



Delegated Report

Change of use Planning Application

Planning Application No: 20221296

Location: Walker Croft 27 - 28 Windmill Street Gravesend Kent

Description: Change of use from a former estate agents office to education use.

Applicant: Mr F Rana

Site Visit Date: 16.01.23

Preliminary Matters

The agent was emailed on 24.01.23 to establish how many jobs would be created as a result of the proposal. On 25.01.23 the agent sent on the applicant's response to confirm the following:

- One full time job will be created (likely to be in the medium/long term) and a few part time jobs
- This, (employment numbers) is likely to increase in the future
- There will be at least a few months worth of building work created by the renovation

Submitted Documents/Plans

Application Form;

Supplementary Information – Email from agent with information regarding employment (received on 25.01.23);

Supplementary Information – Heritage Statement (received on 05.12.22);

Supplementary Information – Design and Access Statement (received 05.12.22); and

Drawing No. 22/393/01 - Floor Plans and Block Plans - Existing and Proposed with Site Location Plan.

Plan Note

The application form makes reference to Class E2(ii) of the Town and Country Planning (Use Classes) Order 1987 (as amended)). The Order was updated in September 2020 and as such the reference to E2(ii) is considered erroneous, therefore only the updated use classes are referenced in the report below.

Relevant Planning History

Reference	Description	Decision	Decision Date
20151182	Separation of Nos 27 and 28 into two units by blocking up wall internally and forming new entrance door through existing shop window.	Permitted	14.03.2016
19750183	Installation of new shopfront	Permitted	23.04.1975
19740636	Change of use of ground floor of premises from laundrette to estate agents offices.	Permitted	13.02.1975

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 - Gravesend Town Centre Opportunity Area
- CS07 – Economy, Employment and Skills
- CS08: Retail, Leisure and the Hierarchy of Centres
- CS11: Transport
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20: Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- Policy TC3: Development affecting Conservation Areas
- Policy T1: Impact of Development on the Highway Network

Paragraph 33 of the NPPF (2021) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2021), the Council will also seek to replace these.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 6 – Building a strong, competitive economy
- 7 – Ensuring the Vitality of town centres
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 11 – Making effective use of land
- 12 – Achieving sustainable development and well-designed places
- 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG 4 - KCC Parking Standards (2006);
- Gravesend Town Centre Conservation Areas Management Plan; and
- Upper Windmill Street Conservation Area Character Appraisal (2009).

Section 72(1) of the Planning Listed Building and Conservation Areas Act 1990 (as amended) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No Comments.

GBC – Conservation Officer

No Comments.

GBC – Parking Services

The only concern for us would be when students are picked up/dropped off. If there are young children attending, it is unlikely they'll be walking there and will be dropped off by car etc. In the documents, they mention there being place outside to drop off and pick up for a short time - this isn't the case. The bay outside the address is split, half is a disabled bay and the other half is a goods vehicle loading bay. Either side of this bay and on the opposite side (community square side) there is a no loading at any time restriction so there is nowhere within a short proximity that is suitable for picking up or dropping off students.

Our concern would be that our enforcement officers have a constant battle with the parents picking up and dropping off in locations where they shouldn't be, because in their eyes they'll 'only be a minute', preventing blue badge holders from parking, preventing businesses from taking deliveries or stopping in locations that either block the road, or obstruct the footpaths. Car parks are free from 6pm, but the reality of getting parents to park in those car parks will likely be easier said than done. This is an issue we already face in so many areas around the town of an evening, car parks are free but people still choose to park illegally because its closer to where they want to be/go.

Other businesses in that stretch have small parking areas at the back (accessed from Eden Place) and there is a dropped kerb in place there to permit vehicle access, although the area is currently fenced off. Could this area somehow be utilised for short term parking for parents picking up/dropping off?

GBC – Town Centre Manager

I have now taken a look and can now see more details - it looks to be the same company who are trading in the old Milton Hall building further up Windmill Street - and yes there comment about dropping off pupils could be a concern re vehicles, though I'd be more worried about cars arriving early to collect children at the end of the day- and also the part about possibly installing cycle racks - but other than that which I will leave to your team to decipher, I don't have an issue with it

GBC – Highways Officer

This is a town centre location so no need to provide car parking. Ideally additional cycle parking should be installed, as given the close proximity of the Council offices and theatre technically these could be is use at the time the education facility is open.

GBC – Planning Policy

No Comments.

GBC – Economic Development Manager

No Comments.

GBC – Commercial Team (Regulatory Services)

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

Health and Safety

In these premises the Health and Safety Executive (HSE) will be the enforcing Authority for all health and safety matters. Should you require further advice and information check out the HSE website www.hse.gov.uk

Neighbouring properties

10 surrounding properties were consulted, a site notice was displayed, the application was advertised in the paper. The overall consultation period expired on 06.01.23 and no responses were received.

Officer's Analysis

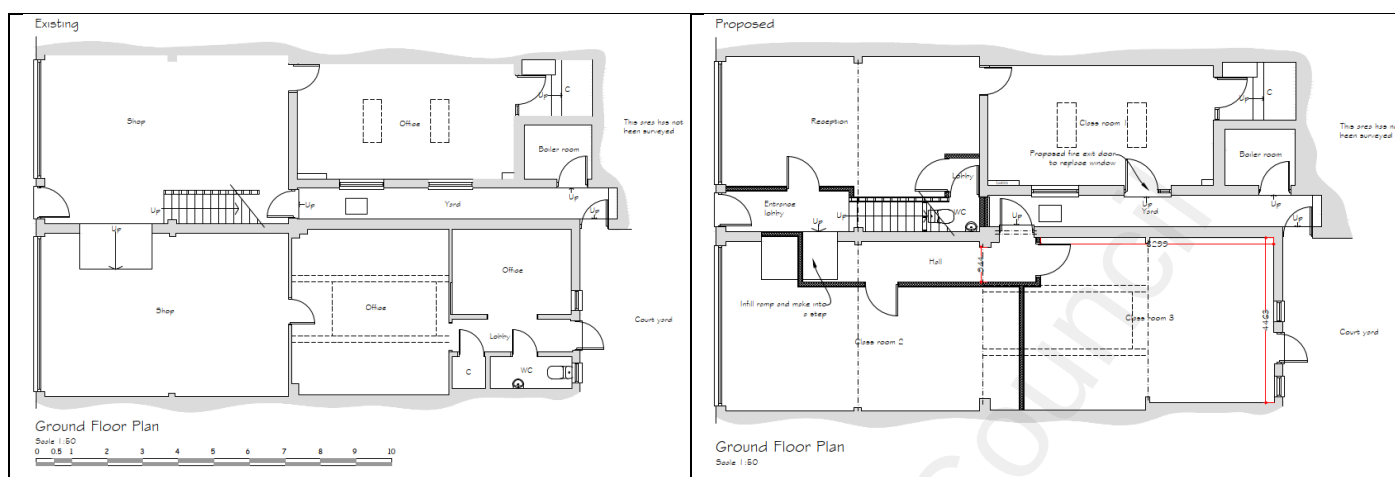
(Walker Croft) 27-28 Windmill Street is a three storey mixed-use building located to the west of Windmill Street. The proposed development for this application is concerned with the ground floor of the site only.



Proposed Development

The plans and documents received as part of this application explicitly state that this application is solely for the change of use and an application for a business fascia sign would be submitted separately. There are to be internal changes with no external alterations to the building. The last use of the ground floor was as an Estate agents (Class E (c)(ii) of the Town and Country Planning (Use Classes) Order 1987 (as amended)) and this application proposes a change of use to the provision of education (Class F1 (a) of the Use Classes Order 1987 (as amended)).

Existing and Proposed Floor Plans



The internal layout changes would create space for an entrance area, reception area, lobby and WC, hallways and three classrooms. It is noted there is an enclosed passageway with a clear Perspex roof to the rear, as described on the design and access statement. Although this is not ideal, it is noted from aerial images that this Perspex covered walkway appears to have been in situ for 10 plus years.

Design, Character and Appearance Impact on the Conservation Area

The site is located within the Upper Windmill Street Conservation Area and as such the principle issue in determining this application is whether the proposed development will preserve or enhance the character and appearance of the Upper Windmill Street Conservation Area. As such, Policy CS20 of the Gravesham Local Plan Core Strategy (LPCS) (September 2014) and Saved Policy TC3 of the Gravesham Local Plan First Review November 1994 are relevant. These policies place a high priority on the preservation, protection and enhancement of the heritage and historic environment.

The proposed development is a change of use and at this time no external changes to the building are proposed. It is noted that if this application is permitted, then an application to alter the frontage would follow; which would need to adhere to policies and guidance to ensure the conservation area is either preserved or enhanced.

Overall, it is considered that this change of use application would not have a detrimental effect on the character and appearance of the Conservation Area. The development is in accordance with statutory test 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014), saved Policy TC3 (Development Affecting Conservation Areas) of Gravesham's Local Plan First Review (1994) as well as Sections 12 and 16 of the National Planning Policy Framework (NPPF) (2021).

Primary Shopping Area and Town Centre Location

The site is located within the town centre and primary shopping area and therefore Policies CS05 and CS08 of the (LPCS) (September 2014) are relevant.

Policy CS05 of the (LPCS) (September 2014) sets out the vision for the Gravesend Town Centre Opportunity Area, to establish itself as a dynamic and desirable place to live and work and be a focus for shopping, leisure, service provision, culture and tourism. It also states that town centres need to constantly reinvent themselves if they are to remain relevant to the people that use them, and competition from other centres and opportunities to buy goods and services online has changed the way people shop. It also identifies the main shopping area as around the St Georges Centre, Thamesgate Centre and the pedestrianised part New Road. Furthermore, it goes on to say that areas close to this main shopping area

(including windmill Street) tend to consist of more independent shops, estate agents, banks, building societies etc. As such it is considered that the use of the site (formerly used as an estate agents) for education purposes would be an acceptable change of use.

As per CS08 of the (LPCS) (September 2014) the primary shopping area is the Council's preferable location for new retail development. It is acknowledged that there are currently other vacant premises within the primary shopping area that are further identified by Gravesham's policies map as falling under primary and secondary frontage constraints. As such, it is not considered that this proposal would cause a shortage of available units for retail use. Furthermore, as per the Design and Access Statement provided with this application, the site had been used as an estate agents office for 30 plus years prior to the estate agency closing its business, and as such an existing retail use is not being lost as part of this proposal. Moreover, the site has now been vacant for a number of years. Policy CS08 of the (LPCS) (September 2014) also refers to residents being able to have good access to shops and **services**. As the site is located within the town centre, it is well served by bus and rail routes as well as the opportunity to cycle and will provide tuition services for both school aged children and some adults.

Economy, Employment and Skills

Bringing the vacant site back into use will result in employment, including one full time position and a few part time positions; which is likely to increase over time. Furthermore, work will be created to carry out the (internal) renovations. Moreover, the change of use could encourage more people into the town centre and it will provide tuition for children and some adults. CS07 of the (LPCS) (September 2014) highlights the importance of giving local people opportunities to access higher skilled jobs and as such, it is considered the proposal complies with the spirit of the policy.

Highways Matters

Due to the sites Town Centre location, the proposal is not required to provide any off-street parking provision. The site is served by nearby bus and rail routes with surrounding cycle storage/racks available. Gravesham's Highways Officer raises concerns that the cycle storage available directly outside the site is insufficient, however it is noted there is more cycle provision available at both Parrock Street Car Park and the secure cycle hub at Gravesham Train Station (subscription required). As such it is considered that sufficient cycle space is available.

Photo taken showing cycle rack next to Parrock Street Car Park



Photo taken showing cycle rack opposite the application site



There is also parking availability in Parrock Street Car Park, located within close proximity of the site.

Gravesham's Town Centre Manager and Parking Services both raised concerns regarding the misuse of the goods loading and disabled bays located directly outside the premises. Although these comments are noted, this is outside the planning remits of this application. Furthermore, Section 9 of the NPPF (2021) states: *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.* As such the proposal is in accordance with CS11 of the (LPCS) (2014) and Section 9 of the NPPF (2021).

Amenity of Future Occupiers

It is considered that there is no conflict with Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) with regards to the amenity of future occupiers.

Neighbouring Amenity

No neighbour responses have been received for this application.

The documents provided with this application set out the proposed opening hours, which are as follows:

Monday - Friday – 4pm – 8pm
Saturdays – 9am – 6pm
Sundays – Closed

However, considering its town centre use there would be no open of having the use 9am to 8pm Monday to Friday.

Due to the nature of the proposed use, there will be no detrimental impact on the surrounding properties, and the opening hours will be conditioned as mentioned above. Therefore, there is no conflict with Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014).

Conclusion

The proposed change of use from Estate Agents to Education is considered an acceptable use for this vacant site. Furthermore, the proposal is considered to protect the amenity of future occupiers and neighbours.

The application has been fully considered and is in accordance with local and national planning policy.

Recommendation

Permission

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

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	25th January 2023	Dated:	26th January 2023

Gravesham Borough Council