depth having been determined by the 45 degree rule in relation to outlook. However, it was recognised that it is difficult to extend a property at first or second floor level on a terraced property due to the close proximity of the adjoining properties. This proposal adds to these difficulties by introducing a fourth storey or third level. This is likely to significantly worsen overshadowing to neighbouring properties, and to the rear of No. 164 Parrock Street in particular, which lies to the north of the application site, where a tunnelling effect is likely to be created with the height and bulkiness of the fourth storey. [The application site is marked in red below; No. 164 lies to the right:]



The impact of the proposal on the properties backing onto the site also needs to be assessed. This was previously considered acceptable, despite the back-to-back distances of properties on Parrock Street and Edwin Street being below the acceptable privacy standard according to the Gravesham residential layout guidelines. While this was not considered ideal, it was deemed unlikely that the extension would make matters significantly worse, particularly as there are narrower distances between properties which already exist. There is no change to the depth of the proposed extension, and therefore as before, the impact on privacy is considered to be acceptable.



Overall, due to the excessive height and bulky flat roof of the proposed extension, overshadowing of neighbouring property is likely to be significantly worsened. On this basis, the proposal would fail to safeguard neighbour amenity, contrary to Policy CS19 of the Local Plan Core Strategy 2014.

Parking and Highways

Policy CS11 of the Core Strategy 2014 and saved Policy P3 of the Local Plan 1994 require new development to provide sufficient parking in accordance with the adopted parking standards, taking account of the availability of alternative means of transport and accessibility to services and facilities.

There is no possibility for any off-street parking at the site, but this is a town centre location and therefore no car parking would be required.

However, secure and weatherproof bicycle parking is shown to be provided for the flats within the proposed extension at ground floor level. This should be conditioned to be provided.

Due to the nature of the application, there would be no impact on parking or highway safety from the proposals, nor conflict with the requirements of Saved Policies T1 and P3 of the Local Plan 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Other Material Planning Considerations

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 £507.66 is required (given there would be two additional dwellings proposed on the site).

This tariff was not requested due to the recommendation for the application, and the applicant has therefore not paid this tariff. Without an agreement in place to secure this contribution or any

evidence to inform an appropriate assessment, the Local Planning Authority cannot be satisfied that the proposal would put in place adequate measures to mitigate potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar Sites, which is contrary paragraphs 174 and 180 of the NPPF 2021 and Policy CS12 of the Core Strategy 2014.

Conclusion

The proposal will result in an over-development of the site, and the dominant and incongruous design of the proposed extension to this property would fail to integrate the building into the area or make a positive contribution to the street scene and nearby Kings Street Conservation Area, contrary to the requirements of paragraphs 119, 124, 126, 130 and 190 of the National Planning Policy Framework 2021 and Policies CS14, CS15, CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014.

The excessive bulk and height of the proposed rear extension will result in an unacceptable level of overshadowing, and would therefore fail to safeguard the amenity of neighbouring properties (in particular No. 164 to the north), which would conflict with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.

The proposal fails to secure a contribution towards strategic mitigation measures within the Thames Estuary and Marshes SPA/Ramsar Sites to resolve disturbance issues to wintering birds, and in the absence of this contribution or any evidence to inform an appropriate assessment, the development fails to comply with the requirements of the Habitat Regulations and paragraphs 174 and 180 of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Recommendation:

Refuse.

See draft Decision.

Case Officer: Katherine Parkin	Team Leader: Richard Hart
Signed: K. Parkin	Signed: R Hart
Dated: 22/03/2022	Dated: 22 nd March 2022