



Delegated Report

Application for removal or variation of condition

Planning Application No: 20231031

Location: Chalk Parish Hall Lower Higham Road Gravesend Kent

Description: Application for a variation of condition 7 to planning permission reference 20040890 for the demolition of existing and erection of a new Parish hall; to allow part of the upper floor storage space to be used as a meeting room and as an office for the Hall manager and a curate.

Applicant: Rev. Nigel Bourne

Site Visit Date: 22 November 2023

Submitted Documents/Plans

Application for removal or variation of condition form;
Drawing no. 542/01 Location plan;
Drawing no. 542/PL01 Proposed ground floor layout;
Drawing no. 542/02 Existing block plan;
Drawing no. 542/PL02 Proposed first floor layout;
Drawing no. 542/03 Existing ground floor layout;
Drawing no. 542/PL03 Existing and proposed front and rear elevations;
Drawing no. 542/04 Existing first floor layout;
Drawing no. 542/PL04 Existing and proposed side elevations;
Drawing no. 542/05 Existing front and rear elevations;
Drawing no. 542/PL05 Proposed longitudinal section;
Drawing no. 542/06 Existing side elevations;
Drawing no. 542/07 Existing longitudinal section;
Drawing no. 542/08 Existing car park layout;
Planning Statement 02 October 2023; and
Response to GBC Highways Officer's comments and additional information.

Relevant Planning History

Reference	Description	Decision	Decision Date
20230818	Application for a Lawful Development Certificate in respect of the proposed creation of a meeting room and an office in the existing first floor office accommodation and installation of a wheelchair accessible platform lift between the existing ground floor foyer and the first floor accommodation.	Withdrawn	27.09.2023
20040890	Demolition of existing and erection of a new Parish hall.	Permitted	02.12.2004

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

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

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

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

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-designed Places

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015
Adopted 1996 – amended June 2020
- SPG 4 - KCC Parking Standards (2006)

Consultations, Publicity and Representations

GBC Environmental Protection Team (Regulatory Services)

No objection to this application or comments to make.

GBC Commercial Team (Regulatory Services)

No comments or objections

GBC Highways Officer

The car park at Chalk Village is often busy and much of the vehicle parking would not appear to be related to activities at the Parish Hall.

At drop off and collection times, the existing pre-school use results in vehicles parking on street, in controlled areas and on pavements, to the detriment of pedestrians and highway safety.

The car park markings showing seven spaces reserved for village hall use, have not been maintained over time. Google Street View images show the markings clearly in July 2016 but not being there in May 2023.



Google Street View July 2016



Google Street View May 2023

The proposal would transfer existing uses to the first floor area and would make available existing space for alternative uses. The proposed office would introduce new people and visitors to the application site. Although the proposal would not be a significant traffic generator, adequate vehicle parking should be available to ensure that the highway is free from parked vehicles. Parked vehicles can form a hazard and adversely affect the free flow of traffic. Please note Lower Higham Road and Chalk Road form part of a bus route linking Gravesend with Chatham (Route 190 operating from 05:34 to 19:30 Monday to Friday, 7:37 to 19:05 on Saturdays and 9:30 to 17:56 on Sundays).

Four additional car parking spaces and a minimum of two cycle parking spaces should be provided for the proposed first floor use, as well as the original parking provision for hall users (7 spaces) being maintained.

Concerns are raised that without suitable vehicle parking being provided and without adequate restrictions/enforcement of the car park, the proposed development would be detrimental to highway safety.

GBC Leisure & Resilience Manager (Communities)

No comments.

Neighbouring properties

The application was publicised by a site notice and to nine neighbouring properties by letter. Four representations have been received (objections) and are summarised as follows;

- Objection to any development that involves an increase in height of the building.
- Overlooking to the gardens and bedrooms of dwellings in Pirrip Close.
- A covenant required the current hall to not exceed the height of the original hall.

Officer's Analysis

Background

Planning permission reference 20040890 was granted in December 2004, for the demolition of the existing parish hall and the erection of a new parish hall at the application site. Condition 7 of that permission reads as follows;

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any provision equivalent to that Order in any statutory instrument revoking and re-enacting that Order, the roof space shall not at any time be used for any purposes other than storage

7 In order to ensure that any intensification of use of the premises may be the subject of a planning application which the District Planning Authority would wish to determine on its merits

This application seeks to vary condition 7, to allow part of the upper floor storage space to be used as a meeting room and as an office. The applicant suggests the following amended wording;

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)

Order 1995 (as amended) or any provision equivalent to that Order in any statutory instrument revoking and re-enacting that Order, the roof space shall not at any time be used for any purposes other than storage, and/or as a church committee room and/or as an office for the Parish Hall manager and for a curate with access via the existing staircases and proposed lift installation.

The proposed development comprises;

- The formation of a meeting room at first floor level to be used in connection with parish and deanery activities;
- The formation of an office at first floor level for use by the hall manager and a curate;
- The installation of a wheelchair accessible lift; and
- The enlargement of an existing staircase.

The applicant has set out that the meeting room would be in use for approximately three hours per week and the office would be in use for approximately four hours per week (with one or two persons at a time).

Principle of the development

The application site comprises of a parish hall used by the church and the local community.

Policy CS10 of the Gravesham Local Plan Core Strategy (2014) provides support for proposals that protect, retain or enhance existing physical and social infrastructure.

The proposed development would improve facilities at an existing community facility and as such, would be in line with Policy CS10 of the Gravesham Local Plan Core Strategy (2014) and be acceptable in principle.

Design, Character and Appearance

The proposed development would not result in any external alterations to the building. Therefore, the proposal would not be detrimental to visual amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Neighbouring Amenity

As there would be no alterations to the exterior of the building, the proposed development would cause no adverse overlooking, overbearing or overshadowing impacts to surrounding occupiers.

Due to the increased use of the parish hall, the proposal would have the potential to cause adverse noise/disturbance impacts to surrounding occupiers. However, no objection has been raised by the GBC Environmental Protection Team (Regulatory Services).

In the context of the existing community use and the location of the building within an existing commercial/residential area and because there would be no significant increase in the number of visitors to the application site, it is considered that there would be no significant adverse noise/disturbance impacts. As such, the proposal would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Parking and Highways

Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994 require new development to mitigate its impact on the highway and public transport networks and to provide sufficient parking in accordance with adopted parking standards.

Condition 2 of planning permission 20040890 required that the car park adjacent to the parish hall be marked out with 22 individual spaces, seven of which (located on the eastern side) being marked as 'reserved for users of the parish hall'. The existing car park adjacent to the Parish hall is within the ownership of the applicant (outlined in blue on drawing no. 542/01) and provides 26 spaces (drawing no. 542/08), none of which are marked as reserved. Additional informal car parking is available on the site frontage.

The proposed development would increase the usable area of the application building by providing a meeting room and office at first floor level. Despite the assertion of the applicant that the existing use would not be intensified, it is considered that the proposed office use would have the potential to introduce new people and visitors to the application site and as a consequence, could generate additional vehicle movements and parking requirements.

The GBC Highways Officer has raised some concerns regarding the potential for adverse highways impacts. He states that, although the proposal would not be a significant traffic generator, without suitable onsite vehicle parking being provided (four spaces) and that without adequate restrictions/enforcement of the existing car park, the proposed development would be detrimental to highway safety. He would also wish to see a minimum of two cycle parking spaces being provided.

The applicant has provided a response to the GBC Highways Officer's comments, explaining the current use of the car park and the lack of markings for the 'reserved' spaces and clarifying the hours of operation for the proposed meeting room and office. With reference to this additional information, it is accepted that the proposal would not result in any significant intensification in the use of the application building and that existing parking issues would not be significantly exacerbated by the proposed development.

In order to ensure that adequate parking is provided, the seven existing reserved parking spaces should be re-marked as such on the ground and retained permanently. An amended version of condition 2 of planning permission 20040890 can be used to facilitate this.

Sufficient space would be available at the application site to provide cycle parking, should the applicant wish to provide it, therefore there would be no need to condition cycle parking provision in any planning permission granted.

Overall, it is considered that the proposal would make sufficient provision for the parking of cars within the site in accordance with the Borough Council's adopted Vehicle Parking Standards and would be in line with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policies T1 and P5 of the Gravesham Local Plan First Review November 1994.

Any Other Material Planning Considerations

Local residents have raised a number of concerns, these are summarised and commented on as follows;

- Objection to any development that involves an increase in height of the building – there would be no alteration to the height of the building.
- Overlooking to the gardens and bedrooms of dwellings in Pirrip Close – there would be no alteration to the existing window locations or numbers.
- A covenant required the current hall to not exceed the height of the original hall – covenants are not material planning considerations.

The applicant has suggested an alternative wording for condition 7 of planning permission 20040890. However, in the interests of clarity, it is considered that a reference to the first floor layout plan (drawing no. 542/PL02) should be included.

Suggested Conditions

The conditions attached to planning permission 20040890 as far as they remain relevant, should be re-attached to any planning permission granted. It is considered that there is no longer any requirement for conditions 1, 3, 4 or 5 of planning permission reference 20040890. Conditions 2 and 7 remain relevant but should be amended to be more precise and to reflect updated legislation and development plan policies.

Condition 2 should be amended as follows;

Within six months of the date of this permission, the seven car parking spaces nearest to the Church Hall to the eastern end of the car park (shown on drawing no. 542/08 as spaces 2 to 8) shall

be marked out as being 'Reserved for hall users'. Thereafter these spaces and their reserved markings shall be retained permanently.

Reason: To ensure adequate parking provision at the application site, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policy P3 of the Gravesham Local Plan First Review 1994.

Condition 7 should be amended as follows;

Notwithstanding the provisions of Schedule 2 to the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) or any provision equivalent to that Order in any statutory instrument revoking and re-enacting that Order, with or without modification, the roof space shall be used only in accordance with the layout and storage/meeting room/office uses hereby permitted (as shown on drawing no. 542/PL02).

Reason: In order to ensure that any intensification of the use of the premises may be the subject of a planning application which the Local Planning Authority would wish to determine on its merits and to protect highway safety and residential amenity and in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Condition 6 remains relevant and should not be amended but the reason for the condition should be amended as follows;

Reason: In order to ensure that any intensification of the use of the premises may be the subject of a planning application which the Local Planning Authority would wish to determine on its merits and to protect residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Conclusion & Recommendation

The proposal, subject to the imposition of appropriate conditions as detailed above, would comply with local and national planning policies and as such, would be acceptable.

Planning permission subject to amended conditions is recommended.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	30th November 2023	Dated:	30 November 2023