



Delegated Report

Householder Planning Application

Planning Application No: 20230427

Location: 48 Jellicoe Avenue Gravesend Kent DA12 5HT

Description: Erection of a two-storey side extension and change of use from a 3 bedroom C3 dwelling into a 6 bedroom C4 house of multiple occupation.

Applicant: Mr Olawale Amusa

Site Visit Date: Previous application

Submitted Documents/Plans

Application Form
Site Location Plan
22-107-S003 – Proposed Floor Plans
48 JELLICOE – 4 A – Existing Elevations
48 JELLICOE – 5 A – Proposed GF Plan
48 JELLICOE – 6 A – Proposed FF Plan
48 JELLICOE – 7 A – Proposed Roof Plan
48 JELLICOE – 8 A – Proposed Elevations
48 JELLICOE – 9 A – Details 1
48 JELLICOE – 10 A – Details 2
48 JELLICOE – 11 A – Details 3
48 JELLICOE – 12 A – Details 3
48 JELLICOE – 13 A – Details 3
48 JELLICOE – 14 A – Details 3
48 JELLICOE – 15 A – Details 3
48 JELLICOE – 16 A – Details 3
48 JELLICOE – 18 A – Notes
Details 3

Relevant Planning History

Reference	Description	Decision	Decision Date
20221058	Erection of a two-storey side extension.	Permitted	09.02.23

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Types and Sizes

- CS15 – Housing Density
- CS18 – Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- H5 – Increasing the Housing Stock by the Conversion of Existing Buildings
- H6 (iii) – Provision to Meet Special Housing Needs
- P3 – Vehicle Parking Standards
- T1 – Impact of Development on Highway Network
- T5 – Access to Identified Highway Network

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 5 – Delivering a Sufficient Supply of Homes
- Section 9 – Promoting Sustainable Transport
- Section 12 – Achieving sustainable development and well-designed places

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)
- Guidance for HMO Amenity Standards (2023)

Consultations, Publicity and Representations

Consultees

Ward Councillors: No response received.

GBC Highways Officer: No response received.

GBC Private Housing:

Having had a quick look over the plans, the communal kitchen would need to achieve at least 9m2, where all 6 occupants are sharing.

It's a little confusing to know if there are cooking facilities being provided within the 3 bedrooms with kitchen sinks. I assume there isn't as there is no cooker symbol, but then there are fire blankets noted. We'd require clarity on this.

If the three bedrooms do have cooking facilities, then the communal kitchen would be adequate in size for the 3 occupants without cooking facilities.

*Where bedrooms achieve at least 10m2 we can class these as “bedroom with living space”. The lounge room could be reclassified as communal dining space.
I hope the above helps, it all depends on the cooking facilities to those 3 bedrooms.*

GBC Waste and Refuse Officer:

I have reviewed the amended planning application and have the following comments on refuse collection arrangements.

The property is a 6-bedroom HMO so the property requires space for a minimum of 2 x 240ltr bins for each material type (refuse and recycling). To allow for food waste there needs to be space for 3 x 23ltr food caddies.

I have detailed below the measurements of each type of bin.

Capacity	240ltr Recycling Bin	23ltr Food Caddy
Length	585mm	380mm
Width	740mm	290mm
Height	1100mm	405mm

Neighbouring properties

The final date to submit comments ended on 7th June 2023.

7 surrounding properties were consulted, and one comment from a member of the public was received.

Summary of objection:

- There is insufficient parking for a dwelling of this size.
- The road is already very busy, and this would be exacerbated by this development.
- There is insufficient on street parking, and this would result in less spaces for existing residents.

Officer's Analysis

Proposal

This application is an alternative scheme to that approved under planning reference 20221058 for a two-storey extension. Externally, the proposed would remain the same as approved, in terms of scale, location and appearance. The main change presented in this proposal would be the use of the building as a house of multiple occupation. As previously ascertained the existing dwellinghouse holds a total of 4 bedrooms. The proposed scheme would result in a 6 bedroom House of Multiple Occupation.

The proposed HMO would consist of the following:

- Two ground floor bedrooms with ensuite and kitchen facilities.
- A ground floor bedroom without facilities.
- A communal ground floor kitchen.
- A communal ground floor shower and WC.
- Two first floor bedrooms with ensuite and kitchen facilities.
- A first-floor bedroom without facilities.
- A communal first floor bathroom and WC
- A communal first floor Lounge.

Summary Information

	Proposed Two Storey Extension (m)	Proposed Single Storey Extension (m)
Max height	7.7	3.2
Max eaves height	5.4	N/A (Flat Roof)
Max Width	3.7	2.4-3.7
Max Depth	5.6	2

Housing Need

Paragraph 11 of the National Planning Policy Framework (2021) requires that *‘Plans and decisions should apply a presumption in favour of sustainable development’*.

The most recent assessment of Gravesham’s Housing Land Supply was calculated at 3.27 years supply. This falls substantially below that required by the Housing Delivery Test. Given the inability to demonstrate a 5 Year Housing Land Supply, the housing delivery element of Gravesham’s Local Plan Core Strategy (2014), Policy CS02 must be disregarded, as out of date, in accordance with Paragraph 11(c) and (d) of the National Planning Policy Framework (2021).

This requires that for 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 relation to part i. those relevant are set out in footnote 7 as follows:

- Habitats sites (and those sites listed in [paragraph 181](#))
- Sites of Special Scientific Interest;
- Land designated as Green Belt
- Local Green Space,
- Area of Outstanding Natural Beauty,
- a National Park (or within the Broads Authority) or defined as Heritage Coast; Irreplaceable habitats;
- Designated heritage assets (and other heritage assets of archaeological interest referred to in [footnote 68 in chapter 16](#))
- Areas at risk of flooding or coastal change

Therefore, there is a ‘tilted balance’, in favour of planning permission involving an increase in housing provision. However, development should still be assessed against other relevant planning policies within the development plan.

In this instance, the proposed development would provide a net increase of 2 bedrooms at the property. However, HMOs cannot be counted as net additional dwellings as they would have been counted as a net additional dwelling in a previous year. A HMO would only contribute towards the local housing need if the HMO is created by change of use from a non-residential building. As such the application does not affect the five-year housing supply.

Suitability for Conversion and Change of Use

The application site is in use as a dwellinghouse. The existing use falls under the C3 of the Town and County Planning (Use Classes) Order 1987 (as amended) and has 4 bedrooms.

Saved Policy H5 of the Local Plan 1994 seeks to accommodate the growing numbers of smaller households and provide low-cost accommodation, while taking into consideration the character and amenity of existing housing areas where single family occupancy is the norm.

In considering proposals for the conversion of existing properties to various forms of multiple occupancy, Policy H5 (i) sets out that development should be in an appropriate area for conversion to flats, maisonettes, bedsitters and multiple occupancy. It also notes that unless there are special or overriding circumstances, conversions will not normally be permitted in an area comprised for the most part of single-family dwellings.

Policy H5 (ii) requires that the application building shall be of such a size and arrangement as to be generally unsuitable for single-family occupation (i.e. in excess of two storeys in height and with more than 6 habitable rooms).

Prior to works being undertaken for the extant permission for extensions, and in considering the submitted existing floor plans, the application property contains 4 bedrooms and has consent to be increased to a 6 bedroom property. Its size is therefore in excess of the two and three bedroom family homes sought to be particularly retained by Policy CS14 of the Core Strategy 2014. As a whole, the size and internal arrangement of the application building would lend itself for a HMO use, given the number of bedrooms, height of the building and overall number of rooms within the property.

In terms of the character of the area, it is acknowledged that there are other non-single dwellings/HMOs in the immediate vicinity, including:

- 24 - 28 Kitchener Avenue - Flats
- 30 Kitchener Avenue - Flats
- Pegasus Court – Retirement Flats

Given this mixed residential character, and the proposed continued residential use of the site in the form of an HMO, such an application for a change of use is not considered to erode the overall residential character of the area.

It must also be recognised that the site is close to the town centre, and being in an accessible, sustainable and mixed residential location, it is considered to be in an appropriate area for an HMO use. On this basis, it is considered that a HMO use would comply with the requirements of saved Policy H5 of the Local Plan 1994 and Policy CS14 of the Core Strategy 2014.

Design, Character and Appearance

It is noted that the proposed scheme would not alter the external appearance of the building from that approved under the recent planning application reference, 20221058. That assessment is relayed below and is unchanged by this proposal.

Extensions:

The proposed extension would be a part two storey side extension which towards the rear drops to a single storey flat roof extension. The existing dwellinghouse has a depth of 8m and a width of 6.8m. The proposed extensions cumulatively have a depth of 7.6m and width of 3.6m. Given that only 5.6m of this depth would be two storey in height on balance the scale alone would not be disproportional to the main dwellinghouse. In terms of design, features such as the 0.3m setback from the front elevation, the symmetrical roof pitch, the 0.3m step down from the ridge, retained eaves and the appearance of a step in at two storey, work together to increase the subservient appearance of the additions.

The application form states that the extensions would use white render to the exterior elevations with grey roof tiles to match the existing dwellinghouse.

Access and Driveway:

The proposed development would also alter the existing vehicular access, shifting it further to the south east on the boundary with Jellicoe Avenue. The majority of dwellinghouses in this area retain their green frontage and do not provide off road parking provision. However, there are some instances of driveways in

the area and given that this dwellinghouse currently contains a vehicular access and drive, it would not be uncharacteristic of this dwellinghouse. However, details of boundary treatment and hard and soft landscaping have not been provided. Where approved further details would be required by condition to ensure that the details are appropriate and characteristic of the wider context and would not result in significant and unsympathetic levels of hard surfacing and inappropriate boundary treatments.

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF (2021) in terms of design, character and appearance.

Amenity of Future Occupiers

The NPPF (2021) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, 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 impact on neighbours will be assessed in the next section of the report.

The planning agent has confirmed that the 6 rooms proposed would be single occupancy. 4 of the rooms would have their own kitchen areas including storage, hobs and sink. The remaining 2 bedrooms would have shared use of the communal kitchen facilities. As per correspondence with the GBC Housing Officer, given that 4 of the rooms would contain their own kitchens, the size of the shared kitchen would be appropriate. The lounge room could be classed as communal dining space. All rooms would comply with the requirements of the Guidance for HMO Amenity Standards (2023).

Neighbouring Amenity

As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, one objection to the proposal was received. This related to parking which would be more appropriately considered separately from this section.

Externally the alterations proposed would reflect the changes approved under planning reference 20221058. These were considered acceptable in terms potential impact to neighbouring properties. Given that the development would remain as approved externally, there would be no concerns regarding impact to residential amenity of neighbours.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the 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 are no direct vehicle parking standards for HMOs. Therefore, the proposal has been considered with regard to the adopted parking guidance for new dwellings

The proposed driveway indicates provision of 4no vehicular parking spaces. This would provide an adequate level of parking provision for 4 or more bedrooms. It is noted that given that there is an increase of 3 bedrooms, three cycle parking spaces must be provided. Details of cycle parking have not been provided but can be reserved by condition where approved. The existing access does not have a carriage crossover and so conditions would be implemented to ensure that this access is closed and that the proposed access seeks necessary consents from KCC highways to drop the kerb fronting the new access and undertakes those works prior to use of the driveway. In the interest of highway safety, a

condition would also ensure that gates are not installed within a depth of 5.5m clearance from the back of the highway to prevent highway obstruction.

Adequate parking provision would therefore be available, in compliance with policies T1 and P3 of the Local Plan First Review 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

Any Other Material Planning Considerations

Waste Management

The provision of suitable arrangements for waste storage is a condition of issuing a HMO license. The plans do not indicate where the bins will be stored. However, details of refuse can be conditioned. The Council's Waste and Recycling Manager raised no objections to the proposed arrangement. However, a condition relating to refuse will be attached to the decision notice to ensure that adequate bins are provided and that the store will not have a detrimental impact on the character or appearance of the building or Upper Windmill Street Conservation Area. Moreover, an informative will be attached to the decision notice detailing that bins should be purchased from the Council.

Ecology and Biodiversity (Bird Mitigation)

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £314.05 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

In this instance, the proposed development would result in the creation of additional recreational activity. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable within 6km of the SPA/Ramsar site of £314.05 per net gain in bedrooms within the property.

The applicant has paid the SAMMS Mitigation Contribution Agreement for 2 additional bedrooms (£628.10) and therefore, has met the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the NPPF (2021) and Policy CS12 (LPCS) (2014).

Conclusion & Recommendation

The proposed development complies with all relevant national and local planning policies, subject to conditions. The recommendation is therefore to approve.

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

Case Officer:	Ms Lisa Williams	Team Leader:	Richard Hart
Signed:		Signed:	

Dated:	20th June 2023	Dated:	22nd June 2023
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