



Delegated Report

Full Planning Application

Application No:	20221083
Location:	27 The Terrace, Gravesend, Kent, DA12 2BA
Description:	Erection of ground, first and second floor extensions at the rear of the property
Applicant:	Mr Avtar Singh
Site Visit:	10 th November 2022

Submitted Documents/Plans

- Application Form - dated 30/09/2022;
- Design and Access Statement;
- Heritage Statement - dated 29/09/2022;
- Drawing no. 01 - Rev. A - Site Location Plan, with Existing Ground and First Floor Plans;
- Drawing no. 02 - Existing Second, Third (Loft) and Roof Plans;
- Drawing no. 03 - Rev. A - Existing Elevations, with Basement Floor Plan;
- Drawing no. 04 - Rev. A - Proposed Ground and First Floor Plans;
- Drawing no. 05 - Rev. A - Proposed Second, Third (Loft) and Roof Plans;
- Drawing no. 06 - Proposed Front and Side Elevations;
- Drawing no. 07 - Rev. A - Proposed Rear and Side Elevations, with Proposed Block Plan;
- Drawing no. 08 - Existing Block Plan.

Relevant Planning History

Reference	Description	Decision	Decision Date
20140166	Application for non-material amendment to planning permission reference number 20120584 relating to alteration to one bathroom into a kitchen and a change of the dormers.	PERMITTED NMA	06.03.2014
20140165	Application for non-material amendment to planning permission reference number 20130919 relating to the change of light well on western boundary to pavement light.	PERMITTED NON- MATERIAL AMENDMENT	06.03.2014
20140019	Application for approval of conditions 3 and 4 attached to planning permission reference number 20130919 relating to the mitigation of poor air quality and mitigation of traffic noise.	APPROVAL OF DETAILS	02.05.2014
20130920	Application for approval of condition 6 attached to planning permission reference number 20120582 to the layout of the rooms.	APPROVAL OF DETAILS	11.12.2013

20130919	Conversion of basement into bedsit.	PERMITTED	27.11.2013
20130912	Application for approval of conditions 3 and 4 attached to planning permission reference number 20120584 relating to the external facing materials and the noise attenuation scheme.	APPROVAL OF DETAILS	30.04.2014
20120584	Erection of a third floor roof extension to provide guest room facilities comprising two bedrooms, sitting/dining room, kitchen and bathroom/wc.	PERMITTED	28.11.2012
20120582	Change of use of part of ground floor into A1 retail.	PERMITTED	28.11.2012
20090277	Conversion of property into a total of six self contained flats comprising two, 2 bedroom flats and four, one bedroom flats involving erection of a third floor roof extension and a two storey rear extension.	PERMITTED	01.11.2010

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 - Sustainable Development
- CS02 - Scale & Distribution of Development
- CS12 - Green Infrastructure
- CS14 - Housing Types and Sizes
- CS15 - Housing Density
- CS18 - Climate Change
- CS19 - Development & Design Principles

Gravesham Local Plan: First Review (1994)

- H5 - Increasing the Housing Stock by the Conversion of Existing Buildings
- P3 - Vehicle Parking Standards
- TC2 - Development Affecting the Setting of a Listed Building
- TC3 - Development Affecting Conservation Areas

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)

- Section 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 9 - Promoting sustainable transport
- Section 12 - Achieving well-designed places
- Section 15 - Conserving and enhancing the natural environment

- Section 16 - Conserving and enhancing the historic environment

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (2020)
- SPG4 - KCC Parking Standards (2006)
- Householder Extensions/Alterations Design Guide (2021)
- Technical Housing Standards - Nationally Described Space Standard (2015)
- Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

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.

Other relevant guidance

- Riverside Conservation Area Appraisal (2009)
- Gravesham Town Centre Conservation Area Management Plan (2009)
- Working in Partnership: Guidance to HMO Amenity Standards (2006)

Consultations, Publicity and Representations

External Consultees

Kent County Council (Public Rights of Way) - Public Rights of Way NGX6 lies to the west of the application area and may be affected by the application and I therefore enclose a copy of the Public Rights of Way network map showing the definitive line of the path for your information.

It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

Kent County Council (Heritage) - This site is in an interesting area archaeologically, but I think that it unlikely that the groundworks associated with the proposed development will have a significant below-ground archaeological impact and would be unlikely to provide us with useful new knowledge about the history of the area. For these reasons I would not recommend the need for any archaeological fieldwork in this case.

Internal Consultees

GBC Conservation Officer - This is an improvement and subject to conditions on external materials, mortar mix, pointing finish, brick sample and brick bond decorative brick details to match existing, sash window joinery and would be acceptable, but requires the parapet wall to be returns onto the side/gable end of the wall, with rainwater hopper outlets to discharge rainwaters from the parapet gutter.

GBC Private Housing - The premise is currently a licenced HMO, operating on licence number 20/01440/HMO with a maximum occupancy of 18 persons, 13 households.

The premise is undergoing required works to ensure compliance with Section 67 and Section 234 of the Housing Act 2004. From the HMO licence perspective, the property needs to be managed in accordance with legislation and regulations.

The planning proposal removes Flat 1 accommodation and the dedicated amenities, for a change of use to a communal kitchen. Taking into account the creation of two additional bedrooms to the first, second floor and wash/WC facilities.

Where the property remains a HMO a further assessment and new HMO licence may be required due to a significant change. We'd welcome a conversation with the applicant when that time arises. We can confirm Private Sector Housing believe initial planning requirements and Building Regulations take precedence at this time.

GBC Waste - HMOs are difficult to provide bin storage arrangements for and this is for flats as well. The bin store looks acceptable and the collection should be acceptable. However, with the number of occupiers, no.4 bins of each type are provided; 240ltr refuse/recycling and food waste provision. Please attach the relevant waste conditions.

GBC Environmental Protection (Regulatory Services) -

Code of Practice on Construction and Demolition - Please apply

Watching Brief - If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the local planning authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and approved in writing by, the local planning authority. The closure report shall include:

- A) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- B) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria, together with the necessary documentation detailing what waste materials have been removed from the site.
- C) Even if no contamination has been discovered during the build then evidence (for example, photos or letters from site manager) to show that no contamination was discovered should be included.

GBC Highways Officer - This is a town centre/edge of centre property within walking distance of most facilities including public transport, bus and rail to the wider area, therefore no car parking is required. However, there should be secure cycle parking for each new bedroom.

It is difficult to ascertain the number of new bedrooms, as the application does not give all the information on the existing provision as part of the ground floor was not surveyed and the submitted drawings and Design and Access Statement give different figures.

Floor	Existing	Proposed	
		Drawings	Design and Access Statement
Ground	unknown	None	2
First	3	4	4
Second	4	5	6
Loft	4	4	4

So potentially, the number of bedrooms increases from 11 to 16 which would 5 secure cycle spaces to be provided in addition to any existing provision.

Once the matter of cycle parking is resolved I have no objections.

Local Ward Councillors - No comment received.

Neighbouring properties

A notice was displayed on site 20th October 2022.

In addition, ninety-seven surrounding properties were consulted and one representation was received. The representation registered objection to the development, stating that the increase in residents as part of the application would result in increased rubbish and fly tipping of appliances in the alleyway. Although the waste provision and rubbish are material planning considerations, the accusation of fly tipping from the property is not material and is not relevant to this decision.

The consultation period expired 23rd November 2022.

Officer's Analysis

Site Description

The site is within the urban boundary of Gravesend and is located within the Gravesend Riverside Conservation Area. Policy CS02 (LPCS) supports the principle of residential development within the urban area of Gravesend and rural settlements inset from the Green Belt. Policy CS20 (Heritage and the Historic Environment) (LPCS) echoes this, stating that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced.

27 The Terrace is a three-storey building, a former public house, located on the southern side of the highway and adjacent to the Cross Street footpath.



The building is highlighted within the Riverside Conservation Area Appraisal as a non-designated heritage asset or a 'key unlisted building', which is of 'townscape merit' and a good example of 'relatively unaltered historic buildings where their style, detailing and building materials provides the streetscape with interest and variety'.

Existing Use

The property currently has a HMO license for a maximum of 18 persons. The building contains 11 rooms with shared facilities. In addition, there are two flats within the building, a bedsit in the basement and a flat on ground floor. Therefore, the existing property is in use as a HMO for up to 13 households and 18 residents.

Proposed Development

This application seeks advice on the erection of three storey rear extensions and a single storey rear

extension. The extensions will increase the number of bedrooms within the existing house of multiple occupancy (HMO) by no.2 bedrooms.

The development will comprise of a single storey rear extension, a three storey rear extension to the main property and a three storey rear infill extension, which is part width. The dimensions of the proposed extension are listed below:

Two Storey Rear

- Depth - 3m
- Width - 4.85m
- Height (max - parapet) - 12.25m
- Height (eaves) - 10.55m

Two Storey Rear (Infill)

- Depth - 3m
- Width - 1.6m
- Height (max) - 11.25m
- Height (eaves) - 10.55m

Single Storey Extension

- Depth - 4.35m
- Width - 1.5m
- Height - 2.75m

The screenshots below show the existing elevations and the proposed extensions to the property:



Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area. Section 12 (Achieving well-designed places) of the NPPF (2021) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

Moreover, Gravesham's Design Guidance (SPD) (2021) sets out key principles for extensions, stating that they should be subservient and subordinate, should reflect and respond to the original character of the building, use matching materials and features, and not dominate the host building.

The proposed extensions are subservient to the main building in height and are not excessive in size or bulk. Therefore, the development is not considered to dominate the building or to appear overdeveloped. The roof design differs from the existing arrangement, however does not overwhelm the main roof of the property and the parapet wall surround serves to replicate the side/rear elevations of the property. Moreover, the patterns and proportions of the windows are consistent with the existing fenestration on the property. Therefore, the proposed extensions are considered to be appropriately designed in accordance with Gravesham's Design Guidance SPD (2021), Policy CS19 (LPCS) and Section 12 (NPPF).

Impact on the Conservation Area

Section 16 of the NPPF (2021) places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 190). Policy CS20 (LPCS) echoes this, stating that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC3 of the Local Plan First Review (LPFR) (1994) also states development is expected to make a positive contribution to the Conservation Area. As the application site lies within the Riverside Conservation Area, these policies are all relevant to the consideration of this application.

Moreover, as the application building is 'key unlisted building' and an undesignated heritage asset, the Government's Planning Practice Guidance (Planning and the Historic Environment) advises that a general presumption exists in favour of retaining key unlisted buildings that make a positive contribution to the character or appearance of a conservation area.

The extensions to the building have been designed in a manner that preserves the character of the building and wider Conservation Area. Gravesham's Conservation Officer considered the proposal acceptable, subject to the introduction of a parapet wall (since added), and conditions relating to external materials, mortar mix, pointing and brick samples. Therefore, subject to conditions, the proposal is considered to preserve the historic character of the building and the wider Riverside Conservation Area and the application is in accordance with Policy CS20 (LPCS), saved policy TC3 (LPFR) and Section 16 of the NPPF (2021).

The Local Planning Authority have been made aware of the replacement of windows on the property as part of compliance works sought by Gravesham's Private Sector Housing Team. The property is located within the Riverside Conservation Area and is subject to an Article 4 Direction. The Article 4 Direction was created as a result of the harm that had been caused to the Conservation Area with the loss of original features such as windows and doors. The aim is to prevent the loss of original features and any harmful alterations, but also to reinstate original features that have already been lost. Therefore, any alteration to the windows or replacement requires planning permission and an informative will be attached to the decision notice highlighting this.

Residential Amenity

Policy CS19 (LPCS) seeks to ensure that the design and layout of new development accords with the adopted Residential Layout Guidelines (RLG) (2020). It also seeks to ensure that new development is fit for purpose and located, designed and constructed to safeguard the residential amenity, including privacy, daylight and sunlight, of existing and future occupants. Moreover, Section 12 of the NPPF (2021) also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to "secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings".

Internal living space

As aforementioned in this report, the development will involve some changes to the existing internal layout. It is important to establish the internal changes to the property to determine if acceptable living standards are met in this proposal. The alterations have been summarised in the table below:

Floor	Alteration(s)
Basement	No change
Ground Floor	Kitchen space enlarged
First Floor	- New ensuite bedroom - Existing bedroom reduced - Ensuite removed - New shower room
Second Floor	- New bedroom - Existing bedroom reduced - New shared shower room
Third Floor	No change

Table 1 - Internal Alterations

In relation to the internal living space, the Councils RLG (2020) and Nationally Described Space Standards (2016) which set out minimum internal areas for new dwellings based on the level of occupancy, bedrooms size and number of storeys. However, these relate more to flat conversions rather than HMOs. Alternatively, the Council's own adopted guidance on HMO amenity standards (2006) includes a more appropriate room sizes for this application type. For a one person unit there should be a minimum floor area of 6.5m² and a two person unit should have a floor area of 10m².

NB:

- '-' indicates bedrooms without ensuite bathrooms
- '**' indicates single person rooms
- '#' indicates new rooms

	Unit Size (m ²)	Bedroom (m ²)
1# 1st Floor (rear)	12.1m ²	10m ²
2 1st Floor (middle)	-	11.4m ²
3 1st Floor (front - top)	17.6m ²	13.8m ²
4 1st Floor (front - bottom)	22.4m ²	17.9m ²
5# 2nd Floor (rear)	-	12.5m ²
6** 2nd Floor (middle - right)	-	7.85m ²
7 2nd Floor (middle - left)	-	10.4m ²
8 2nd Floor (front top)	-	16.5m ²
9 2nd Floor (front bottom)	-	14.1m ²
10 Loft (rear)	17.7m ²	13.2m ²
11** Loft (middle)	9.7m ²	6.85m ²
12**	11.1 m ²	7.75m ²

<i>Loft (front - top)</i>		
13 Loft (front - bottom)	15.85m ²	13.3m ²

Table 2 - HMO room breakdown

There will be a kitchens on ground floor, first floor and second floor levels, with floor areas of 31.25m², 9.2m² and 7.9m² respectively. The HMO amenity standards guidance provides minimum standards for kitchens/dining areas:

Number of Persons					
Where the Kitchen is shared by occupiers	1 – 3	4	5	6	7-10
Kitchen (minimum)	5m ²	6 m ²	7 m ²	9 m ²	11m ²
Dining Area	2 m ² per person is recommended				

Table 3 - HMO Amenity Guidance (Kitchen and Dining)

The proposed HMO would have a maximum capacity of 23 persons, therefore 27m² of kitchen space should be provided, with a recommended 46m² of dining space available. This would require a total area of 73m² and significantly exceed the 48.35m² provided within the building. Although the dining area is a recommendation, it is not sufficient grounds for refusal given that additional kitchen space is provided for future occupiers and bedrooms exceed the minimum requirements within the guidance.

It is noted that the majority of ensuites and bathrooms are internal, with no natural light or ventilation. Gravesham's Residential Layout Guidelines (2020) states that wherever practical, that all kitchens and bathrooms shall have openable windows. Therefore, the proposal is contrary to this recommendation. However, the guidance only gives a recommendation, 'where practical', and as such would not reason to refuse the application. Moreover, the extraction for the ensuites will be covered by building regulations.

External Amenity

In terms of external space, the garden will have an approximate area of 42m² and a depth of 7.6m. This area is small for the number of potential occupants, which is approximately 25 persons. However, the application site is within close proximity to the Riverside leisure area and Gravesend promenade, which is considered to overcome any concerns with the amenity space provided in this development.

Neighbouring Amenity

There is not considered to be any detrimental impact on the amenity of neighbouring properties in terms of overshadowing, overlooking, loss of outlook or sense of enclosure. One neighbour representation was received, however as highlighted previously the issues raised with the development related to waste provision and fly tipping. The waste and refuse is discussed later in this report, however the reference to litter in the alleyway is not a material planning consideration and would not be relevant to this decision.

Summary

Although there are concerns with the number of occupants within the building and overcrowding, the proposed development is compliant with the HMO amenity guidance. The rooms exceed the minimum standards and adequate kitchen space is provided in appropriate locations within the building. The lack of external amenity space is mitigated by the buildings' proximity to public open space on the riverfront. Lastly, the development is not considered to impact on the amenity of any surrounding residents. Therefore, the proposed development accords with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Highways & Parking

The site is in a central location in the town where public transport links are good and there are sufficient parking restrictions in the locality and public car parks available nearby. There are no parking spaces

available on site, which is considered acceptable given the central location of the property.

Gravesham's adopted parking standards (SPG 4) (2006) seeks to ensure that adequate secure cycle storage is provided in developments, with a recommendation of 1 space per bedroom/flat unit. In this case the plans show that a secure store is provided for 2 cycles, which is a significant under provision.

Any Other Material Planning Considerations

Refuse

Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.

The plans submitted show an allocated refuse area at the rear of the property. There is adequate space at the rear to accommodate wheelie bins provision, however the plans do not detail the make-up of the bins. For this development the bin provision should include:

- Refuse 4 x 240 litre bin
- Recycling 4 x 240 litre bin
- Food Waste 4 x 140 litre bin

The Council's Waste and Recycling Manager has raised no concern with location of the bins or the dragging distances on collection day. Nevertheless, any matters regarding the bin provision and location of the bin store would be addressed by way of planning condition if the application were to be supported. Moreover, developers are required to pay for the provision of all bins required for a development and these can be purchased through the Council.

Overall, the proposed waste storage provision is considered to be acceptable and in accordance with Policy CS19 (LPCS), subject to conditions.

Contamination

Gravesham's Environmental Protection (Regulatory Services) team have concern regarding potential contamination from the development. As such, it has been requested that if permission is forthcoming, a watching brief condition is attached to the decision notice to ensure that if any contamination is encountered work ceases until the site is fully assessed and appropriate remediation scheme is submitted and approved by the Local Planning Authority. The condition will also require the submission of a closure report once the development is complete, which would be approved in writing by the Local Planning Authority.

Ecology and Biodiversity (Bird Mitigation)

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £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.

In this instance, the proposed development would result in the creation of an additional residential property and as such, additional recreational activity would result. Therefore, it is considered that there would be an adverse impact to the Thames Estuary and Marshes Ramsar Buffer Zone, which should be mitigated in line with Policy CS12 (LPCS). In such cases the Borough Council has adopted a tariff that is payable for each new dwelling unit within 6km of the SPA/Ramsar site of £275.88 per net gain in bedrooms within the property.

The applicant has paid the SAMMS Mitigation Contribution Agreement for 2 additional bedrooms (£551.76) and therefore meets the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the NPPF (2021) and Policy CS12 (LPCS) (2014).

Conclusion

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

The proposed extension is appropriately designed and will preserve the character of the host building and conservation area, subject to materials and details to be agreed by condition. The increase in bedrooms within the building accords with guidance and will provide acceptable amenity standards for future occupiers. Moreover, there is no impact on neighbouring properties, parking and highway, waste and refuse or the Ramsar site.

As such it is recommended that planning permission is granted, subject to conditions.

Recommendation

Permission

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	19 th January 2023	Dated:	20 January 2023