

Planning Statement

Hayer Investments South Ltd

In support of a Full Planning
Application at Land to the rear of
Darnley Road, Kent, DA11 0RZ

Regulated by RTPI

November
2023

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1. Decision Notice for Application **Ref 20220831**
2. Delegated Report for Application **Ref 20220831**

1 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Hayer Investments South Ltd in support of a full planning application for the construction of a three storey building with habitable roof space to accommodate 7 apartments (with a mix of 3 x 1b/1p, 3 x 1b/2p and 1 X 2b/4p) and associated pedestrian access, private and communal amenity space, landscaping, refuse and cycle storage.
- 1.2 The Statement addresses the following matters:
- A description of the site and surroundings;
 - A review of the background and history of the site;
 - A summary of the development proposal;
 - An assessment of relevant planning and heritage policy;
 - An appraisal of the relevant planning and heritage issues; and
 - Conclusions.
- 1.3 The Statement should be read in conjunction with the following documentation submitted in support of the full planning application:
- Drawings Package (prepared by Sub Rosa Architecture); and
 - Design & Access Statement (prepared by Sub Rosa Architecture);
- 1.4 The submissions conclude that the development proposal is acceptable and supportable in planning terms.

2 SITE AND SURROUNDINGS

- 2.1 The site comprises a vacant backland plot which previously served the ground floor flatted units of Nos. 15-19 Darnley Road to the west as an oversized amenity area. To the north the site is framed most immediately by Rathmore Road beyond which lies Gravesend Railway Station, whilst Rathmore Road public car park stretches 130 metres to the east. Importantly, the site also backs onto the 1.5 storey Lewis Solomon Funeral Service to the south beyond which lies the terrace of Nos 30-33 Cobham Street.
- 2.2 The site benefits from being a highly sustainable edge of centre location directly adjoining Gravesend Town Centre to the north. Accordingly, the site benefits from being in close proximity to a wide ranging amenity offer including Thamesgate Shopping Centre, Hospital, Supermarket and a large number of Class E commercial units.
- 2.3 Moreover, the site is considered highly accessible with the aforementioned Gravesend Railway Station offering a large variety of frequent regional and national rail connections.
- 2.4 It is confirmed that there are no statutory listed buildings within the site curtilage. The site is also acknowledged to lie within Flood Zone 1.
- 2.5 The site does form part of the Darnley Road Conservation Area and is located along its northern edge. The building stock in the immediate surrounding area retains a strong visual character with a number of Victorian and Edwardian three storey terrace and semi-detached properties with raised basements that have been subdivided into flats in more recent years.
- 2.6 Please refer to the images and photographs of the site below and overleaf.

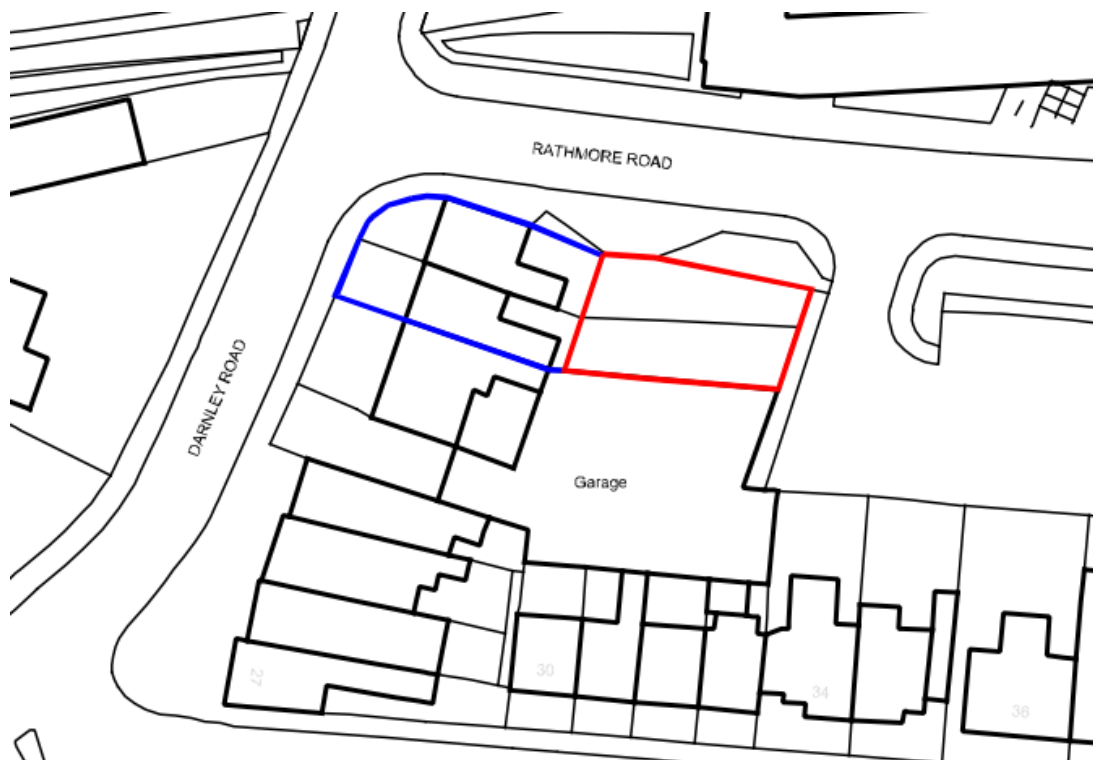


Image 1: Extract of the site location plan showing the location of the site in the context of its immediate surroundings



Image 2: Street level photograph of the site facing south west with the adjoining Funeral Directors and Nos. 15-19 Darnley Road in the background



Image 3: Overhead view of the site facing south west



Image 4: CGI of the proposed development demonstrating the high quality design of the proposal and contemporary re-interpretation of the Conservation Area character

3 PLANNING HISTORY

The Site

- 3.1 The Council's online records have been reviewed. The site has been subject to one previous planning application of relevance.
- 3.2 An application (**Ref 20220831**) was made in 2021 for the subdivision of the existing dwellinghouse to create three self-contained units with associated amenity space at 17 Darnley Road – Granted 5th January 2022.
- 3.3 Please refer to the Decision Notice and Delegated Report enclosed at **Appendix 1** and **2**.

4 THE PROPOSAL

- 4.1 The accompanying Design and Access Statement sets out the design principles and concepts that have been applied to the development. However, the key elements are summarised below.
- 4.2 Full planning permission is sought for the construction of a new three storey building (with habitable roof space) comprising a total of 7 apartments with pedestrian access, private and communal amenity space, landscaping, refuse and cycle storage.
- 4.3 Please refer to the full schedule of accommodation (including breakdown of internal floorspace and amenity provision) below.

Flat Number	National Space Standard Requirement	Gross Internal Area	Private Amenity Provision	Communal Amenity Provision	Outlook
Flat 1 (1B/1P)	37 sqm	38 sqm	7 sqm private garden	53 sqm	Dual
Flat 2 (1B/2P)	50 sqm	57 sqm (7 sqm oversized)	7 sqm private garden	53 sqm	Dual
Flat 3 (1B/1P)	37 sqm	38 sqm	n/a	53 sqm	Dual
Flat 4 (1B/2P)	50 sqm	57 sqm (7 sqm oversized)	n/a	53 sqm	Dual
Flat 5 (1B/1P)	37 sqm	38 sqm	n/a	53 sqm	Dual
Flat 6 (1B/2P)	50 sqm	57 sqm (7 sqm oversized)	n/a	53 sqm	Dual
Flat 7 (2B/4P)	70 sqm	74 sqm (4 sqm oversized)	5 sqm private garden	53 sqm	Dual

Design Approach

- 4.4 As outlined within Sections 2 and 6 of this Statement, the wider street scene of the Darnley Road Conservation Area is characterised by substantial three storey Victorian and Edwardian terraces and semi-detached villas, many of which feature a raised basement and have been sub-divided into flats.
- 4.5 Despite this the site benefits from only one immediately neighbouring property of significance at Nos. 15-19 Darnley Road. Accordingly, given its location adjacent to Gravesend Railway Station, Rathmore

Road Car Park and a Funeral Directors. The site provides an ideal opportunity for a high quality re-interpretation of the prevailing character of the Conservation Area by an award winning architect in a contemporary manner to deliver much needed homes for the local community. As a result careful consideration has been afforded to ensure that all elements of the proposal respond positively to local distinctiveness and sit comfortably in terms of visual appearance and massing within the street scene.

- 4.6 The scheme has been arranged in an efficient manner that will ensure the full potential of this highly sustainable site is realised. The development has been carefully considered to reflect the scale, density and character of properties within the immediate street scene which have been characterised as featuring three storey raised Victorian and Edwardian semi-detached properties within the Darnley Road Conservation Area Appraisal.
- 4.7 As a result, the proposed development benefits from a regular and symmetrical fenestration featuring tall floor to ceiling windows. A recess to the centre of the main façade to break up the visual massing and enable the development to be read as two distinct properties with a pitched slate roof and contemporary dormer windows. Accordingly, the design of the proposal successfully breaks up the massing of the development and creates visual interest in the street scene. Finally, complementary external brickwork has been carefully chosen to be guided by the local historic context and surrounding character of the street scene as demonstrated within the CGI enclosed at Section 2 of this Statement.
- 4.8 As demonstrated within the enclosed drawings package that supports this application, the scheme will benefit from a pedestrian access off Rathmore Road to the north which will also provide the main refuse access point for occupants.
- 4.9 Whilst there isn't a defined building line in place for properties to the rear of Darnley Road, the proposal has been carefully considered to assimilate into the wider urban form of the Conservation Area and draws reference from Nos. 30-33 Cobham Street to the south in its siting. Notably, the proposed development also sits 500 mm lower at the roof level than the frontage terrace of Nos 15-19 Darnley Road.
- 4.10 As stated above all units proposed will benefit from being dual aspect with all habitable rooms served by large windows providing adequate sunlight/daylight and outlook predominantly to the north and east elevations.
- 4.11 The constrained nature of the site at this edge of town centre location means there is unfortunately limited opportunities for private amenity space within the development. Nevertheless these opportunities have been maximised where available providing private amenity space in the form of garden terraces for units 1 and 2 alongside a further balcony terrace for unit 7.
- 4.12 Importantly, all occupiers will also benefit from access to the adjoining landscaped communal amenity space proposed as part of this development extending to 53 sqm. Beyond which occupants will benefit from dedicated cycle and refuse storage full details of which may be secured by way of condition.
- 4.13 Overall, the considered design approach enables the creation of a visually interesting scheme which harmonises with the street scene as shown on the CGIs overleaf.

5 PLANNING POLICY

5.1 This section provides a review of relevant national and local planning policy and guidance.

NATIONAL POLICY

5.2 The National Planning Policy Framework (NPPF) was revised in September 2023 and sets out the Government's objectives for achieving sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development.

5.3 Development proposals that accord with an up-to-date Development Plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or
- Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.4 Paragraph 8 confirms that there are three dimensions to sustainable development; economic, social and environmental. To achieve sustainable development, economic, social and environmental gains should be pursued in mutually supportive ways through the planning system.

5.5 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. These sustainable objectives should be delivered through the preparation and implementation of plans and the application of the policies in the framework.

5.6 Guidance in paragraph 38 states that local planning authorities should approach decision-taking in a positive and creative way. They should work proactively with planners to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Delivering a Sufficient Supply of Homes

5.7 Paragraph 60 explains that in order to support the Government's commitment to significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward for development where it is needed, that needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

5.8 Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where strategic policies are more than five years old. The five year supply should include an appropriate buffer. Where the local authority chooses to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan the buffer should be 10% to account for any fluctuations in the market during that year. In the event that there has been significant under delivery when measures against the Housing Delivery Test (November 2018 onwards) then a 20% buffer should be applied.

5.9 The NPPF is clear at paragraph 11 that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five

year supply of deliverable housing sites or the Housing Delivery Test indicates that the delivery of housing was substantially below the housing requirement over the previous three years.

Promoting Healthy Communities

- 5.10 The planning system can play an important role in facilitating social interaction and creating healthy, inclusive and safe communities. Planning decisions should aim to achieve places which promote, amongst other things, safe and accessible developments, where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.

Promoting Sustainable Transport

- 5.11 To protect and exploit opportunities for the use of sustainable transport modes, development should be located and designed to give priority to pedestrian and cycle movements and have access to high quality public transport facilities; address the needs of people with disabilities by all modes of transport; create safe and secure places minimising conflicts between traffic and pedestrians; allow for the efficient delivery of goods and access by service and emergency vehicles; and be designed to enable the charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 5.12 Paragraph 111 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Making Effective Use of Land

- 5.13 The NPPF recognises the need for the planning system to promote an effective use of land in meeting the need for homes and other uses. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 5.14 Paragraph 120 (c) explains that the planning system should specifically give substantial weight to the value of using suitable brownfield land within settlements for new homes and other identified needs. Furthermore, sub-section (d) of this paragraph explains that planning should also promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
- 5.15 Sub Section (e) of paragraph 120 outlines that Council's should support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers.
- 5.16 The chapter goes on to discuss how appropriate densities can be achieved. Paragraph 124 sets out that the planning system should support development that makes efficient use of land, taking into account the following:
- a) The identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) Local market conditions and viability;

- c) The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) The desirability of maintaining an area’s prevailing character and setting or of promoting regeneration and change; and
- e) The importance of securing well-designed, attractive and healthy places.

Achieving Well Designed Places

5.17 This chapter sets out at paragraph 130 that planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Are visually attractive as a result of good architecture and appropriate landscaping;
- Are sympathetic to local character and history including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks, and
- Create places that are safe, inclusive and accessible and which promote health and well-being.

5.18 Paragraphs 128-129 stress the importance of pre-application discussions with the community and local planning authority in the design process, stating that applicants should work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in the design of the new development should be looked upon more favourably.

Conserving and Enhancing the Historic Environment

5.19 The NPPF builds upon the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and requires at Paragraph 197 that in determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

5.20 Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

- 5.21 Paragraph 207 states that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance.
- 5.22 Meanwhile Paragraph 208 states local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

DEVELOPMENT PLAN

- 5.23 The Development Plan currently consists of the Gravesham Local Plan Core Strategy (2014), a number of saved policies within the Gravesham Local Plan First review (1994) and a range of Supplementary Planning Guidance notes.
- 5.24 Accordingly, the combined Core Strategy and saved elements of the Local Plan set out the overall policies for consideration of planning applications within the borough, with additional detailed guidance provided within the relevant SPG's. The policies relevant to the assessment of the development proposal are summarised below.
- 5.25 **Policy CS11 (Transport)** States that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Transport assessment work is required to be undertaken in accordance with national and local policy guidance, and to identify detailed highway and public transport network requirements and management arising from the development.
- 5.26 Sufficient parking in new development will be provided in accordance with adopted parking standards which will reflect the availability of alternative means of transport and accessibility to services and facilities. The Council will support proposals which improve public transport provision and facilities in the Borough. In particular, it will:
- Seek to maintain and expand, where justified, segregation lanes for Fastrack and existing bus priority measures elsewhere;
 - Require key sites to include provision for buses;
 - Support the development of transport hubs at Gravesend Town Centre and Ebbsfleet (in Dartford Borough Council area) to provide high quality interchange facilities between bus, rail, walking and cycling; and
 - Ensure an adequate supply of public car parking.
- 5.27 The Council will seek improvements to walking and cycling facilities and networks in the Borough including provision in new development as appropriate. These should provide improved access to Gravesend Town Centre and Ebbsfleet and to other services and facilities in the Borough. In particular, the Council will seek the provision of pedestrian and cycle links between Northfleet and Ebbsfleet stations and along the River Thames, a part of the proposed Thames Estuary Path.

- 5.28 **Policy CS14 (Housing Type and Size)** States that the Council will protect the mix of housing in the existing housing stock and will resist the conversion of family sized residential units to smaller properties.
- 5.29 The Council will expect new housing development 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.
- 5.30 **Policy CS15 (Housing Density)** Outlines that sites will be delivered at a variety of densities, depending on their location and accessibility to public transport. The form and density of housing will vary across the larger sites, in response to accessibility and other characteristics of each part of the site. Variations in density across a site should be used to develop different character areas.
- 5.31 All new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration:
- Within the urban area, new residential development will be expected to achieve a minimum density of 40 dwellings per hectare. In suitable locations close to the transport hubs of Gravesend Town Centre and Ebbsfleet, higher densities will be sought;
 - In the rural area, new residential development will be expected to achieve a minimum density of 30 dwellings per hectare
- 5.32 Development proposals that fail to make efficient use of land for housing, having regard to the character and location of the area, may be refused planning permission.
- 5.33 **Policy CS16 (Affordable Housing)** Confirms that the provision of affordable housing will be required on all new housing developments of: 15 dwellings or more on sites of 0.5 hectares or more in the urban area; and 3 units or more on sites of 0.1 hectares or more in the rural area.
- 5.34 **Policy CS19 (Development and Design Principles)** States that new development will be visually attractive, fit for purpose and locally distinctive. It will conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. The design and construction of new development will incorporate sustainable construction standards and techniques, be adaptable to reflect changing lifestyles, and be resilient to the effects of climate change. This will be achieved through the criteria set out below:
- Using the collaborative approach advocated in Building for Life 12 and in line with the guidance set out in Kent Design, the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. Account will be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings. Account will also be taken of the wider site context, including strategic views, site topography, the significance of heritage assets and features of townscape and landscape value which contribute to local character and sense of place;

- New development will encourage sustainable living and choice through a mix of compatible uses which are well connected to places that people want to use, including the public transport network, local services and community facilities; encourage sustainable travel; enhance Green Grid links and encourage healthier lifestyles;
- New development will be located, designed and constructed to:
 - safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land;
 - avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and land contamination; and
 - not pose an unacceptable risk or harm to the water environment, including the quality and/or quantity of ground waters, surface waters, wetlands and coastal water systems;
- The design and layout of new residential development, including conversions, will accord with the adopted Residential Layout Guidelines;
- New development will be designed in an inclusive way to be accessible to all members of the community;
- New development will provide appropriate levels of private and public amenity space;
- New development will include details of appropriate hard and soft landscaping, public art, street furniture, lighting and signage and will ensure that public realm and open spaces are well planned, appropriately detailed and maintained so they endure;
- Car parking will be well related to the development it serves;
- New development will protect and, where opportunities arise, enhance biodiversity and the Borough's Green Infrastructure network. Support will be given to environmental enhancements where opportunities arise;
- New development will be fit for purpose and adaptable to allow changes to be made to meet the needs of users;
- The design and layout of new development will take advantage of opportunities to build in resilience to the effects of climate change. This will include protection against flood risk, where relevant, delivering carbon reduction, provision for low carbon and renewable energy, and minimising energy consumption and water use;
- New development will incorporate appropriate facilities for the storage and recycling of waste; and
- The layout of new development will create a safe and secure environment and provide surveillance to minimise opportunities for crime and vandalism.

- 5.35 **Policy CS20 (Heritage and the Historic Environment)** States that the Council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a no-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk through neglect, decay or other threats. Securing viable, sustainable and appropriate futures for such assets at risk will need to be reconciled with the sensitivity to change that many present.
- 5.36 Proposals and initiatives will be supported which preserve and where appropriate, enhance the significance of the Borough's heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of the Borough. These include:
- Gravesend Town Centre, its development as a heritage riverside town, and its setting;
 - The Borough's urban and rural Conservation Areas; and
 - Surviving built features and archaeology relating to the Borough's maritime, military, industrial and transport history.
- 5.37 When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.38 **Policy TC3 (Development Affecting Conservation Areas)** Outlines the Borough Council will adopt the following approach to applications for development within or affecting Conservation Areas:
- Where development is acceptable in relation to other policies in this plan, it will be carefully judged for its impact and will be expected to make a positive contribution to the Conservation Area. The Borough Council will expect applications to contain sufficient details to enable the impact of the proposal upon the Conservation Area to be assessed.
- 5.39 **Supplementary Planning Guidance 2 (Residential Layout Guidelines)** States that with regard to privacy distances and overshadowing that a minimum distance of 21 metres shall be provided between the windows of habitable windows and the private garden area of any dwelling. A private garden area is defined as the first five metres of garden adjacent to the rear of the dwelling.
- 5.40 Where windows of habitable rooms face each other, a window-to-window distance of at least 21 metres should be provided. Habitable rooms are defined as bedrooms and living areas, but specifically exclude kitchens and bathrooms.
- 5.41 For "single aspect" dwellings, the minimum distance from the window of a habitable room to any house wall of equivalent height containing no habitable room can be reduced to 11 metres.
- 5.42 In order to protect against overshadowing and loss of light, all applications for residential development will be expected to comply with the 25 degree rule. i.e. the development proposal should not obstruct a 25 degree line as measured from the centre point of the lowest window.

- 5.43 When considering amenity provision for self-contained flatted units the SPG states, those [units] which have two or more bedrooms and are capable of providing family accommodation will be expected to provide an area of amenity space in excess of 10 sqm. Such amenity space shall be of sufficient size to accommodate the following:
- Children's play space;
 - Drying area;
 - Limited outside storage;
 - Sitting out; and
 - General leisure use.
- 5.44 Finally, refuse containers shall be provided on a hardstanding and within purpose built enclosures, which are readily accessible for collection.

6 PLANNING CONSIDERATIONS

- 6.1 The planning issues relevant to the determination of the development proposal are assessed in detail below.

Principle of Development

- 6.2 As examined within the previous section, the National Planning Policy Framework (NPPF) requires the Council to make the most efficient use of land by maximising the use of underutilised sites.
- 6.3 The site is located within the established built area of Gravesend, accordingly the principle of erecting a new building in the curtilage of the existing building on site is considered acceptable. Provided that there will be no adverse impact upon the amenity of any existing or proposed occupiers. Furthermore, careful consideration will have to be given to the design, massing and scale of development given the sensitive Conservation Area location and distinctive character of the surrounding area.
- 6.4 The site offers an opportunity for redevelopment to result in a more efficient use of the site. The scheme will bring forward a range of new residential accommodation that will make a positive contribution toward the borough's housing requirements and provide living opportunities for members of the local community.
- 6.5 This is particularly pertinent when considered in the context of the Council's inability to demonstrate a Five Year Housing Land Supply (FYHLS). The latest agreed position (as of March 2023) is that the Council can only demonstrate 2.90 years supply, which represents a significant shortfall. The presumption in favour of sustainable development as outlined at Paragraph 11(d) of the NPPF will therefore apply to the assessment of this application.
- 6.6 Accordingly, the Council will be required to undertake a balancing exercise when considering planning applications, to ensure that the correct weight is attached to the shortfall in meeting the five-year housing land supply requirement and the relevant provisions within the NPPF.
- 6.7 The principle of new residential development is therefore considered acceptable at this location, provided that relevant design, outlook, amenity, refuse and highways standards are all adhered to.

Design and Heritage Impact

- 6.8 The approach to the design of the scheme has been carefully informed by an assessment of the site's constraints and the visual character of both the immediate area and wider Darnley Road Conservation Area. This design approach is set out in detail within Section 4 and the accompanying Design and Access Statement prepared by Sub Rosa which supports this application submission.
- 6.9 As demonstrated within the images enclosed at Section 2 the site is located on the northern boundary of the Darnley Road Conservation Area as designated on the 1st February 1990. The accompanying Conservation Area Appraisal (CAA) prepared by the Council identifies positive features worthy of protection in addition to highlighting negative factors that detract from the Conservation Area's character and appearance. In doing so, the CAA when taken in conjunction with the Conservation Area Management Plan (CAMP) provides a guide to allow the Council and developers take account of the relative importance of buildings, features, spaces and landscape within and adjacent the Conservation Area when assessing development proposals.

- 6.10 The Darnley Road Conservation Area is characterised within the CAA as featuring predominantly 19th Century residential, suburban development typical of an affluent Victorian and Edwardian suburb. Most buildings are acknowledged to have been constructed as substantial single family dwellings however in more recent years (early 20th Century onwards) it is noted that many of these have been sub-divided into smaller units, most notably those on Cobham Street and Darnley Street to the immediate south of Rathmore Road, as highlighted in green within Image 5 below.
- 6.11 Whilst Rathmore Road itself is not considered in detail within the CAA with the Conservation Area boundary ending at the Rathmore Road Car Park as per the map extract below, the description of the adjoining Cobham Street and Darnley Street is considered to be of importance to this application in setting out the character of this part of the Conservation Area.

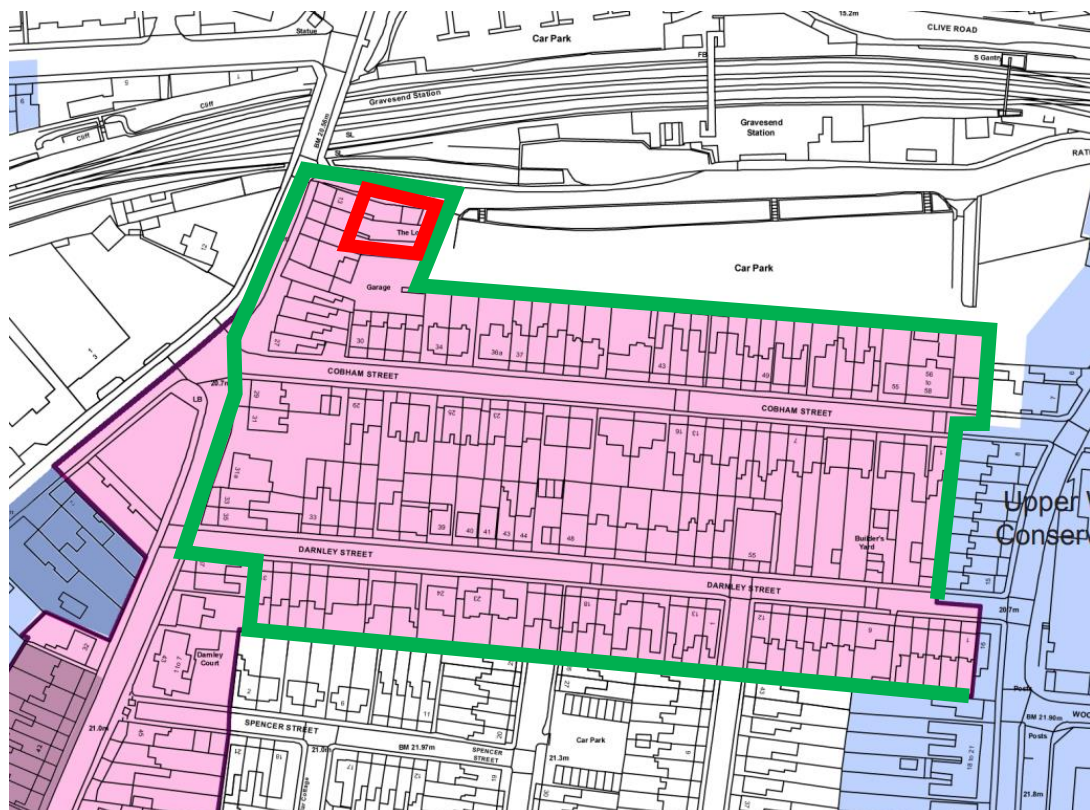


Image 5: Extract of the Conservation Area map identifying Cobham Street and Darnley Street in green and the site in red

- 6.12 Cobham Street and Darnley Street are described within the CAA as “being mainly filled with continuous rows of terraced houses or tightly grouped villas, the visual effect of which is accentuated by the height of the buildings (typically 2-3 storeys over a raised basement)” and “narrow streets that follow a coherent building line”. Importantly, these streets are also acknowledged to benefit from variety in their scale, form, style and material of properties.
- 6.13 Accordingly, the proposal that forms the basis of this application has been carefully sited to form a natural extension to the urban form of Cobham Street and Darnley Street in particular referencing the building lines of the adjacent terrace at Nos. 30-33 Cobham Street.
- 6.14 Likewise, the massing of the proposed building has been restricted in height to three stories (with habitable roof space) allowing it to sit a full 500mm lower than the frontage terrace of Nos. 15-19

Darnley Road. The proposal thereby remains subordinate to Nos. 15-19 Darnley Road and will have no impact upon any identified positive views into, or out of the Conservation Area.

- 6.15 As demonstrated within both the CGI of the proposed development within Section 2 and the Design and Access Statement that supports this application, the proposal takes references from the surrounding three storey Edwardian and Victorian properties that dominate the area.
- 6.16 Notably, in its design and materials the proposal incorporates a traditional repetitive fenestration to the principal elevation featuring tall floor to ceiling windows. A recess also to the main façade will sub-divide the mass of the building allowing it to appear as two distinct buildings in a similar manner to the semi-detached villas of the Conservation Area.
- 6.17 At roof level cornice detail will be included within the eaves to strengthen the lower roof line and reinforce the scale of the property as a three storey building. Whilst a pitched roof references the frontage terrace of Nos. 15-19 Darnley Road and shall be clad in slate providing a dark contrast to the main building with a contemporary re-interpretation of the traditional dormer window.
- 6.18 Accordingly the proposed development is considered to remain visually subservient to neighbouring Conservation Area buildings and positively contribute to the Character of the Conservation Area through a contemporary re-interpretation of historic features, materials and design.
- 6.19 The scheme is therefore considered to comply with all design and heritage related criteria as set out with Policy CS19, CS20 and TC3 of the Local Plan.

Neighbour Amenity

- 6.20 The scheme has been carefully designed to ensure that there will be no unacceptable impact upon the amenity of any neighbouring occupiers, and in particular residents of Nos. 15-19 Darnley Road.
- 6.21 Accordingly in compliance with the Gravesham Residential Layout Guidelines (as summarised within Section 5) the proposal will exceed the minimum required distance of 11 metres between its flank wall and the adjoining rear elevation of Nos. 15-19 Darnley Road. Thereby, ensuring there will be no unacceptable adverse impact upon neighbouring occupiers by way of overshadowing or loss of light.
- 6.22 The siting of windows within the units and their respective internal layouts has also been carefully considered to ensure there is no unacceptable interlooking created between the proposal and existing occupiers of Nos. 15-19 Darnley Road with habitable windows focused around the north and eastern elevations.
- 6.23 Accordingly, the proposed scheme is in accordance with Policy CS19 of the Local Plan and Supplementary Planning Guidance 2.

Residential Living Standards

- 6.24 To confirm, all internal rooms will exceed the relevant targets set out within the National Space Standards.
- 6.25 The scheme has been carefully designed to ensure that useable communal and private amenity areas will be provided for new residents which respond positively to relevant target standards within

Supplementary Planning Guidance 2 (please refer to the accommodation schedule set out at Section 4).

6.26 It is also important to note that the site benefits from being situated at the edge of Gravesend Town Centre as set out within Section 2 where occupants will typically have a lower requirement for private amenity space.

6.27 The new buildings both seek to maximise opportunities for glazing within the north and eastern elevations. Each individual flat will be served by several carefully positioned windows, meaning that residents will benefit from good levels of sunlight/daylight and high quality dual residential outlook.

6.28 Accordingly, the scheme will provide acceptable living conditions for occupiers in line with Policy CS19 of the Local Plan and Supplementary Planning Guidance 2.

Housing Mix

6.29 The scheme proposes a mix of units (including a smaller 2 bed family apartment) within the overall total of 7 units that will contribute toward the borough's housing supply requirements. However, the majority of units will be single bedrooms which it is considered there is a significant requirement for in this edge of town centre location.

Parking/Cycle/Refuse Provision

6.30 The site benefits from an edge of centre location with the directly adjoining Gravesend providing a wide range of amenities. Additionally, it is noted that the site lies directly next to Gravesend Railway Station providing a large variety of frequent rail connections regionally and nationally. Moreover, the site is also in close proximity to Gravesend Bus Station providing further opportunities for local travel by public transport.

6.31 It is therefore considered that a car free scheme should be wholly supported by the Council in this highly sustainable and accessible location.

6.32 Provision has also been made within the site for secure cycle accommodation and refuse storage full details of which can be provided at the local authorities request.

6.33 On the basis of this assessment, the proposal represents an appropriate use of the site and will have no material impact on the surrounding transport network in accordance with Policy CS11 of the Local Plan.

6.34 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Against this background, we do not consider that there is any reason to refuse the scheme on highways grounds.

Summary

6.35 The proposed scheme will have a positive impact upon the visual character and appearance of the street scene and Conservation Area as well as providing much needed new housing for the local community. Furthermore, the living environment created for residents will be of a high quality as

demonstrated by the generous internal floor areas and amenity space provision (both of which meet local and national standards).

- 6.36 The design and layout of the new residential buildings will respect the character, siting and pattern of development within the immediate street scene and has been carefully designed to ensure that there will be no unacceptable adverse impact in regard to outlook or overlooking.

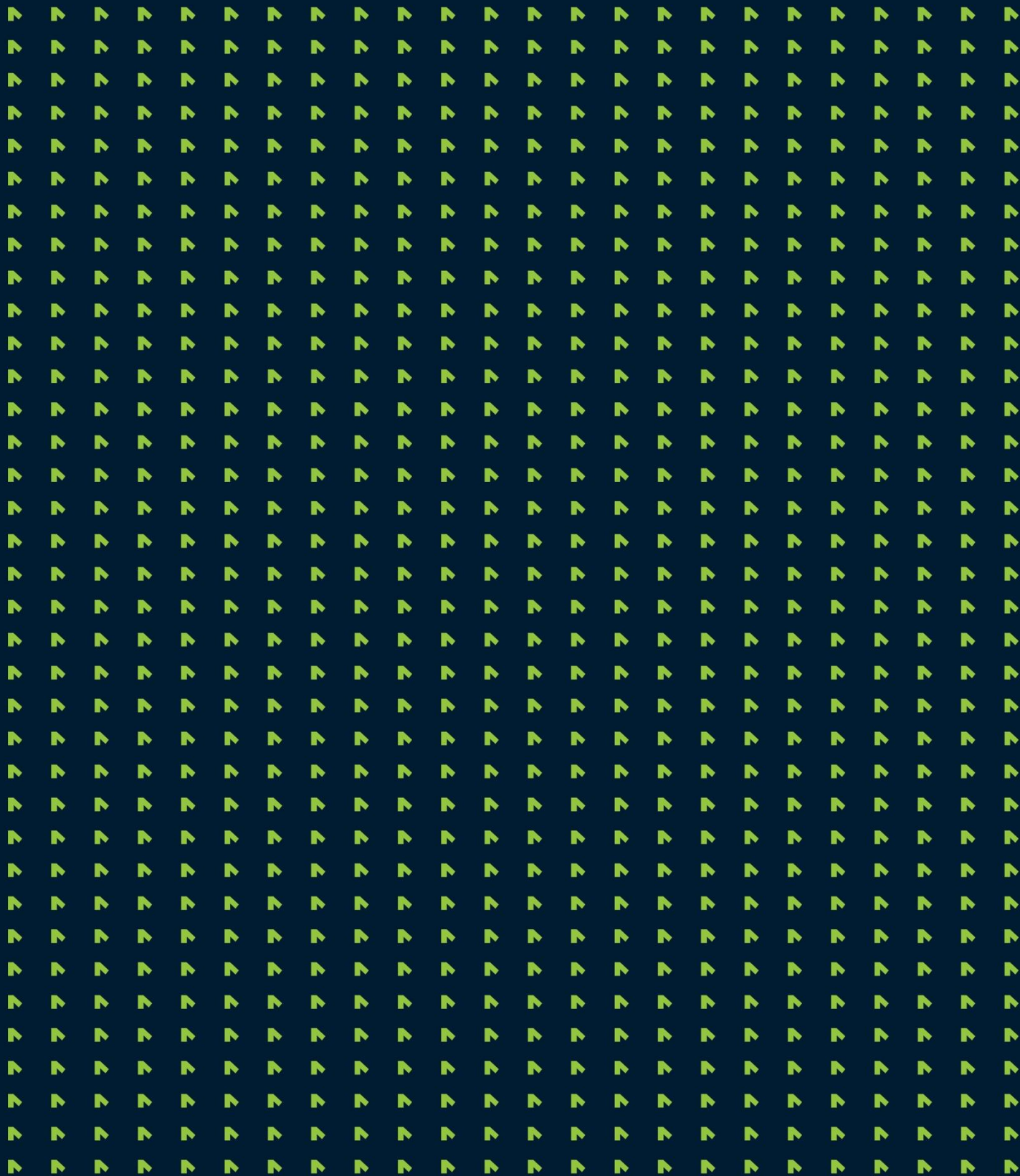
7 CONCLUSIONS

7.1 It is concluded that the proposal is in accordance with the NPPF and the Council's adopted Development Plan. It therefore constitutes appropriate development and should be supported for the following reasons:

- The principle of creating new residential dwellings on a vacant underutilised site in a predominately residential location, within the urban area, is supported by national and local policy;
- The proposed scheme will provide much needed new housing for the local community whilst enabling an efficient, effective use of the site; This is particularly pertinent when considered in the context of the Council's inability to demonstrate a Five Year Housing Land Supply. The latest agreed position (as of March 2023) is that the Council can only demonstrate 2.90 years supply, which represents a significant shortfall. The presumption in favour of sustainable development will therefore apply to the assessment of this application;
- The application submission proposes a high quality design solution that has been informed by the site's constraints and Conservation Area designation and will harmonise with the visual character and appearance of neighbouring properties and the wider street scene;
- The layout and careful massing of the scheme, together with the careful orientation of windows ensures there will be no unacceptable adverse impact upon the amenity of occupiers of any existing neighbouring properties;
- The proposed accommodation is fully acceptable and of a high standard. Each new apartment will meet or exceed internal space standards;

7.2 Overall, the scheme adopts the principles of sustainable development in relation to social, economic and environmental factors. This is because it recycles urban land and delivers a mix of residential dwellings which are accessible by a choice of travel modes including foot, cycle and public transport. The proposals thereby accord with the emphasis of national policy (set out within the NPPF), which confirms a presumption in favour of sustainable development.

7.3 In light of the above, the revised scheme has been demonstrated to comply with all relevant planning policies of the NPPF and adopted Local Plan (most notably CS11, CS14, CS15, CS16, CS19, CS20 and TC3) alongside the relevant provisions of Supplementary Planning Guidance 2 and should be considered acceptable.



0330 133 1355
info@mialex.co.uk

Mialex Limited
Company No. 10612718



Work.Life Manchester
Core
Brown Street
Manchester
M2 1DH

Appendix 1



Application: 20220831

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
--

To: **Mandeep Hayer
C/O Mr Harry Johnson, Mialex
Work.Life
Core
Brown Street
Manchester
M2 1DH**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

**17 Darnley Road
Gravesend
Kent
DA11 0RZ**

and being **Subdivision of the existing dwellinghouse to create three self-contained units with associated amenity space**. Your application dated 28th July 2022 is permitted subject to the following:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans:

Planning Application Form;
Covering Letter;
Rooflight Photograph;
Location Plan;
Drawing No. 22-1321-01 C - Existing Site Location and Existing Floor Plans and Elevations; and
Drawing No. 22-1321-02 C - Existing Site Location and Proposed Floor Plans and Elevations.

Reason: For the avoidance of any doubt and in the interest of proper planning in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

3. Notwithstanding the details included on the application form and approved plans the materials to be used in the construction of the external surfaces of the development hereby permitted, specifically the dormer window, shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Local Plan: Core Strategy Policy CS19.

4. Prior to the first occupation of the development hereby approved and notwithstanding details on the approved plans details of secure, covered and accessible cycle storage facilities (comprising a minimum of 1 space per flat) to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to first occupation of the development and shall be retained for such purposes at all times thereafter.

Reason: In order to encourage options for sustainable travel in accordance with Local Plan: Core Strategy Policy CS19.

5. Prior to the first occupation of the development hereby approved and notwithstanding details on the approved plans details of the refuse arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The approved refuse arrangements shall be provided prior to first occupation of the dwelling and thereafter be retained for such purposes at all times.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

6. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans a scheme of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall be completed in accordance with the approved details prior to the completion of the development or the first occupation of the residential unit whichever is sooner. The scheme shall include:

- proposed boundary treatments;
- proposed finished levels and contours;
- hard surface finishes to the pedestrian accesses; and
- details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

7. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans a scheme detailing the proposed soft landscaping shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

This has involved discussions and negotiations during the processing of the planning application in a collaborative manner in order to address the various consultations and neighbour concerns.

2 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

3 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

4 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

5 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Dated: 5 January 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or

- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Appendix 2

SUMMARY REPORT

Application Ref:	20220831
Site Address:	17 Darnley Road Gravesend Kent DA11 0RZ
Application Description:	Subdivision of the existing dwellinghouse to create three self-contained units with associated amenity space
Applicant:	Mandeep Hayer
Agent:	Mr Harry Johnson, Mialex
Ward:	Pelham
Parish:	Non-Parish Area
Decision due date:	22 September 2022
Publicity expiry date:	2 September 2022
Decision Level:	Planning Committee – Wednesday 4 th January 2023
Reason for referral:	Call In by Councillor Brian Sangha
Recommendation:	The recommendation is for the application to be APPROVED Planning Permission, subject to planning conditions as set out within the report.

Summary of Reasons for Recommendations

The proposal is for the conversion of No. 17 Darnley Road, a three-storey mid terrace dwelling into 3no. self-contained units with associated amenity space. The conversion would provide 1no. two bedroom 3 person unit, 1no. bedsit and 1no. one bedroom two person unit.

As outlined in paragraphs 6.7-10, the principle of converting the property is considered acceptable. Paragraphs 6.19-24 highlight that the proposed units would exceed the National Housing Standards both in terms of gross internal floor area and room sizes. It is considered that there would be no detrimental impact on neighbour amenity as laid out in paragraphs 6.25-28, and would be no highways issues as outlined in paragraphs 6.37-41.

During the course of the application and in order to be positive and proactive negotiations took place with the agent to improve the scheme and address concerns relating to occupier amenity. These changes were a reduction in bedrooms of flat 1 and reconfiguration of floor layout and a rear dormer to serve the bedroom of flat 3.

All representations received from both 3rd parties and consultees and have been taken into account when considering this proposal and the development is considered to comply with local and national planning policy.

The recommendation is for the application to be APPROVED Planning Permission, subject to planning conditions as set out within the report.

MAIN REPORT

1. Site Description and Surroundings

- 1.1. The application site is 17 Darnley Road located on the edge of Gravesham town centre, within the urban boundary of Gravesend and within the Darnley Road Conservation area, as designated by the Local Plan. 17 Darnley Road is a three storey mid terrace single residential dwelling with an existing front rooflight, providing habitable living accommodation over five floors.
- 1.2. The property is set back from the road and benefits from a generous garden to the rear.
- 1.3. The adjoining property to the north, No. 15 has already been converted into 3no. flats and the one to the south is in use as a funeral directors.
- 1.4. Further north is the Gravesend Train Station and the town centre and to the south is a mixture of commercial and residential properties.
- 1.5. The property does not benefit from off road parking.
- 1.6. The following photographs were taken from the public realm on 5th December 2022, together with Google Earth images, show the site and the surrounding area:





Procedural Issues

- 1.7. The application has been determined in accordance with the above submitted documents/plans and Paragraph 38 of the National Planning Policy Framework (NPPF) (2021) sets out adopting a positive and proactive approach to development proposals. In this case prior to this application being submitted the agent did not engage with the Local Planning Authority with a formal pre-application enquiry.

2. Planning History

- 2.1 There is no recent planning history for this site.

3. Proposal

- 3.1. This current application is for the conversion of the existing single residential dwelling into 3no. self-contained units incorporating the formation of a new single dormer on the rear roofslope. No other elevational changes are proposed.
- 3.2. The existing property is a 7no. bedroom dwelling spaced over five floors with two of the bedrooms being within the lower ground floor and one bedroom within the roofspace.
- 3.3. All of the flats would be accessed from the existing front door.
- 3.4. Flat 1 would comprise of living room, bathroom, kitchen and bedroom 2 on the ground floor with bedroom 1, study and store on the lower ground floor. Flat 1 would also have direct access to the rear garden.
- 3.5. Flat 2 would comprise of living/bedroom, bathroom and kitchen on the first floor.
- 3.6. Flat 3 would comprise of living room, bathroom and kitchen on the second floor and bedroom within the roofspace, served by the existing rooflight to the front and new single dormer to the rear.
- 3.7. The property benefits from an existing rear garden which can be accessed from the lobby of Flat 1. There is no external access into the garden due to the adjacent dwellings and the change in land levels to the rear. Therefore it is considered that this garden be exclusively for the use of the occupants of Flat 1.

- 3.8. The property benefits from an open frontage which allows direct access from Darnley Road and for waste collection to be via kerbside collection. The proposal includes a communal bin store within the front which allows for kerbside collection also.
- 3.9. The supporting planning application form states that the proposed units would be 100% market housing.

4. Planning Policy, Development Plan and other Material Considerations

4.1. 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
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Design & Development Principles
- CS20 – Heritage and the Historic Environment

4.2. Paragraph 33 of the NPPF (2021) sets out those 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.

4.3. The Council undertook such a review in September 2019 and the review found that the adopted Local Plan Core Strategy (LPCS) 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

4.4. Saved Policies in the Gravesham Local Plan First Review (November 1994)

- H5 – Increasing the Housing Stock by Conversion
- T1 – Impact of development on the highway network
- TC3 – Development Affecting Conservation Areas
- P3 – Vehicle Parking Standards

4.5. The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

4.6. Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a statutory duty in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architect or historic interest which it possesses.

4.7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended states that, with respect to buildings or other land in a conservation area,

special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

4.8. National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

4.9. Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG 4 - KCC Parking Standards (2006)
- Technical Housing Standards: Nationally Described Space Standards (October 2015)

5. **Consultations and Publicity Responses**

Consultations

5.1. GBC - Highways Officer

As this is a seven bedroom dwelling, its existing cycle parking requirement is higher than that required for three flats. In addition, as an edge of centre property there is no requirement to provide any car parking. I therefore have no objections.

However, if it is possible secure cycle parking for three cycles, one per flat would be beneficial.

5.2. Neighbouring Properties

Consultation was by way of a press notice and the displaying of a site notice, together with letters sent to three surrounding properties with an overall expiry date of 9th September 2022.

5.3. One letter of objection was received, making the following summarised comments:

- Parking
- Refuse Storage
- Will worsen existing parking and refuse issues

6. **Planning Analysis and Service Manager (Planning) Comments**

Housing Need

- 6.1. Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 7 of the NPPF (2021) and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the NPPF (2021) Para 11(d) unless:

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- 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.
- 6.2. In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF (2021) at footnote 7 (rather than those in development plans) relating to any of the following:
- Habitats sites (and those sites listed in NPPF paragraph 180)
 - 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 67); and
 - Areas at risk of flooding or coastal change
- 6.3. 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 125(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.
- 6.4. The proposed development for a net increase of '2' dwellings would offer a minimal contribution towards meeting this local need.
- 6.5. However, as part of this balancing exercise it should be noted that paragraphs 130 and 134 of the NPPF (2021) requires development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.
- 6.6. Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed development 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.

Principle

- 6.7. Policy CS14 of the Local Plan Core Strategy (LPCS) requires that the Council protects the mix of housing in the existing housing stock while also expecting new housing development 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.
- 6.8. The application site is located on the edge of Gravesend town centre where the character of the street scene is both residential and commercial in nature. The

adjoining property to the north has already been converted into flats and the property to the south is commercial. Both properties are similar in size and layout to the application property. Due to the location within an urban area, the principle of residential development is acceptable providing it accords with the local and national policies below.

- 6.9. Saved Policy H5 (LPFR) with regard to proposals for conversion of existing properties to provide flats states that the Borough Council will have regard for the following criteria;
- (i) *The building shall be in an appropriate area for conversion to flats maisonettes, bedsitters and multiple occupancy. Unless there are special or overriding circumstances, conversions will not normally be permitted in an area comprised for the most part of single family dwellings. Conversely conversions will not normally be permitted in areas which are environmentally unsuitable for young families and which already demonstrate a predominance of multiple occupation.*
 - (ii) *The building shall be of such a size and arrangement as to be generally unsuitable for single family occupation.*
 - (iii) *The proposal shall have regard to the Borough Council's Residential Layout Guidelines, as set out in supplementary planning guidance.*
 - (iv) *The adopted Vehicle Parking Standards must be achieved wherever feasible.*
- 6.10. Having regard to the above criteria, on balance it is concluded that the principle of converting the existing single residential home into 3no. self-contained units is acceptable.

Character and Appearance

- 6.11. Policy CS20 (Heritage and the Historic Environment) (LPCS) states that the council will accord a high priority towards the preservation, protection and enhancement of its heritage and historic environment. Particular attention in this regard will be focused on those heritage assets most at risk through neglect, decay or other threats. Proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough's heritage assets.
- 6.12. The proposal would result in minimal alterations to the existing building. A single dormer would be located within the rear roofslope which would not detract from the original features of the building. No alterations to the front of the building are proposed.
- 6.13. CS19 (Development and Design Principles) (LPCS) sets out the design principles which will be taken into account when considering proposed redevelopment proposals. The policy requires new development to be visually attractive, fit for purpose and locally distinctive. In particular, the design of new development should be derived from a robust analysis of local context and character, make a positive contribution to the street scene and the character of the area and integrate well into the surrounding area. At a national level the revised National Planning Policy Framework 2021 (NPPF) in section 12 provides guidance on achieving well designed places.
- 6.14. The proposal is for a conversion of the existing dwelling. There are only minor elevational alterations to the rear with the creation of a single dormer.
- 6.15. Paragraph 201 of the NPPF (2021) states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage

asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

6.16. Under the NPPF (2021) conservation areas are designated heritage assets and their conservation is to be given great weight in planning permission decisions. In this instance limited changes are proposed to the external fabric of the building, with the change of note being the proposed dormer which would be a modest addition to the rear roofslope. This proposed dormer has been designed to reflect the existing building and would not result in a detrimental impact on the Darnley Road Conservation Area. Therefore, the proposal would have no harm on the heritage asset as it would be in keeping with the street scene and facilitate the use of the building for residential accommodation which would seek to secure the future of the property.

6.17. The proposed alterations are considered acceptable and would preserve the character of the existing property and the Darnley Road Conservation Area.

6.18. In terms of design and impact on the Darnley Road Conservation Area, the proposed development accords with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014), saved Policy TC3 of the Gravesham Local Plan First Review (1994) and Sections 12 and 16 of the National Planning Policy Framework (2021).

6.19. Residential Amenity

6.20. The NPPF (2021) states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 (LPCS) 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.

6.21. *Amenity of Future Occupiers*

	Actual floor area	National Standard	Double Bedrooms 11.5sqm	Single Bedrooms 7.5sqm
Flat 1 (2b, 3p)	92.96sqm	70sqm	13.19sqm	10.7m
Flat 2 (bedsit)	33.78sqm	N/A	21.41qm	N/A
Flat 3 (1b, 2p)	58.37sqm	58sqm	19.11sqm	N/A

- 6.22. As can be seen from the table above the minimum gross internal floor area recommended by the National Housing Standards has been met by Flats 1 and 3.
- 6.23. There is no national standard for bedsits, however the Gravesham Residential Layout Guidelines requires bedsits to have a minimum floorspace of 30sqm, of which Flat 2 meets.
- 6.24. In addition, all of the bedrooms exceed the minimum space standards and would have access to a good level of natural light and outlook.
- 6.25. The existing garden area to the rear would not be altered by the proposal and would provide 117.56m² of private amenity space for the occupiers, which would accord with the Residential Layout Guidelines (2020).
- 6.26. In addition, being located on the edge of town, the occupiers would have access to Riverside Leisure Area, Dashwood Open Space and Woodlands Park, all within walking distance.
- 6.27. In terms of occupier amenity, the proposal would accord with the objectives of Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 130f of the National Planning Policy Framework (2021).
- 6.28. *Neighbouring Amenity*
- 6.29. One neighbour objection has been received relating to the additional parking and refuse impact. This will be addressed within the Parking and Highways and refuse sections.
- 6.30. No comments were received relating to loss of light, privacy or overlooking. The proposal would result in one additional rear facing window within the roofslope. This would afford the same views as the existing first and second floor windows and as such it is not considered to have a detrimental impact on the amenities of the surrounding properties.
- 6.31. Overall, and taking into account the existing built form of both the application site and the surrounding buildings, it is considered that there will be no loss of outlook, daylight or sunlight to any neighbouring property and therefore complies with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 130 of the National Planning Policy Framework (2021) in this regard.
- 6.32. Ecology and Biodiversity
- 6.33. Paragraph 174 and 177 of the NPPF (2021) 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).
- 6.34. 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.

- 6.35. The existing garden will not alter as part of this proposal, therefore there would be no biodiversity net loss.
- 6.36. 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 £275.88 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.
- 6.37. Where there are no other contributions required for a development applicants generally have chosen to submit the payment of £275.88 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.
- 6.38. The applicant has completed the SAMMS Mitigation Contribution Agreement and made the required payment, addressing this issue.
- 6.39. Therefore, the development would comply with the requirements of the Habitat Regulations and Section 14 (specifically paragraphs 175 and 176) of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).
- 6.40. Parking and Highways
- 6.41. The application property is located on the edge of town and therefore no parking provision is required.
- 6.42. The existing property is a 7-bedroom dwelling which are double rooms and therefore has the potential for 14 occupants. The proposal would see a decrease in 3no. bedrooms and an approximate occupancy of 6 people.
- 6.43. The GBC Highways Officer has commented that, no car parking is required due to the edge of town location and 3no. flats would have a lesser parking requirement than a 7-bedroom dwelling. However ideally there should be secure and weatherproof bicycle parking for one bicycle per flat to conform to SPG4.
- 6.44. Therefore, subject to imposition of a condition for the provision of secure cycle storage, the development would accord with Policy CS11 (LPCS).
- 6.45. Waste Collection

- 6.46. The existing property utilises the frontage for bin storage, allowing for kerbside collection. The proposal includes the provision of a timber clad refuse and recycling store to the front, enabling kerbside collection, however no details relating to bin store size or design have been provided.
- 6.47. Subject to a condition requesting storage details, this is considered acceptable and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

7. Conclusion

- 7.1. It is acknowledged that the Council is currently unable to demonstrate a five-year housing supply and as the delivery of housing is substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Policy CS02 (LPCS) must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF (2021).
- 7.2. The proposed development for a net increase of 2no. dwellings (in this case 2 flats) would offer a minimal contribution towards meeting this local need and delivery and, accordingly, adds some weight in support of the application.
- 7.3. In this case, it is considered that the proposal would accord to local and national planning policy and is therefore recommended for approval.

Recommendation

The recommendation is for the application to be **APPROVED** Planning Permission, subject to the following conditions:

CONDITIONS

1. **STANDARD TIME LIMIT**
The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **APPROVED PLANS**
The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans:

Planning Application Form;
Covering Letter;
Rooflight Photograph;
Location Plan;
Drawing No. 22-1321-01 C - Existing Site Location and Existing Floor Plans and Elevations; and
Drawing No. 22-1321-02 C - Existing Site Location and Proposed Floor Plans and Elevations.

Reason: For the avoidance of any doubt and in the interest of proper planning in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

3. MATERIALS

Notwithstanding the details included on the application form and approved plans the materials to be used in the construction of the external surfaces of the development hereby permitted, specifically the dormer window, shall match those used in the existing building.

Reason: To ensure a satisfactory visual relationship between the existing and the new development in accordance with Local Plan: Core Strategy Policy CS19.

4. CYCLE STORAGE

Prior to the first occupation of the development hereby approved and notwithstanding details on the approved plans details of secure, covered and accessible cycle storage facilities (comprising a minimum of 1 space per flat) to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to first occupation of the development and shall be retained for such purposes at all times thereafter.

Reason: In order to encourage options for sustainable travel in accordance with Local Plan: Core Strategy Policy CS19.

5. REFUSE DETAILS

Prior to the first occupation of the development hereby approved and notwithstanding details on the approved plans details of the refuse arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The approved refuse arrangements shall be provided prior to first occupation of the dwelling and thereafter be retained for such purposes at all times.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with Local Plan: Core Strategy Policy CS19.

6. HARD LANDSCAPING

Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans a scheme of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall be completed in accordance with the approved details prior to the completion of the development or the first occupation of the residential unit whichever is sooner. The scheme shall include:

- proposed boundary treatments;
- hard surface finishes to the pedestrian accesses; and
- Details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Local Plan: Core Strategy Policy CS19.

7. SOFT LANDSCAPING

Prior to the first occupation of the development hereby approved and notwithstanding

the details shown on the approved plans a scheme detailing the proposed soft landscaping shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with Local Plan: Core Strategy Policy CS19.

INFORMATIVES

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

This has involved discussions and negotiations during the processing of the planning application in a collaborative manner in order to address the various consultations and neighbour concerns.

2 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

3 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

4 DEVIATION FROM THE APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed,

applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

5. KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of the highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority. The development hereby permitted requires works to be undertaken in the public highway adjacent to the site. Prior to starting work you must first contact KCC Highways and Transportation on 030000 41 81 81 to ascertain what work is required and the procedure to be followed to progress this to completion.