

# Delegated Report

## Planning Application

---

|                        |                                                                                |
|------------------------|--------------------------------------------------------------------------------|
| <b>Application No:</b> | 20231185                                                                       |
| <b>Location:</b>       | 2A Christianfields Avenue, Gravesend, Kent, DA12 5NF                           |
| <b>Description:</b>    | Change of Use from a 6 person HMO (Class C4) to a 11 person HMO (sui generis). |
| <b>Applicant:</b>      | Mr F Weiss, Fields Reality Ltd                                                 |
| <b>Site Visit:</b>     | N/A Desktop Assessment                                                         |

---

### Submitted Documents/Plans

- Application Form – dated 23 November 2023;
- Design and Access Statement produced by Allen Planning Ltd – dated November 2023;  
Supplementary Information – Transport Statement – produced by ttp consulting dated September 2023;
- Ordnance Survey Site Location Plan (scale 1:1250);
- Drawing no. 01 – Existing Floor Plans;
- Drawing no. 03 – Proposed Floor Plans.

### Relevant Planning History

| Reference | Description                                                                                                             | Decision                       | Decision Date |
|-----------|-------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------|
| 20180523  | Single storey rear extension with a depth of 6.5 metres, maximum height of 2.95 metres and eaves height of 2.95 metres. | PRIOR APPROVAL IS NOT REQUIRED | 01.08.2018    |

### Development Plan

#### Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS18 – Climate Change
- CS19 – Development & Design Principles

#### Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- H5 – Increasing the Housing Stock by the Conversion of Existing Buildings
- T1 – Impact of Development on the 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 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed and beautiful 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)
- Householder Extensions/Alterations Design Guide (2021)
- Guidance for HMO Amenity Standards (V2 2023)

### **Consultations, Publicity and Representations**

#### **External Consultees**

*Kent Police Designing Out Crime Officer* - 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 request a condition for this site to follow SBD guidance 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.

1. Perimeter, boundary and divisional treatments must be 1.8m high. Any alleyways must have secure side gates, which are lockable from both sides, located flush to the front building line.
2. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an "active" window e.g. lounge or kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.

3. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than “round shaped” trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
4. 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 ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states:

*“18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.”*

Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.

5. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors 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.
6. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies 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.
7. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.
8. We recommend “A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019” for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.
9. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.
10. Cycle and Bin Stores must be well lit and lockable, with controlled access for the residents within the flats.
11. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access-controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.
12. CCTV is advised for all communal entry points and to cover the mail delivery area.

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.

## Internal Consultees

GBC Private Housing – We would not recommend shared rooms in HMOs such as the proposed arrangement, unless it is a known student house. We would be interested to know the tenancy arrangements for the rooms and how the deposit would be worked out, if payable.

It is noted that the rooms are generous, but this proposal does virtually double the household.

GBC Highways Officer – I have the following comment to make on the proposal.

The property already contains 6 bedrooms, which will remain constant in this application and makes highway grounds difficult.

I also note that the Transport Statement refers to couples, paragraph 3.3 to cohabit, but the plans show single beds and not all rooms seem to be readily able to accept a double bed. This must therefore raise the question if the rooms are intended to be let to cohabiting couples, or independent people that just room share. The latter could significantly alter the vehicle parking demand, as we are dealing with 11 individuals rather than 5 cohabiting couples and one individual and I can see no way this can be controlled in planning.

I also note on drawing 03 Proposed Floor Plans Unit 3 appears to have a dining room. However, looking at Drawing number 01 Existing floor plans, this does appear to show double beds for all 6 units.

Both layouts would make them bed sits as each unit has a bathroom, sink, lounge and bed area and sufficient space to have at least a very basic kitchen, with units 2 and 6 having space for a well equipped kitchen I would therefore tend to treat this change as conversion to flats with the associated increase in vehicle parking.

Assuming originally a two bedroom dwelling one parking spaces would be required. The conversion to flats would require one parking space per flat giving a requirement for 6 parking space. In terms of cycle parking, a 2 bedroom dwelling would require 2 cycle parking spaces, so with the 6 flats this would give a requirement of 4 additional cycle parking spaces.

My recommendation therefore has to be refusal as there appears to be inadequate parking for what would appear to be 6 bedsits which I would consider to be the equivalent of a flat, as the residents can live independently of the shared facilities.

Local Ward Councillors – Wish to call the application in to planning committee, if the recommendation is to grant permission.

## Neighbouring properties

A notice was displayed on site 11 December 2023.

In addition, eighteen surrounding properties were consulted and twelve objections were received. The objections received raised both material and non-material planning considerations, as listed below:

### Material Planning Considerations

- Out of character with the area
- Intensification of the use is detrimental to character and amenity
- Poor quality living environment for future occupiers
- Impact on the amenity of surrounding residents
  - Loss of light
  - Noise
  - Antisocial behaviour – numerous police/ambulance callouts, aggression and violence
- Increased parking demand
- Refuse and waste provision – there are issues with overflowing bins and rubbish already

- Failure to address impact on the Special Protection Area and Ramsar Site
- Contrary to Policies CS12, CS14 and CS19 of the Local Plan Core Strategy (2014) and saved policy H5 of the Local Plan First Review (1994)

### Non-Material Planning Considerations

- Loss of property value
- Appellants personal circumstances

*Please note only material planning considerations are relevant to this decision.*

The consultation period expired 5 January 2024.

## **Officer's Analysis**

### **Site Description**

2A Christianfields Avenue, is a chalet style bungalow located on the northern side of the highway. The property was extended through a prior approval larger homes extension at single storey level, to a depth of 6.5m.

From the information provided it seems that the property is operating as a 6 person House of Multiple Occupation (HMO). However there is no certificate of lawfulness or planning permission confirming this change of use. The operation of a dwellinghouse as a HMO for no more than 6 people could be permitted development under Class L of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Planning permission is now required as it is proposed to increase the number of occupants (not rooms) from 6 to 11.

### **The Proposed Development**

This application proposes to increase the number of occupants within the HMO to 11. The proposal will utilise the existing layout but will essentially separate the double beds within 5 of the units into two single beds. The plans show that each unit is combined with a bedroom, living space and kitchenette (with the exception of bedroom 3), with one main shared kitchen and dining room on the ground floor. There are no external alterations or extensions proposed as part of this application. It is unconventional for rooms in a HMO to have their own kitchen facilities, along with a communal kitchen.

### **Principle of the Development**

The site is defined on the Policies Map of the Gravesham Local Plan Core Strategy (the Core Strategy) as lying within the urban boundary of Gravesend, Northfleet and Ebbsfleet. Therefore, the site is within the urban area of Gravesend and Policy CS02 (LPCS) prioritises development in the urban area as a sustainable location for development. As such, there is no objection to the broad principle of residential development within this location subject to it meeting the detailed requirements of government and development plan policy, which will be assessed in later sections of this report.

The principal considerations in the assessment of this application are:

- Housing Need
- Suitability for Conversion
- Design and Impact on Listed Buildings and Conservation Area
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Any Other Material Planning Considerations

## 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 NPPF 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 policy making 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 March 2023, it demonstrates that based on data up for the period 2022-2027, the Council can only demonstrate a land supply of 2.9 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) (2023). 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 NPPF paragraph 188)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68)
- 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 129(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 would provide a net increase of 4 bedrooms from the original property. However, HMOs cannot be counted as net additional dwellings as they would have been counted as a net additional dwellings 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**

Adopted Policy C14 (Housing Type and Size) (LPCS) provides protection for existing housing stock by seeking to prevent the conversion of family sized units to smaller properties. In line with the NPPF (2023), it also stipulates that new housing development is expected to provide a range of dwelling types and sizes taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities.

Policy CS14 (LPCS) is supported by saved policy H5 of Gravesham's Local Plan First Review (LPFR) (1994) which 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.

Policy H5 (i) states that buildings shall be in an appropriate area for conversion to flats, maisonettes, bedsits and multiple occupancy. It also notes that unless there are special or overriding circumstances, conversion will not normally be permitted in an area comprised for the most part of single-family dwellings. Policy H5 (ii) requires that the building shall be of such a size and arrangement to be generally unsuitable for single-family occupancy. A larger house under this policy is considered to be in excess of two storeys in height and have more than 6 habitable rooms.

The application property is located within the urban boundary of Gravesend, near to Whitehill Lane which links to Valley Drive and is an arterial road out towards the A2 motorway, with bus routes into the town centre. There is a small parade of shops nearby on Whitehill Parade, however the property is some 2.74km from the town centre, train station and larger amenities such as supermarkets and banks.

Although the site has already utilised permitted development rights for a change of use to a 6 person HMO, and this application seeks to intensify this use further and almost double the occupancy of the property. The starting point is that the property is not considered too large for single family occupancy. Therefore the formal conversion of the property to an 11 bed HMO is contrary to saved policy H5 (ii). The proposal would therefore take the functionality of the property significantly above the threshold for operations expected for a single family dwellinghouse in an area characterised by single family occupancy. While a 6 bedroom HMO can operate without the benefit of planning permission, it sets a marker as to what can be considered as acceptable in terms of not being materially different to a single family dwelling. Anything above 6 is more than you would expect from a single family dwelling. Moreover, there are concerns with the sustainability of the location, the lack of parking provision and the unconventional, awkward internal layout proposed (some of which will be explored later in this report).

As aforementioned, the site is located approx. 2.74km from the Town Centre and is therefore reliant on the use of a car, or public transport to access larger amenities in the form of supermarkets, banks and the train station. It is acknowledged that the transport statement highlights bus service routes run near to the property and the small parade of shops is located on Whitehill Parade, however the distance from the Town Centre highlight that this is not a sustainable location for an 11 person HMO without adequate parking provisions.

Therefore, it is considered that the building is inappropriate for conversion into smaller units by virtue of its size, and the resultant use being out of character within an area of single-family dwellings, a lack of parking provision and the contrived internal layouts, and as such it contrary to saved policy H5 (LPFR) and policy CS14 (LPCS). The proposal constitutes overdevelopment of a detached chalet style bungalow.

### **Design, Character and Appearance**

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and

natural environment and integrate well with the surrounding area. Moreover, Section 12 (Achieving well-designed and beautiful places) of the NPPF (2023) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

The proposal is overdevelopment of the site, by proliferating and intensifying the use of the property as a HMO by almost doubling the number of occupiers. As stated previously, the prevailing character of the surrounding area is single family dwellinghouse and therefore the development will be out of character. Although no new external development to the property would occur, this proposal by virtue of the number of occupiers, will result in an excessive amount of people, cars and bins, at a level significantly exceeding that expected of a single family dwelling. This would have an impact on the established character and appearance of the area. While the use of the property as a 6 person HMO is allowed, this is on the basis of the number of residents and living arrangements not being materially different from a single family dwelling. The increase in residents to 11, will greatly exceed the movements of a single family dwelling. Moreover, a number of representations have highlighted a lack of upkeep of the site as a result of the HMO use, which has a detrimental impact on the character of the area.

Therefore, the proposal is considered to be contrary to Policy CS19 (LPCS) and Section 12 of the NPPF (2023).

### **Amenity of Future Occupiers**

Policy CS19 (LPCS) seeks to ensure that the design and layout of new development accords with the adopted Residential Layout Guidelines (RLG) (2020). It also seeks to ensure that new development is fit for purpose and located, designed and constructed to safeguard the residential amenity, including privacy, daylight and sunlight, of existing and future occupants.

#### Internal living space

In relation to the internal living space, Gravesham's RLG (2020) and the Nationally Described Space Standards (2016) which set out minimum internal areas for new dwellings based on the level of occupancy, bedrooms size and number of storeys. However, these relate more to flat conversions rather than HMOs.

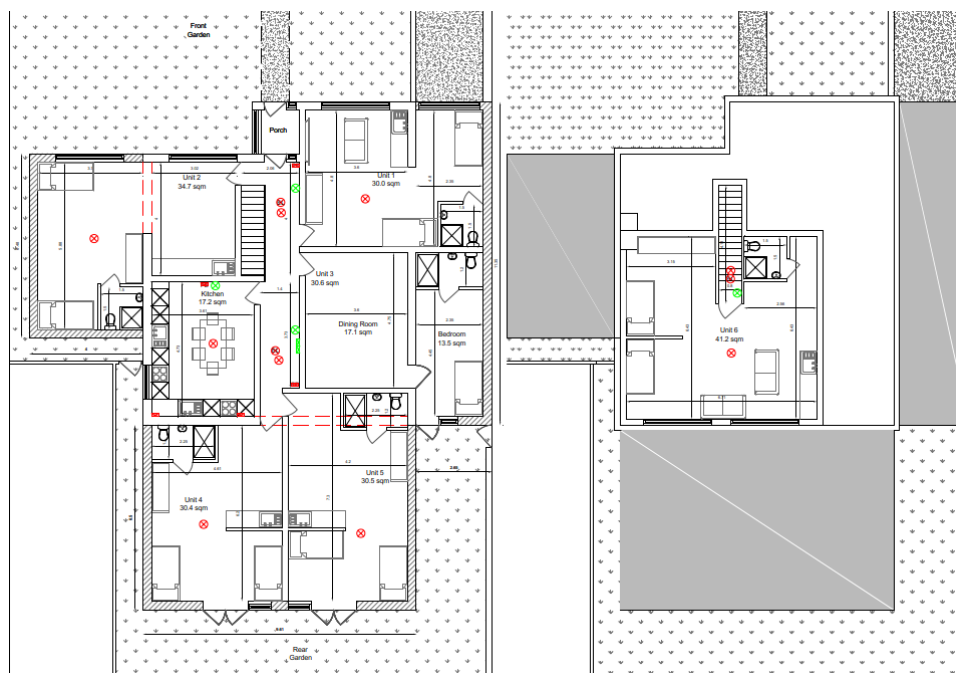
The Council's own adopted 'Guidance for HMO Amenity Standards' (2023) includes a more appropriate room sizes for this application type. For a one person, with a combined bedroom/living/kitchen unit there should be a minimum bedroom floor area of 13m<sup>2</sup>, and a two person combined unit should have a floor area of 20.5m<sup>2</sup>. The table below highlights the floor area of each unit within the proposed development.

|                                 | <b>Number of Occupants</b> | <b>Unit Size (m<sup>2</sup>)</b> |
|---------------------------------|----------------------------|----------------------------------|
| <b>1</b><br><i>Ground Floor</i> | 2                          | 30m <sup>2</sup>                 |
| <b>2</b><br><i>Ground Floor</i> | 2                          | 34.7m <sup>2</sup>               |
| <b>3</b><br><i>Ground Floor</i> | 1                          | 13.5m <sup>2</sup>               |
| <b>4</b><br><i>Ground Floor</i> | 2                          | 30.4m <sup>2</sup>               |
| <b>5</b><br><i>Ground Floor</i> | 2                          | 30.5m <sup>2</sup>               |
| <b>6</b><br><i>First Floor</i>  | 2                          | 41.2m <sup>2</sup>               |

*Table 1 - HMO room breakdown*

Therefore, based on Gravesham's HMO amenity guidance all of the units are generous and would provide

acceptable living condition. However, as aforementioned in this report, the internal layout of the units are unusual, unconventional and awkward due to the fact the bedrooms appear to be shared. The bedrooms are being change from having one double bed, to two single beds;



This create the impression of a hostel arrangement and GBC Private Housing do not recommend shared rooms in a HMO, unless it is a known student property. As this is not a known student property, from the basis of the information provided, the beds would be rented out to tenants and therefore the shared rooms would be a less than ideal arrangement and result in a poor quality living environment for people from different households. The addition of multiple single beds in the rooms further subdivides the single family dwelling to a HMO, with each room now being subdivide further. Moreover, the siting of unit 3 next to what appears to be a communal dining room is poor with noise and disruption impacting on the enjoyment of the room, which would also receive low levels of natural lighting through a small window.

There is a kitchen on ground floor level with an area of 17.2m<sup>2</sup>. The kitchen would be used by all of the 11 occupants, notwithstanding that the floor plans show most units have an internal kitchenette area (with the exception of the single person unit (unit 3)). The HMO amenity standards guidance provides minimum standards for kitchens/dining areas:

| Where a kitchen is shared by (communal) | 1-3 occupants              | 4 occupants                | 5 occupants                | 6 occupants                | 7-10 occupants             |
|-----------------------------------------|----------------------------|----------------------------|----------------------------|----------------------------|----------------------------|
| Kitchen (minimum)                       | 5m <sup>2</sup>            | 6m <sup>2</sup>            | 7m <sup>2</sup>            | 9m <sup>2</sup>            | 11m <sup>2</sup>           |
| Dining Area                             | 2m <sup>2</sup> per person | 2m <sup>2</sup> per person | 2m <sup>2</sup> per person | 2m <sup>2</sup> per person | 2m <sup>2</sup> per person |

Table 2 - Kitchen Size Requirements (Gravesham's Guidance for HMO Amenity Standards 2023)

The kitchen would meet the minimum requirement for the 11 occupants and although the kitchen would fail to meet the dining area requirement for the number of occupants, there is space available within the rooms for dining which would overcome this issue.

### External Amenity

The application property is detached, located on a relatively generous plot with a side garden and rear garden. It is not clear from the information provided if this garden space would be shared by all occupants or segregated, however the site is within walking distance of open spaces at Whitehill Parade and Kings Farm Playing Fields, which is considered to overcome any concerns with the amenity space arising from this development.

### Summary

Overall, it is considered that the proposed conversion fails to provide a good standard of living accommodation with residents sharing rooms. Although providing acceptable sized rooms, the awkward and unconventional internal layout creates the impression of a hostel arrangement which is not supported by GBC Private Housing for a standard HMO and would site a room adjacent to a shared living space with poor natural light to the detriment of amenity. Therefore, the proposal fails to safeguard the residential amenity contrary to Policy CS19 (LPCS), Section 12 of the NPPF (2023), which further reiterates the inappropriate location of such a large HMO.

### **Neighbouring Amenity**

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 135(f) of the NPPF (2023) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

There is not considered to be any detrimental impact on the amenity of neighbouring properties in terms of overshadowing, overlooking, loss of outlook or sense of enclosure, by virtue of there being no additional development in terms of physical extensions to the existing property. However, the proliferation of the use of the building and the virtual doubling of the residents within the building would have a detrimental impact in terms of noise.

The site is located within an area characterized by single family occupied properties and the proliferation of the use could have detrimental impacts on the amenity of surrounding residents. It will be materially different to the operation of the house as a single family dwelling (or a modest 6 bedroom HMO). A number of representations received from neighbours has highlighted issues with noise and antisocial behaviour from its operation as a HMO with 6 residents (violence, drug use and police/ambulance callouts). This could be intensified by the doubling of residents within the property as well as the unconventional hostel style arrangement of the internal rooms. Therefore, the proposal is considered to be contrary to Policy CS19 (LPCS) and Section 12 of the NPPF (2023) failing to safeguard the amenity of single family occupiers within the surrounding area.

Further to this, the neighbour representations highlighted concerns with the impact on the character of the area, intensification of the use is detrimental to character and amenity and providing a poor quality living environment for future occupiers/surrounding residents, which have been assessed above. There were concerns with parking, refuse/waste and the protected habitats, which will be considered later in this report.

### **Parking and Highways**

Any new development should have an acceptable amount of parking, not be detrimental to the highway network and promote sustainable transport methods, to accord with saved policy T1 and P3 of Gravesham Local Plan First Review (1994), Policy CS11 (LPCS) and Section 9 of the NPPF (2023).

The property benefits from a crossover and a single car driveway and the plans do not demonstrate any intention to increase the off-street parking provision. Therefore, the increase in occupants to 11 persons, is likely to increase the demand for on street parking, in an area where pavement parking occurs and is in high demand.

Although there is no specific class within Gravesham's adopted parking standards (SPG 4) (2006) in relation to parking provision for HMO's, the guidance for C3 dwellings can be used to assist with the likely demand. Gravesham's Highways Officer has stated that, according to the floorplans, each unit would essentially be self-contained, which would require provision for 6 off-street parking spaces and therefore the proposal falls below this requirement.

As such, the proposal would increase the parking demand in the area and would not be able to account for this demand. As such the proposal is considered to be contrary to saved Policies H5 and P3 (LPFR) (1994).

## **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, but it is assumed that this will be to the front of the property and due to the number of occupants would require a substantial number of bins.

As stated previously, the quantity of bins required for an 11 person HMO is likely to have a detrimental impact on the character of the area. There is no information provided relating to a store for the bins or a collection strategy, and there are a number of complaints from surrounding residents relating to overflowing waste and therefore, without details and due to the intensification of the site, the development is contrary to Policy CS19 (LPCS) and would have a detrimental impact on the character and appearance of the area by failing to provide adequate bins/refuse stores in a suitable arrangement.

### **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 each unit/per net increase in bedrooms 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 does not result in the addition of bedrooms, it is simply an increase in residents. The proposal is therefore not required to make a contribution in terms of a SAMMs tariff payment.

## **Conclusion**

The application has been fully considered and is contrary to local and national planning policy.

The proposed HMO is considered to be overdevelopment of the site by virtue of the intensification of the use, which is out of character with the area made up principally of single-family homes and would introduce an excessive number of people, waste provision, cars and other associated activity, which would be at odds with the surrounding area. Furthermore, the development fails to safeguard the amenity of future occupiers and surrounding residents, fails to provide off-street parking and the protected habitats.

As such, it is recommended that planning permission is refused.

**Recommendation**

Refusal

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

|                      |                                                                                   |                     |                                                                                     |
|----------------------|-----------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Mr Ethan Bonthron                                                                 | <b>Team Leader:</b> | Miss Faye Hobbs                                                                     |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 23 <sup>rd</sup> January 2024                                                     | <b>Dated:</b>       | 24 January 2024                                                                     |