



Delegated Report

Planning Application

Planning Application No: 20250099

Location: 30 - 32 Perry Street Northfleet Gravesend Kent

Description: Change of use of ground floor unit to hot food takeaway with the installation of an extraction flue pipe to the rear and conversion of two first floor flats into one single flat.

Applicant: Mr Ashraf Abou Taleb

Site Visit Date: 20.03.25

Submitted Documents/Plans

Application Form

00001 Rev A 02 - Existing and Proposed Floor Plan, Elevations and Roof Plan

00001 Rev A 03 - Existing and Proposed Floor Plan, Elevations and Roof Plan

00002 Rev A 02 – Block and Location Plan

00003 Rev A 01 – Flue Pipe and Canopy

00004 Rev C02 – Existing and Proposed Floor Plans

00005 Rev A 01 – 30-32 Layout

Design and Access Statement

Odour Assessment

Email received on 24/04/25 confirming material

Superseded plans:

~~00002 Rev A 01 – Block and Location Plan~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20050343	Erection of detached garage at the rear.	Permitted	16.06.2005

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving 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)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

Ward Councillors

No comments received.

GBC Environmental Protection

Received on 06.03.25:

The following comments are made for consideration:

The Odour Assessment undertake in accordance with the EMAQ guidance is noted and accepted. Although slightly incorrect in that the discharge speed is staged as being 11m/s which gives a score of '10' for dispersion as opposed to the quoted '5', this makes no difference to the overall category of a 'High' level of filtration being required. The extract system has been designed to provide a high level of filtration and odour control, so is acceptable and appropriate. Relevant plans, specifications and technical details have been submitted regarding the odour control. The maintenance details are also acceptable. If planning permission is granted, a condition should be attached requesting the extract system to be installed in accordance with the submitted details for odour control.

With regards to noise, the applicant details advise that the system has been designed to a high specification to give low noise levels with attenuators and anti-vibration rubber mounts. Whilst this may be acceptable, there are residential premises in very close proximity to the extract system – the flat above the premises has a bedroom on this façade and there is also a flat in the adjacent property (no 28) on the 1st floor. In this respect, a noise impact assessment is required to ensure that the appropriate level of attenuation can be provided by the proposed system.

To address this, the following condition is recommended:

Restaurant/Takeaway Noise

Prior to any works commencing on site, the applicant shall:

- 1) Submit a scheme in writing, including a noise survey, to the Local Planning Authority for approval in relation to noise control. The extraction system must be designed and installed in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)". The noise survey should assess the worst-case scenario noise impact from the proposed extract and ventilation system, on nearby residential properties and must:
 - a) Assess the whole system and any tonal elements associated it; a 1/3 octave band analysis may be necessary.
 - b) Assess structural transmission with the use of anti-vibration mounts where necessary, linings to ductwork to prevent noise transmission, any inline silencers and provide details of where they have been installed.
 - c) Use the results of the noise survey to ensure that the noise generated at the boundary of any noise sensitive property meets the requirements laid down in BS4142:2014 "Method for Rating and Assessing Industrial and Commercial Sound".
- 2) Install and commission the extract system using a competent ventilation engineer in accordance with approved details. Provide a commissioning report to the Local Planning Authority to verify the installation, including post completion noise levels.

The equipment shall be maintained and operated in a condition such that the requirements of BS4142:2014 continue to be met. After installation of the approved plant, no new plant or ducting system shall be used without the written consent of the Local Planning Authority.

Reason: In the interests of protecting the amenity of adjoining/nearby residential properties and safeguarding the amenities of the surrounding area

KCC Biodiversity Officer

No comments received.

Natural England

No comments received.

Kent Police Designing Out Crime

Received on 14.02.25:

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. CCTV is advised for all areas, especially at entry points, till areas, and other areas with limited natural surveillance or storage areas containing high-value equipment. Please ensure the CCTV supports the lighting plan.
2. We strongly recommend alarms, with an auto-dial function, be installed on all external doors, including emergency exits.
3. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation, and locks) including folding or sliding to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.
4. Windows on the ground floor 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. Any curtain walling and fixings should be tested and meet BS EN 1627:2011 and/or be certified to LPS 1175: Issue 7, SR1 or STS 202: Issue 3, BR1.
5. 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 Institution of Lighting Professionals), particularly where a lighting condition is imposed, to help avoid conflict and light pollution.
6. Access control. Adequate access control is required for entrances used by staff only such as storage rooms and other restricted areas.
7. Parking - Where unavoidable, the car parking area must be covered by natural surveillance from an "active" window e.g. reception and sufficient lighting. In addition, we recommend CCTV and appropriate signage for visitor bays to avoid conflict and misuse.
8. 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.
9. Waste bins should be kept in a secure enclosure, ideally away from the building as bins can become a climbing aid or even an arson hazard.
10. Any Shutters should be as close to the building line as possible and must avoid the creation of a recess. Shutters must be certificated to LPS 1175: Issue 7, SR2; STS 202: Issue 3, BR2; Sold Secure Gold or PAS 68:2013.

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.

Neighbouring properties

4no. surrounding properties were consulted, and 5 comments were received from members of the public. 4 of which were comments in support and 1 was an objection.

Summary of objection:

- The shopping experience in Perry Street has changed dramatically over the last 20 years or so. It was a satellite shopping area with a department store with Post Office, Supermarket, independent traders such as bakers, butchers, greengrocers and a bank. It is not largely consisting of takeaway food outlets and cafes with food available throughout the day and late into the evening. There are 15 such outlets from the junction with Old Road West/Pelham Road South through to Brook Road opposite All Saints Church in Perry Street. In addition, sandwiches, drinks and snacks can be

purchased from the Co-Op, Tesco Express and other nearby convenience stores. There are enough takeaways and cafes in the surrounding area already.

- The users of takeaway outlets would generate litter and whilst kitchen waste is addressed in the application, nothing is mentioned about the public litter generated and how this would be mitigated.
- There are parking spaces outside the application site but there will be additional vehicles used by delivery companies such as Deliveroo and just eat etc who will park on the footpath as has been seen outside Papa Johns.

Summary of supportive comments:

- The majority of comments are generic and simply state support for the proposal.
- Useful for the public.
- Excited to have a food takeaway shop here.

Officer's Analysis

Site Description

It was evident during the site visit that this retail unit is not currently in use, given that it has shutters. Google map history shows that the site has previously been a print store/sports good store. The planning details, evidence that the first floor includes two-separate flats, one of which is a 2 bed (first floor only) and one is a single bed (Ground and first floor). One is accessed via the store entrance and the other appears to be accessed via the rear of the site.



Photo taken on 20.03.25 by case officer



Google maps image (April 2021)



Google maps image (April 2008)

Principle of Development and Impact on Local Centre

This scheme involves 2 main changes:

- The change of use of ground floor unit to a hot food takeaway with installation of extraction flue pipe to the rear.
- Conversion of existing 2no. flats into a single 3-bedroom flat, with removal of staircase access from ground floor.

Change of Use

Policy CS08 (LPCS) states that the Council will seek to reinforce a sustainable network and hierarchy of centres which include maintaining the sub-regional role of Gravesend Town Centre. It states that Gravesend Town Centre will be maintained as the highest order centre within the Borough and the Primary Shopping Area will be the sequentially preferred location for new retail development.

It also states that the Council will safeguard the retail character and function of existing and new centres by resisting development that would adversely affect their vitality and viability and protect lone village shops.

A similar application resulted in planning permission being refused in 2007 for change of use of no. 153 Whitehill Road, Gravesend, from A1 retail to A5 hot food takeaway and installation of an extraction flue pipe at the rear. This was dismissed on appeal because it would result in a cluster of three A5 (Hot food takeaways) units within a parade of 5 shops, adversely impacting on the retail character and functioning of the local centre. In addition, potential adverse impact on residential amenity was identified notwithstanding the presence of the two existing takeaways. Appeal ref APP/K2230/A/07/2054416 will be included as appendix 1.

It is noted that the 2007 application and the related appeal were determined on the basis of policies S6 and S7 of the Gravesham Local Plan First Review (1994).

Whilst policy S7 was 'saved' and remains material in determining any application, with the weight accorded it dependent on its consistency with the NPPF, policy S6 was superseded by Local Plan Core Strategy (2014) policy CS08 on Retail, Leisure and the Hierarchy of Centres. This seeks to reinforce a sustainable network and hierarchy of centres and affords protection to existing local centres to safeguard their retail character and function. Development that would adversely affect their vitality and viability is to be resisted under the policy. Saved policy S7 (Hot Food Shops and Restaurants and other A3 units) states that such uses should not cluster with other similar uses to create a dead frontage, should not have a detrimental effect on the amenity of any nearby residential accommodation, should have adequate parking and ventilation trunking should be as discreetly located on the building.

In this instance Perry Street is identified on the Core Strategies Policy Map (2014) as a Local Centre. Perry Street is a long road with a number of retail units or varying uses. However, for analysis purposes the following table details the use of those in this parade of units from 4-50 Perry Street.

Unit no.	Use Class	Opening Hours	
4-12	Tesco Express	E(a)	6am-11pm
4-12	KFC	Sui Generis	11am-11pm
12a	Pizza Hut	Sui Generis	Mon-Sat: 11:30am-11pm Sun: 11:30am – 10:30pm
12b	Stars Barbers	E (c) (iii)	Mon-Sat: 9am-7pm Sun: 9am – 5pm
14-18	Co Op	E(a)	7am-10pm
20	Happy Dragon	Sui Generis	5pm-10pm
22	Bombay Tiffin	Sui Generis	4:30pm-10:15pm
24	Wicked Wings	Sui Generis	Sun-Thurs: 12pm-10pm Fri-Sat: 12pm-11pm
26	Gigabytes515	E(a)	Mon-Fri: 9am-5pm Sat: 9am-4pm Sun: Closed
28	Dwellinghouse	C3	N/A
30-32	Application Site – Was Sports/Print Store previously	Established use is E(a)	Mon-Fri: 9am-5pm Sat-Sun: Closed
34-36	Papa Johns	Sui Generis	11am-11pm
38-40	Shine Barbers	E (c) (iii)	Mon-Thur: 9am-6pm Fri: 8:30am-7pm Sat: 8:30am-6pm Sun: 10am-4pm
42	GDG Hair and Beauty	E (c) (iii)	Sun-Mon: Closed Tue-Wed: 9am-6pm Thurs: 9am-8pm Fri: 9am – 6pm

44	SR Stores	E(a)	Sat: 9am-5pm Sun-Thurs: 7am-midnight Fri-Sat: 7am-1am
46	Packham DIY Supplies	E(a)	Mon-Fri: 9am – 5pm Sat: 9am-1pm Sun: Closed
48	Images Hair Salon	E (c) (iii)	Mon-Tue:9am-5pm Wed-Fri: 9am-5:30pm Sat: 8am-5pm Sun: Closed
50	Pizza 2 Night	Sui Generis	11:30am-11pm

Therefore, out of the 18 units there are:

- 6 x E(a) (Display or retail sale of goods, other than hot food) uses (33.3%)
- 4 x E (c) (iii) (Provision of Other appropriate services in a commercial, business or service locality uses (22.2%)
- 7 Sui generis (specifically takeaway) uses (38.9%)
- 1 C3 (dwellinghouse) use (5.6%)

It is evident based on this information that over time, the number of takeaway uses in the area has increased. Should this application be approved, out of the total 18 units, the percentage of E(a) uses would decrease to **27.7%** whilst, the takeaway uses would increase to **44.4%**, which is a significant increase, which edges the number of uses closer to being half of which have a takeaway use. It is noted that the site is located between a dwellinghouse and Papa Johns. It would therefore result in the clustering of 2 consecutive takeaway units together, if approved. In any case, out of the 18 units surveyed, the predominant use is of hot food takeaways and the proposed change of use would exacerbate the intensification of this use.

The proposal would result in the loss of a retail unit and would result in an 11.1% increase in the number of Sui Generis (takeaway units), in the measured area. However, this measured area is only part of the Perry Street local centre which is expansive. But it is undoubtedly the case that the number of takeaways has increased in the area. However, a singular additional takeaway would not result in consecutive cluster of takeaways. As such, it is considered that the proposed change of use from E(a) to Sui Generis takeaway would not have a significant adverse effect on the retail character and function of the local centre contrary to Policy CS08 of the Local Plan Core Strategy, September 2014 and Policy S7 of the Local Plan First Review, 1994.

Flat Conversion

This application is located inside the Urban Boundary. Policy CS02 (Scale and Distribution of Development), identifies first tier settlements, including Gravesend as the most sustainable parts of the borough. Policy CS05 also states that in these areas the council will 'support the provision of new residential development where a satisfactory living environment can be achieved.'

It is therefore evident that the location proposed for residential development is sustainable in principle. Particularly given its current use and nearby residential development. Locationally, the development would be acceptable in principle. However, all other relevant matters would also need to be considered. The principal considerations in the assessment of this application are:

- Housing Need
- Design and Character
- Residential Amenity
- Parking and Highways
- Thames Estuary and Ramsar Site

Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the National Planning Policy Framework (NPPF) (2024) expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

“It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policymaking role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than “guidance” and as such a “material consideration” for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme.”

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in February 2025, it demonstrates that based on data up for the period 2024-2029, the Council can only demonstrate a land supply of 3 years.

Given the Council'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 Gravesham's Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). 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 at footnote 7 (rather than those in development plans) relating to any of the following:

- habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest;
- land designated as Green Belt, Local Green Space, a National Landscape, 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 75); 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 130(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.

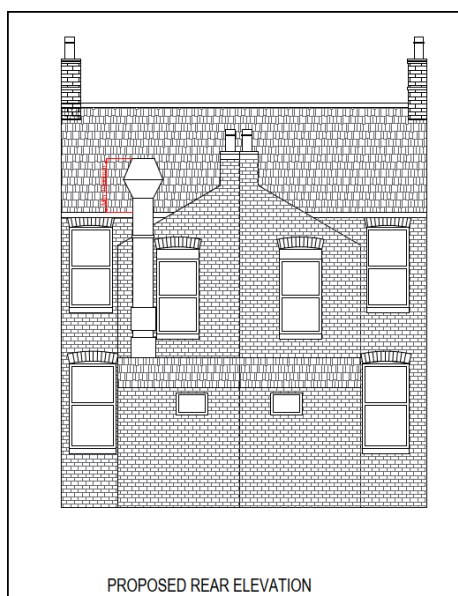
The proposed development for a net decrease of '1' residential units would have a negative contribution towards meeting this local need and, accordingly, officers consider that this should be accorded appropriate

weight against the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2024) which requires new development to be high quality, beautiful and create acceptable living conditions for future occupiers.

Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given, it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole.

Design, Character and Appearance

The only external change resulting from the development would be the introduction of a flue to the rear elevation, as shown in the partial plan below.



Visually this does appear to be a large flue. However, it is located to the rear of the site, with limited visibility from the streetscene. It is of reasonable height and would not dominate the elevation to a significant degree.

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2024) in terms of design, character and appearance.

Amenity of Future Occupiers

The NPPF (2024) 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.

Room Type	Proposed Internal Floor Area (m ²)	Minimum Space Standard (m ²)
Living Room	13	13.2
Kitchen	7	7.2
Bathroom and WC	7	3.5
Bedrooms	7, 8 and 9	Single (6.5) Double (11.2)

Garden Measurement	Proposed Internal Floor Area (m ²)	Minimum Space Standard (m ²)
Area	41	10

The living room and kitchen are marginally undersized. The bedroom sizes are considered acceptable where they are all single bedrooms. It is expected that usually one bedroom would be a double. However, as the bedrooms, kitchen and living room are not changing from their existing sizes, it would be unreasonable to refuse based on this reason. However, it is unfortunate that the opportunity has not been taken to increase the undersized spaces, instead of providing 2 living rooms.

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.

The proposed alterations would not change the structure of the building other than to erect the flue. The sounds and smells of the flue and change of use to a takeaway should be assessed as to the impacts on nearby residents including the proposed flat above. Other impacts associated with the change of use to a takeaway could include; longer hours, litter and noise and these impacts should also be assessed.

Odour

The application includes an Odour Assessment undertaken in accordance with the EMAQ guidance. The Environmental Protection Team have reviewed this and found the document to be acceptable with comment on minor calculation errors, which do not change the outcomes of the report which concludes that a 'High' level of filtration would be required. They advise that; *'the extract system has been designed to provide a high level of filtration and odour control, so is acceptable and appropriate. Relevant plans, specifications and technical details have been submitted regarding the odour control. The maintenance details are also acceptable.'*

Noise

With regards to noise, the Environmental Protection Team advises that a noise impact assessment would be required to ensure that the appropriate level of attenuation can be provided. A pre-commencement condition has been agreed with the planning agent and this would address any necessary noise impacts.

They suggest that if planning permission is granted, a condition should be attached requesting the extract system to be installed in accordance with the submitted details for odour control and Noise Impact Assessment details are provided prior to commencement.

Opening Hours

The proposal would result in opening hours of 11am to 11pm every day. This would be similar to other sui generis uses in the area, specifically; papa johns and Pizza2night. The hours of use in the surrounding area are detailed in the comparable table at the beginning of this assessment. It shows, that most units open around 8/9am with the earliest being at 7am. The closure times vary but for Sui Generis use specifically it tends to be later around 10/11pm. The proposed hours of use would not be exceptionally earlier or later than the other surrounding uses. As such, it is unlikely that the proposed hours of use will generate a greater level of noise, footfall and vehicular movements at late hours, than is currently generated in the area.

Refuse

The plans provided show the rear location of commercial and domestic bins, which would need to exit out of the shared access, besides the rear outbuilding. The planning agent has confirmed that the 2 commercial

660l bins would have a size of 1260mm x 720mm x 1300mm(height). The rear access has a 1000mm width and the rear gate allows a 900mm clearance and so the access for these bins would be suitable.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014 subject to details reserved by planning conditions.

Parking and Highways

As the site covers 2 uses; C3 Dwellinghouse and Sui Generis Hot food takeaway, different parking requirements will apply to both as per the Kent Parking Standards (2025). There is a rear garage block which could provide space for parking 1 vehicle. However, it is noted that there are no garage doors currently on this building. The planning agent has confirmed that this building is used for storage rather than parking vehicles. This would be retained. The site currently contains a 1 bedroom flat and 2 bedroom flat which has a vehicle parking standard of 2 in total. The proposed singular 3 bedroom flat would have a reduced requirement of 1 space. Given that there would be no change to the existing parking availability and that the parking requirements would decrease, the proposed conversion of the flats into a singular flat is considered to be acceptable in terms of parking provision.

Table 1: Residential Car Parking Standards - Use Class C3(a)

Location	City / Town Centre ¹	Edge of Centre ¹	Suburban	Rural
On-Street Controls	On-street controls preventing all (or all long stay) parking	On-street controls, residents' scheme and/or existing saturation	No, or very limited, on-street controls	No on-street controls, but possibly a tight street layout
1 & 2 Bed Flats				
Provision	1 space per unit	1 space per unit	1 space per unit	1 space per unit
Form	Controlled ²	Unallocated	Unallocated	Unallocated
1 & 2 Bed Houses				
Provision	1 space per unit	1 space per unit	1 space per unit ⁶	2 spaces per unit
Form	Controlled ²	Allocation possible	Allocation possible	Allocation of one space per unit possible
3 Bed Houses				
Provision	1 space per unit	1 space per unit	2 spaces per unit	2 spaces per unit
Form	Controlled ²	Allocation possible	Allocation of one space per unit possible	Allocation of one or both spaces possible
4+ Bed Houses				
Provision	1 space per unit	2 spaces per unit	2 spaces per unit ⁶	3 spaces per unit ⁷
Form	Controlled ²	Allocation of one space per unit possible	Allocation of both spaces possible ⁵	Allocation of both spaces possible ⁵

The parking standards for hot food takeaways are shown in the table below:

Hot food takeaways, including drive-thru restaurants	1 space per 2 staff	1 space per 50m ²
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Given that this is a local centre, it does have a high level of vehicle movements, particularly with the increase in takeaways. However, unlike with other types of retail use, it is expected that those travelling by vehicle to collect food will be parked for a shorter amount of time, with traffic and parking turnover higher than other uses. Although on-site parking provision is not available, there is approximately 33m length of on street parking availability immediately in front of the unit which can accommodate up to 5 cars. As the

below image shows these spaces are restricted to 30 minutes from Monday to Saturday between the hours of 8am to 6:30PM. Given the availability of this parking, the limited parking time allowed and the proposed takeaway use, the on street parking availability is considered to be acceptable in this instance.



Parking Restriction.

Land Use Class A5: Hot Food Takeaways

50. This Use Class caters specifically for takeaways and fast-food premises i.e. premises where the primary purpose is the sale of hot food to take away. These uses are differentiated from restaurants and cafes as they raise different issues such as extra traffic and parking demands.

Class A5 are often located in town and district centres where on site car and cycle parking may not be appropriate or possible. Local authorities will use their discretion in the application of the standards in town and district centres, having regard to the availability of public off street parking and the need to encourage the vitality of centres and investment in them.

Maximum Goods Vehicle & Car Parking Standards

		Goods Vehicles	Car Parking	
			Employees	Customers
Takeaways ⁽²⁾		see Note 1	1 space per 2 staff	1 space per 8m ²
Notes :	1.Adequate facilities should be provided to enable delivery vehicles to park and manoeuvre clear of the public highway. 2. Includes 'drive-in' or 'drive-through' restaurants. Drive-in or drive-through developments must also provide sufficient on-site waiting space for vehicles to stand clear of the public highway.			

Minimum Cycle Parking Standards

	Short to Medium Term (collection/delivery/shopping)	Medium to Long Term (meetings/workplace)
All developments	1 space per 10 seats	1 space per 20 seats
Minimum of 2 spaces to be provided		

Adequate vehicle and cycle parking provision is therefore available in accordance with paragraphs 109 to 114 of the National Planning Policy Framework (2024), Saved Policies T1 and P3 of the Local Plan First Review (1994) and Policies CS11 and CS19 of the Core Strategy 2014 subject to further details of cycle parking provision.

Thames Estuary and Ramsar Site

Paragraph 180 and 183 of the NPPF (2024) requires planning decisions to ensure that the natural and local environment is enhanced by minimising impacts on and providing net gains for biodiversity and this is reflected in Section 40 of the Natural England Commission Rural Communities (NERC) Act (2006) and the Environmental Act (2021).

Policy CS12 (LPCS) indicates that sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, and that there will be no net loss of biodiversity in the Borough.

The existing garden will not alter as part of this proposal, therefore there would be no biodiversity net loss.

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 £337.49 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.

Where there are no other contributions required for a development applicants generally have chosen to submit the payment of £337.49 per dwelling by filling in the Strategic Access Management and Monitoring Strategy (SAMMS) Agreement. By filling in this form there are no legal fees to be paid by the applicant and refund mechanisms are in place in the event of a refusal.

In this case, the proposal would result in the reduction of the number of dwellings and so the SAMM's payment would not apply as there would be no intensified impact from residential use on migrating birds.

Therefore, the development would comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 185 and 186) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

Conclusion

The scheme would reduce the number of available houses by 1 unit. This would contradict the purposes of the NPPF which apply a weighted balance in favour of granting planning permission for residential development. The weighted balance in favour of the development would not apply in this case. It is noted however, that the impact of this scheme is considered to be minimal as would be a reduction in 1no. dwellinghouse only.

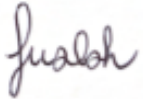
The proposed development would comply with all other relevant national and local planning policies subject to conditions.

Recommendation

The recommendation is therefore to approve.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher and Mrs Faye Walsh	Team Leader:	Richard Hart
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Signed:		Signed:	<i>R Hart</i>
Dated:	31 July 2025	Dated:	31st July 2025