

Planning Statement

**27a, East Kent Avenue, Northfleet,
Kent, DA11 9HU**

**Proposed retrospective change of use of
existing outbuilding from reception and
office space to sleeping accommodation,
and details of vehicle and bicycle parking**



RTPI

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Project reference: PR4254

30 October 2024

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1 Introduction

- 1.1 This Planning Statement has been submitted in support of an application for the following development at 27a, East Kent Avenue, Northfleet, Kent, DA11 9HU (hereafter referred to as 'the Site'):

Proposed retrospective change of use of existing outbuilding from reception and office space to sleeping accommodation, and details of vehicle and bicycle parking

- 1.2 The proposed development affects the following Land Registry title(s):

Title Number	Description	Owner
K100072	<u>27A EAST KENT AVENUE, NORTHFLEET, GRAVESEND DA11 9HU</u>	KENT ASSOCIATION FOR SPINA BIFIDA AND HYDROCEPHALUS (Co. Regn. No. 06465666) of 7 The Hive, Northfleet, Gravesend DA11 9DE and of 27a East Kent Avenue, Northfleet, Gravesend DA11 9HU
TT28375*	1, 2, 3, 7, 8, 10, 12, 13 and 14, Bankside, 1, 3, 4, 5, 6, 8, 10 and 12 North Kent Avenue, 2, 4, 6, 8, 10, 12, 14, 17 and 21 West Kent Avenue, Northfleet, Gravesend	GAVESHAM BOROUGH COUNCIL of Civic Centre, Windmill Street, Gravesend, Kent DA12 1AU

*Access to Highway

- 1.3 The application is accompanied by the following plans and documents:

- **4254.ON – Planning Statement**
- **4254 – 01 – Site Location Plan**
- **4254 – 02 – Existing Block Plan**
- **4254 – 03 – Existing Floor Plan**
- **4254 – 04 – Existing Elevations**
- **4254 – 05 – Proposed Block Plan**
- **4254 – 06 – Proposed Floor Plan**
- **4254 – 07 – Proposed Elevation**

2 Site Context

- 2.1 The 550m² Site consists of a property that is a chalet style semi-detached bungalow with four bedrooms. Its existing lawful use is C3(b) which covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
- 2.2 The Site possesses two outbuildings to the rear which are being used as an office space and reception in conjunction with the main dwelling. The change of the use of one of these outbuildings is subject of this application.
- 2.3 Number 27a is constructed from a white render on the lower section of the dwelling and red hung tiles on the upper. The downstairs comprises a white UPVC bay window on the front elevation with black downpipes and guttering. There is also a west facing dormer window as well as two east facing roof lights.
- 2.4 The Site has 4 existing rear parking spaces that are used by the employees of KASBAH (Kent Association for Spina Bifida and Hydrocephalus) as well as one parking space to the front of the dwelling. The rear parking is accessed from the road that separates 27a from 27.
- 2.5 In a wider context, the Site forms part of East Kent Avenue which comprises predominantly residential units including terraced, semi-detached and detached dwellings. There is also the Kesson House Care Centre nearby which was formerly used as a care home but is now proposed to become a supported living facility.
- 2.6 The site is due south of the River Thames as well as being within walking distance from Northfleet Station and Ebbsfleet Station which provides access to Greater London.
- 2.7 Additionally, in Northfleet there are local amenities such as restaurants and hotels as well as Bluewater Shopping Centre which provides a range of shops for the local and wider area.
- 2.8 This Site is the subject of the following planning constraints and characteristics:
- Flood Zone 1

3 Relevant History

3.1 The following records are understood to be relevant to the Site:

- [Continued use of the outbuildings for office use and recreational use for residents.](#)

Ref. No: 20190233 | Received: Tue 05 Mar 2019 | Validated: Thu 14 Mar 2019 | Status: Application Permitted

- [The retention of an existing infill extension for the ancillary use of this space for the residents of the main dwellinghouse and the proposed change of use of the existing outbuildings to offices for KASBAH \(registered charity\) administrative staff.](#)

Ref. No: 20150309 | Received: Mon 30 Mar 2015 | Validated: Fri 12 Jun 2015 | Status: Granted Temporary Permission

- [Construction of a pitched roof over the bungalow incorporating a dormer window in the western side roof slope and conversion of the proposed roof space into two bedrooms, one with an ensuite and a separate bathroom; erection of single storey side extension replacing the garage to form entrance lobby and hall and construction of a pitched roof over the existing flat roofed front bay window.](#)

Ref. No: 20051040 | Received: Wed 30 Nov 2005 | Validated: Mon 05 Dec 2005 | Status: Application Permitted

4 Proposed Development

4.1 The application entails the following elements:

- Proposed retrospective change of use of an existing office and reception to sleeping accommodation in relation the main property;
- Internal alterations to the outbuilding to include the provision of 2 sleeping areas and a living area ;
- No external alterations are proposed;
- To reinstate vehicle and bicycle parking spaces as shown on the approved drawings in relation to planning permission 20190233.
- The outbuilding currently has a gross internal floor area of 74m² and a footprint 86m².

5 Planning Policy

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Court of Appeal has clarified that for a decision maker this means establishing whether a proposal is in accordance with the development plan as a whole. The question of compliance with one policy should not dictate the outcome of a proposal in the absence of considering compliance with all other relevant policies. Decision makers are therefore tasked with identifying and understanding all relevant policies and material considerations in order to reach a properly informed planning judgment on a proposal, and to avoid an irrational or vulnerable decision that may be subject to criticism in a public law challenge.
- 5.2 Paragraph 2 of the National Planning Policy Framework ('the Framework') reiterates what is said in Section 38(6), whilst paragraph 12 of the Framework is clear that the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
- 5.3 Paragraph 38 of the Framework encourages local planning authorities to approach decisions on proposed development in a positive and creative way. It also encourages working proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, adding that decision-makers should seek to approve applications for sustainable development where possible.
- 5.4 Annex 1 of the Framework confirms that for the purposes of decision-taking, the policies in the plan should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. It adds that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, with greater weight being given to those policies that are closer to the policies in the Framework.

Development Plan

- 5.5 It is understood that the Development Plan for Gravesham within which the Site is located comprises the following documents:

- Core Strategy (2014) (CS)
- Gravesham Local Plan First Review (1994) – Saved Policies

5.6 The CS sets out a long-term vision for the future of Gravesham based on evidence of the need to support communities and outline what makes Gravesham a distinctive and attractive place to live and work. Furthermore, it helps to support and inform sustainable development via investment in infrastructure, economic development, and regeneration proposals within the borough, while promoting healthy communities. Lastly it aims to provide a consistent basis for planning application decisions. The following policies are considered as relevant:

- Policy CS01 – Sustainable Development
- Policy CS02 – Scale and Distribution of Development
- Policy CS10 – Physical and Social Infrastructure
- Policy CS11 – Transport
- Policy CS19 – Design and Development Principle

The Gravesham Local Plan First Review (1994) was replaced by the adopted Local Plan (2014). In September 2007, the Secretary of State issued a direction on policies to be saved and deleted. The following are policies that have been saved, remain operational and are relevant to the proposal.

- Policy T1 – Impact of Development on Highway Network
- Policy P5 – Exceptions to the Vehicle Parking Standard – Change of Use of Buildings

Other Material Considerations

5.7 In summary, the following paragraphs are considered most relevant as additional material considerations in the determination of this application:

NPPF

- Paragraph 8 – Three overarching objectives of the planning system
- Paragraph 11 – Presumption of favourable development
- Paragraph 96 – Promoting healthy and safe communities
- Paragraph 123 – Making effective use of land
- Paragraph 131 – Achieving well-designed and beautiful places

Other material considerations

- SPG2 – Residential Layout Guidelines (2020)
- SPG4 – KCC Parking Standards (2006)
- Technical Housing Standards – National Described Space Standards (2015)
- Design for Gravesham (2024)

6 Planning Assessment

Key Issues

6.1 The following are considered to be the key issues in the assessment of this application:

- 1. Principle of development**
- 2. Vehicle parking**
- 3. Bicycle parking**

1. Principle of development

6.2 This application has been submitted in response to the pre-application advice PRE20240018 provided by Gravesham Borough Council. It was noted by the Case Officer that the subject building is already being used as sleeping accommodation and therefore requires planning permission as the building is subsequently in breach of condition 3 of 20190233

6.3 The existing use of the outbuilding as per planning permission 20190233 is an office and recreational space for residents (Class e (g)(i)). However, it has been highlighted by the applicant that one of the residents has chosen to sleep in this space, therefore planning permission is required.

6.4 The proposal does not include any external alterations to the main dwelling at 27a as well as the existing outbuildings, only the retrospective change of use.

6.5 The proposed retrospective change of use is in line with policy CS02 as it states the strategy prioritises development in the urban area as a sustainable location for development.

6.6 The proposal will be in line with Policy CS10 of the CS whereby it states that support will be given to proposals and activities that protect, retain or enhance existing physical and social infrastructure, or lead to the provision of additional infrastructure that improves community well-being.

6.7 Furthermore, CS10 states that all new development should make the most efficient use of new and existing infrastructure.

In addition to this, the proposal for the retrospective change of use will adhere to policy CS19 of the CS whereby the building will be 'fit for purpose' and will 'integrate well with the surrounding local area' given the wider residential context.

- 6.8 Therefore, it is considered that the retrospective change of use is appropriate development at the Site and will have no adverse impact on the existing site or the wider area.

2. Vehicle parking

- 6.9 As highlighted by the Case Officer in the pre-application advice, it was noticed that the vehicular parking that is shown on drawing 19/035 Rev A as part of application 20190233 no longer existed.
- 6.10 The Applicant stated this was as a result of improper materials being used when it was first developed which subsequently turned the spaces into churned up grass. Subsequently the applicant turned the space into a green area for the residents as to make proper use of the space, without knowing they had breached the condition.
- 6.11 As a result of this, the Applicant has since turned the area back into the 4 parking spaces that are highlighted on planning permission 20190233 which have been highlighted in as part of the proposed floor plans.
- 6.12 This proposal is therefore in line with the SPG4 KCC Parking Standards (2006) whereby it is a requirement for houses with 4 or more bedrooms to have 3 parking spaces per dwelling.
- 6.13 Given number 27a has 3 bedrooms in the main property and the proposed retrospective change of use to sleeping accommodation, 4 parking spaces exceeds this limit and therefore is in line with the standards.
- 6.14 Subsequently, number 27a no longer breaches condition 7 of planning permission 20190233 as it provides sufficient parking for the property as well as being in line with the original planning permission.
- 6.15 Also, the proposal is in line with policy P5 whereby it states the council aims to ensure sufficient parking is supplied for applications for the retrospective change of use of buildings. They also note that the Council are prepared to consider a relaxation of the standards, provided it does not unduly exacerbate on-street parking problems in the area. The proposal provides sufficient parking and is therefore in line with the policy.

- 6.16 The vehicle parking also adheres to policy CS11 of the CS whereby the sufficient parking to be supplied in accordance with the adopted parking standards.
- 6.17 Lastly, the proposed development adheres to policy T1. The proposed parking spaces will not generate any additional traffic on the transport system as there is no proposal to increase the number of residents at the dwelling or the number of parking spaces.

3. Bicycle parking

- 6.18 Upon visiting the site, the case officer duly noticed that the bicycle parking that was shown as part of planning permission 20190233 no longer existed. The Applicant stated the structure had blown away during the winter, hence why it was absent from the Site.
- 6.19 This resulted in the Site being in breach of condition 8 of the above planning permission which was not the Applicants intention.
- 6.20 In order to resolve the breach of condition, bicycle parking has now been provided. According to the SPG4, the minimum parking standards for a dwelling is 1 space per bedroom.
- 6.21 The proposed floor plans show 4 bicycle parking spaces and therefore adhere to the planning guidelines which ensure the site is no longer in breach of condition 8 of planning permission 20190233.

7 Conclusions

- 7.1 The outbuilding which is the subject of this application is a permanent structure and lawful. It is currently used as an office / reception area for the wider site, which has a lawful C3(b) use. The office is no longer required and is currently being used as sleeping accommodation by one of the residents of the main property.
- 7.2 This application is therefore seeking planning permission for the retrospective change of use of the outbuilding only.
- 7.3 This proposal also seeks to reinstate the approved parking scheme under planning permission 20190233, which has been the subject of recent Enforcement investigation.
- 7.4 In consideration of all relevant development plan policies and material considerations, this application should be viewed positively by the authority, and it is respectfully requested that this submission is approved.