



Delegated Report

Full Planning Application

Planning Application No: 20240979

Location: Gigabytes515 26 Perry Street Northfleet Gravesend

Description: Erection of a ground floor rear extension to provide additional office space (Class E), change of use of the first floor from office to a one-bedroom flat (Use Class C3), including the erection of an external staircase and a first-floor rear extension.

Applicant: Mr Rajbinder Bains

Site Visit Date: 13 November 2024

Submitted Documents/Plans

Application form
Drawing no. D01 (Existing floor plans)
Drawing no. D02 (Proposed floor plans)
Drawing no. D03 (Existing and proposed roof plans)
Drawing no. D04 (Existing elevations)
Drawing no. D05 (Proposed elevations)
Drawing no. D06 (Proposed section AA)
Drawing no. D07 (Block plan)
Drawing no. D08 (Site location)
Design and Access Statement

Relevant Planning History

Reference	Description	Decision	Decision Date
19990595	Demolition of existing outbuildings and erection of a detached single storey building at the rear comprising kitchen, store and wc accommodation.	Refused Appeal dismissed	12.11.1999 17.04.2000
19930184	Continued display of internally illuminated projecting box sign.	Consent	21.05.1993
19891037	Change of use of retail shop to hot food take-away.	Refused Appeal dismissed	26.03.1990 22.03.1991
19890685	Change of use of part of ground floor from residential to shop incorporating single storey front extension and single storey rear extension	Permission	18.10.1989

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS07 – Economy, Employment and Skills
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development and Design Principles

Gravesham Local Plan: First Review (1994)

- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- 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 7 – Ensuring the vitality of town centres
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

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)
- Design for Gravesham – Design Code (2024)

Consultations, Publicity and Representations

Consultees

GBC Commercial Health

No objection in principle. The following comments are made for the information of the applicant.

Health and Safety

In these premises Gravesham Borough Council (GBC) Environmental Health will be the enforcing authority. The applicant must ensure that these premises comply fully with the Health and Safety at Work (etc) Act 1974 and all relevant regulations made there under. For information and advice on health and safety matters check out the HSE website www.hse.gov.uk or contact the Environmental Health team on commercialhealth.admin@gravesham.gov.uk or 01474 337 000.

This workplace will be immediately subject to the requirements of the Workplace (Health, Safety and

Welfare) Regulations 1992. Particular attention should be made to the following requirements.

- Regulation 6 requires that effective and suitable provision shall be made to ensure that every enclosed workplace is ventilated by a sufficient quantity of fresh or purified air.
- Regulation 14 requires that every window or other transparent or translucent surface in a door or gate shall where necessary for reasons of safety be constructed of a safety material or be protected against breakage and also be appropriately marked.
- Regulation 20 requires that suitable and sufficient sanitary conveniences shall be provided at readily accessible places. Where between 6 and 25 persons are employed a minimum of 2 water closets must be provided.

GBC Environmental Protection

It is noted that there is a food premises next door to the application site. Looking on Google maps, there is a large extract flue terminating at 1st floor level which is adjacent to the area proposed for the extension. This could result in both noise and odour causing problems to future occupants, particularly as there are windows overlooking this area on both the extension and also the original building.

This needs to be looked into further and it would be useful to see plans showing the location of the flue in relation to the proposed extension.

- Further comments

Having checked our records, and there have been no complaints about noise/smell from the existing residents, so that suggests that the flue is not causing a problem. The bedroom is quite well set back from where the flue is. Happy to condition without any further objection.

KCC Heritage

The site lies within an area of multi-period archaeological potential, with particular interest for Palaeolithic archaeology. However, based on existing Historic Environment Record data for the area, the past development of the site, and the relatively limited extent of the proposals, I consider it unlikely that these proposals would have a significant below-ground archaeological impact and have no further comments to make in this case.

Neighbouring properties

The application has been advertised by individual neighbour letters to 5 properties. The overall consultation period expired on 2 December 2024.

One letter of representation has been received from a neighbouring property with the following comments:

- Reassured by commitment to maintaining the existing boundary line. The timber fence and garage boundary line will be reinstated as they are currently.
- The current and existing path running the full length between the site boundary and neighbouring property is not fully reflected in the planning drawings submitted; this should be accurately acknowledged and addressed in the final documents, including the party wall agreement.
- No objections to the proposal and believe it will enhance the property and its surroundings, provided the agreed existing boundary arrangements are honoured.

Local Ward Councillors were also consulted but no responses were received.

Officer's Analysis

Proposal

This application seeks permission for the erection of a ground floor rear extension to provide additional office space (Class E), the change of use of the first floor from an office to a one-bedroom flat (Use Class

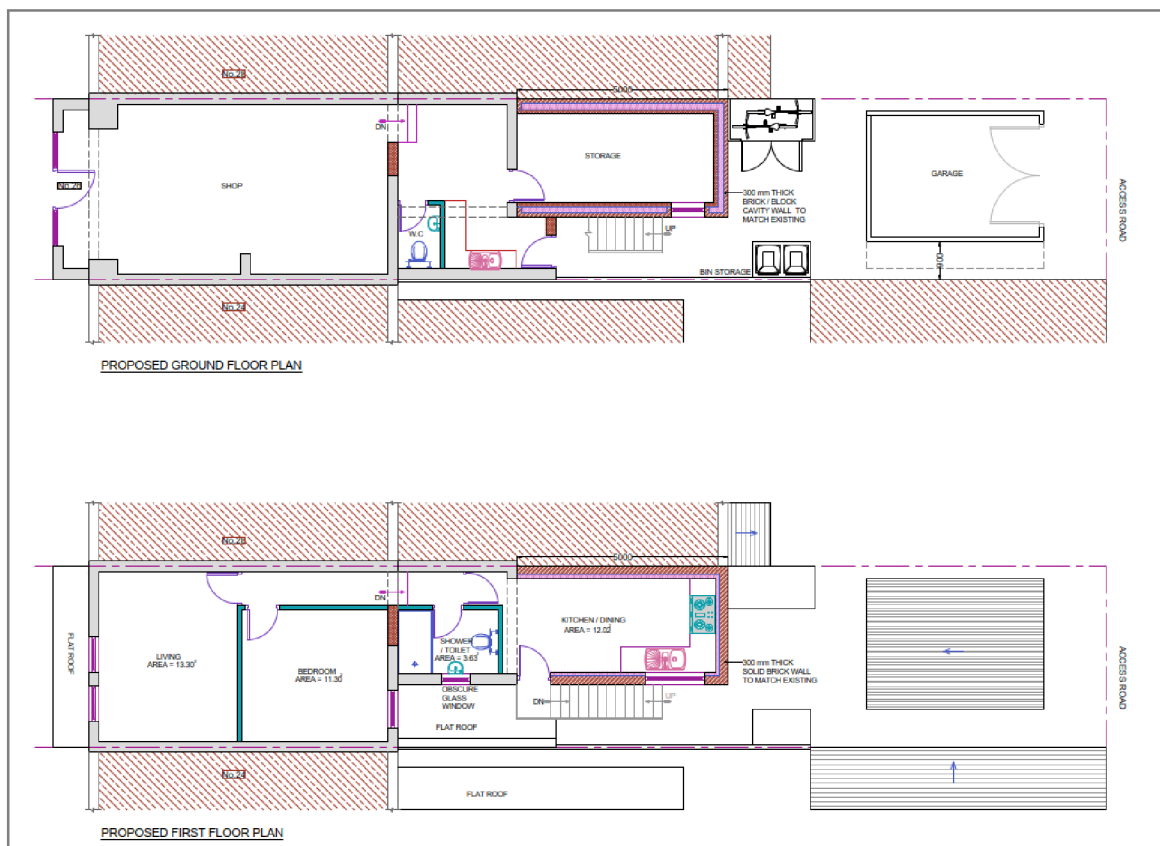
C3), including the erection of an external staircase and a first-floor rear extension.

The proposed rear extension will extend the existing store room at the rear and will necessitate the removal of a detached storage building.

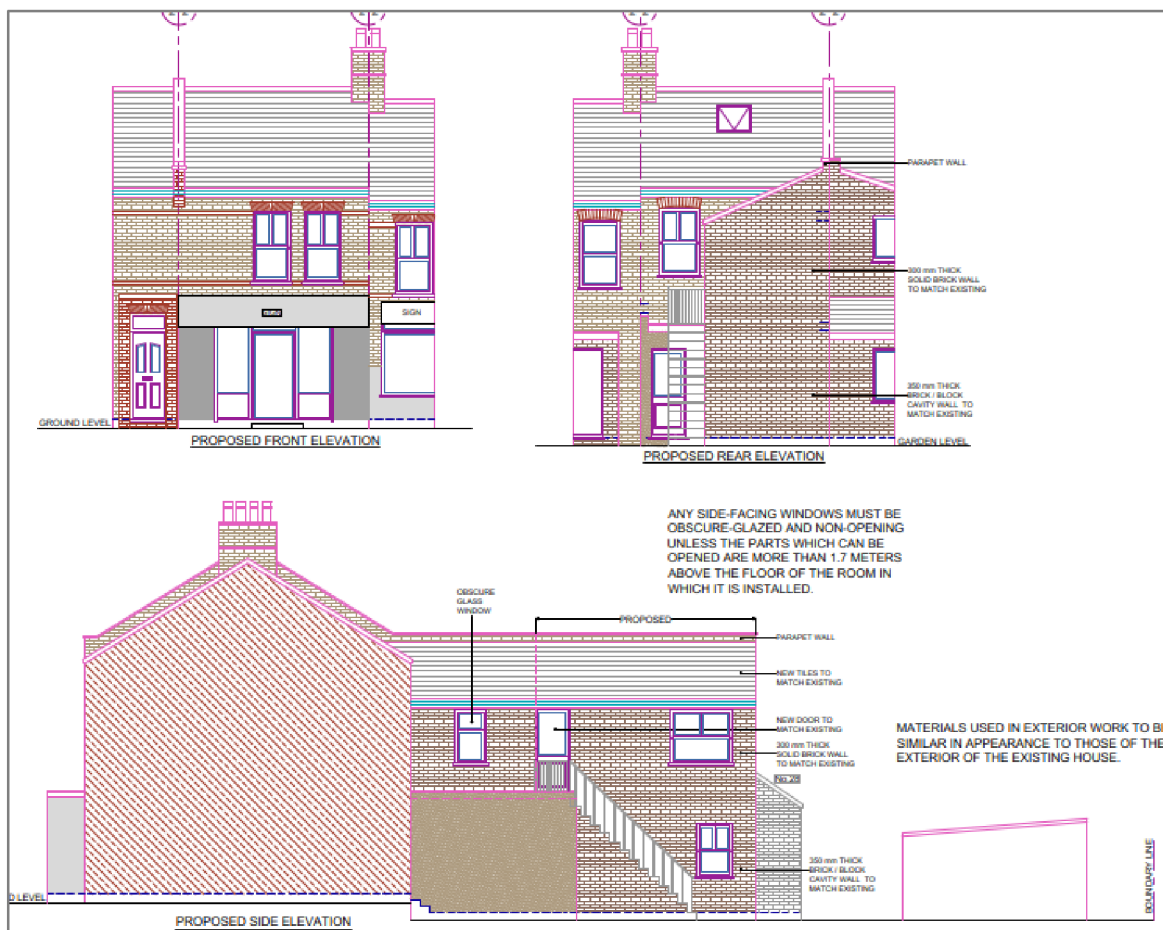
The first floor is currently used as an office, WC and storage space connected to the ground floor retail unit. The first floor extension will enable the first floor of the building to be converted to a one bedroom flat, with a separate living area, shower room, and kitchen/dining room. The proposed (essentially two storey) rear extension will have a hipped roof and a gable end that will match up with the adjacent two storey rear projection at the adjoining property at No. 28.

An external staircase will be added alongside the ground floor extension to enable a separate rear access up to the proposed flat into the kitchen/dining room.

Proposed floor plans:



Proposed elevations:



All new windows and doors will be on the (eastern) flank elevation facing All Saints Road. There would be two new windows at first floor level, one serving the kitchen/dining room (together with the new door to the flat) and one (obscure glazed) window serving the shower room. The proposed materials would match the existing.

Two separate stores for bikes and bins will be located in the rear yard. The existing garage at the back of the plot will be reduced in with to allow access through to the rear yard.

There will be no changes to the front elevation.

Principle Issues

The site lies within the urban boundary of Gravesend and has no particular site constraints or designations, with the exception of being in an existing local centre and in an archaeological notification area (with regards to the latter, due to the built-up nature of the site there are unlikely to be any significant below-ground archaeological impacts). As such, the main issues for consideration in the determination of this application are as follows:

- Impact on commercial use
- Design, character and appearance
- Residential amenity
- Parking and highways

Impact on Commercial Use

The NPPF 2024 states at paragraph 90 that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Policy CS08 of the Local Plan Core Strategy 2014 states that local centres will be protected and enhanced.

The site lies within an existing local centre and the proposal will involve the loss of the first floor of the Class E unit on the site (Gigabytes515 (computer and electronic repairs) through the proposed change of use to residential. However, as the Class E unit would remain on the ground floor and this floor is proposed to be extended, the existing use will be protected and enhanced, and therefore the proposal complies with the requirements of this policy.

Design, Character and Appearance

Section 12 of the NPPF 2024 relates to achieving well-designed and sets out the Government's requirements in relation to design issues. Paragraph 131 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 135 of the NPPF 2024 also 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.

The property lies within the urban boundary and comprises a two storey mid-terraced building with an existing office use on the ground and first floor (Gigabytes515 (computer and electronic repairs). The site lies within an existing local centre.

Current Google Earth View from Perry Street:



Current Google Earth View from rear:



The property has various existing single and two storey rear projections and outbuildings, as do many of the adjacent terraced neighbours. The existing two storey rearward projection would be extended a further 5m to the rear, to match the extent of the two storey rear projection at the adjoining No. 28, granted under application 20140663 (relating to the conversion of the property into two flats including a two storey rear extension and external staircase).

Current Google Earth Street View Image:



Whilst a 5m depth is large and will add to the bulk of the building at the rear in terms of the visual impact, the proposal for the two storey rear extension would have the effect of tidying up and unifying the development at the rear. As there are other examples of similar such extensions along the terrace, from a

design perspective the proposal would respect the character and appearance of the surrounding area. The proposed staircase is similar to what was approved at No. 28 and the access through to it from the rear (from All Saints Road) would be opened up, creating a more appropriate entrance to the proposed flat.

Overall, the proposals are considered to be appropriate in terms of their size, scale and appearance, and will respect the character and appearance of the area. As such, the proposals would comply with the requirements of Policy CS19 of the Core Strategy 2014.

Residential Amenity

The NPPF 2024 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 135f). Paragraph 198 of the NPPF 2024 seeks to ensure that new development takes into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. 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 impacts from 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 size of the proposed flat within the development:

Number of bedrooms (b)	Number of bedspaces (persons)	1 storey dwellings (NDSS) (m²)	Proposed flat GIFA (m²)
1b	1p	39 (37)	45.26

It is considered that the proposal would comply with the Technical Housing Standards - Nationally Described Space Standards in terms of the size of the proposed accommodation for the 1 bedroom unit proposed.

In addition, in relation to the more up-to-date Council standards set out in the Residential Layout Guidelines SPD (2020), the proposed room sizes would be acceptable in relation to the bedroom (in excess of the 11.2m² standard at 11.3m²), the living area (in excess of the 13.2m² standard at 13.3m²) and the kitchen/diner (in excess of the 12m² standard at 12.02m²). The proposed floorspace would therefore be capable of accommodating the furniture and fittings that would normally be associated with the use of this space, in compliance with the requirements of the SPD. Overall, the floorspace is considered to be acceptable in relation to amenity standards.

There is an existing chicken wings restaurant adjoining the property at No. 24 (Wicked Wings), which has an extract flue at the rear. This has the potential to impact on the proposed residential use in terms of noise and odour, as there is an existing first floor window on the rear elevation plus there will be two new windows on the flank elevation facing No. 24. However, the new bedroom will be quite well set back from the flue, and it must be considered that there are other existing residential properties around this site (including above No. 24), as well as other extraction flues along the terrace. From Environmental Protection records, there have been no complaints about noise or odour from existing properties, which suggests that the flue is not causing a problem. Therefore, to lessen the impact on the existing business at No. 24 as well as to improve any potential pollution impacts, it would be appropriate to condition a noise impact assessment, which will ensure that if the extract flue is a problem, appropriate glazing is installed. The proposal would comply with the 'agent of change' principle set out in paragraph 200 of the NPPF 2024.

Waste storage for the property would be provided within the backyard area to the rear of the ground floor office unit and would comply with Policy CS19 of the Core Strategy 2014, which requires new development

to incorporate facilities for the storage and recycling of waste generated. The details of the bin store should be conditioned to be carried out as approved.

Neighbouring Properties

In terms of the impact on neighbouring properties, a residential use of the first floor is not likely to have any adverse impact on neighbouring amenity. There are other residential uses along the terrace, and the proposed use would be in keeping with this.

In relation to the proposed rear extension and the impact on privacy and outlook, there will be no proposed first floor habitable room windows directly facing neighbouring windows or over gardens (nor are there any existing residential habitable windows that would be affected). In terms of the impact on light and outlook, whilst the proposal will create a deeper rearward projection of the property, it would be set away from the boundary with No 24 and will extend no further than No. 28, and as similar extensions have been accepted along the terrace, the impact on neighbouring amenities is not considered to cause any significant concerns on any surrounding residential occupiers.

A neighbour concern has been raised with regards to the boundary line being maintained; this is a civil matter and should be addressed by the relevant landowners as appropriate.

On this basis, the proposal would comply paragraph 135, 198 and 200 of the NPPF 2024 and Policy CS19 of the Core Strategy 2014 in respect of amenity.

Parking and Highways

There is existing car parking provision within a detached rear garage, which will be slightly reduced in size as part of the proposal to allow rear access to the proposed external staircase up to the flat (as exists at No. 28). Regardless of this, as the site is located in a local centre location, close to a variety of shops and services and because the site is accessible by public transport, there would be no significant adverse impact on highway safety or parking as a result of the proposal, which would be in line with Policy CS11 of the Core Strategy 2014 and Saved Policy P5 of the Local Plan 1994 (Policy P5 states that for changes of use the parking standards may be relaxed, provided on-street parking problems in the area are not exacerbated). To support this, there have been no objections in relation to parking from neighbours. It is also noted that the existing use has the potential to generate a level of vehicle movements and this matter is not considered to change significantly with the partial residential conversion of the site.

Secure and weatherproof bicycle parking would be provided in the backyard immediately to the rear of the extension and would meet the minimum rate of one space per unit (as per the standards in SPG4). This should be conditioned to be provided as proposed.

Any Other Material Planning Considerations

Birds

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 £328.27 is required (for 1 additional dwelling proposed on the site).

The applicant has signed a SAMMS Contribution Agreement and paid the appropriate tariff for the development, which would meet the requirements of paragraphs 187 and 194 of the NPPF 2024 and Policy CS12 of the Core Strategy 2014.

Biodiversity Net Gain (BNG)

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

In this case, the proposed development is covered by an exemption: it is a development below the threshold as it does not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat and 5 metres of on-site linear habitats such as hedgerows. There is no existing 'habitat' on the site, and any space that could be used as such measures 10m². BNG is therefore not required in this case.

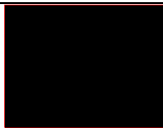
Conclusion

The proposals are acceptable in terms of the design and impact on the application building and the character and appearance of the surrounding area, and with regards to residential amenity and highways and parking matters. The proposals would therefore comply with the requirements of Policies CS11 and CS19 of the Core Strategy 2014, saved Policies T1, T5 and P3 of the Local Plan 1994, and paragraphs 116, 131, 135, 198 and 200 of the NPPF 2024.

Recommendation

The application is accordingly recommended for permission with conditions.

(For detailed conditions and informatives, see draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	20 December 2024	Dated:	20 December 2024