
GSP PROJECT REF: [3956.PN](#)

PLANNING, DESIGN AND ACCESS STATEMENT
31 SHRUBBERY ROAD GRAVESEND KENT DA12 1JW

OCTOBER 2023

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APPLICATION DOCUMENTS

Heritage Statement (including Appendices HS1 to HS3) (GSP)
Planning, Design and Access Statement (GSP)

1.0 INTRODUCTION

- 1.1 This Statement is prepared in support of the following:

Change of use of public house to a single family dwelling with associated access, parking and amenity space and partial demolition of single storey side extension (including revisions to planning permission 20191193)

2.0 SITE CONTEXT

- 2.1 The application site lies within Gravesend Town Centre in the borough of Gravesham, and is located in the urban area to the south of the River Thames and the shopping centre. It is within the Windmill Hill Conservation Area which has the character of a residential suburb with a large number of buildings of architectural and historic interest located within it.
- 2.2 The area is divided by narrow lanes meandering up the steep slopes of Windmill Hill. Buildings, mainly residential dwellings of varied age character and appearance, line the streets with two typical forms comprising paired villas and terraces. Residential properties in Shrubbery Road are of a very mixed character style and appearance including refurbished older houses and modern replacement dwellings.
- 2.3 There are also individual historic buildings which have survived, including former agricultural and mill buildings which have been converted to new uses.
- 2.4 The application site itself is located on the west side of Shrubbery Road with a wide frontage, in contrast to the housing either side and in the immediate locality. To the south is a short terrace of attractive 2 storey houses with basements known as 25-29 Shrubbery Road, which were constructed in mid-19th century. The buildings are of stock brick with rendered sides and are Grade II Listed Buildings.
- 2.5 On the east side of Shrubbery Road, opposite the application site, there is a terrace of older mid-19th century houses. Nos. 9-12 are Grade II listed buildings, nos. 13-16 are buildings of Local Interest and nos. 17-19 are Grade II Listed Buildings.
- 2.6 Further information on Heritage Assets and their setting and on the Conservation Area is set out in the accompanying Heritage Statement.
- 2.7 Immediately adjacent to the application site to the north is a modern brick-built terrace of 2 storey houses known as 1-4 Millers Terrace. There is also a modern infill development of 3 storey town houses (21-23 Shrubbery Road), on the opposite side of the road, uphill, to the south.

3.0 PLANNING HISTORY

- 3.1 The following planning applications are considered relevant to this application:

- [Application, part retrospective, for conversion of former public house to a single-family dwelling with associated access, parking and amenity space, incorporating revised external alterations to those approved under application reference 20191193.](#)

Ref. No: 20220298 | Status: Application Refused on grounds that the alterations were considered to be unsympathetic causing harm to the character and appearance of the building and the conservation area, as well as the setting of nearby listed buildings at No.'s 9-12, 17-19 and 25-29 Shrubbery Road. The proposal was considered to be contrary to policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved policies TC2 and TC3 of the Gravesham Local Plan First Review 1994 and section 16 of the National Planning Policy Framework 2021.

- [***REVISED PLANS*** Change of use of the public house to a single family dwelling with associated access parking and amenity space and partial demolition of single storey southern side extension.](#)

Ref. No: 20191193 | Status: Application Permitted. Although works have commenced, it is understood that GBC considers that these works have not continued in accordance with the previously approved plans, hence this latest application seeks to secure permission for some of the changes as previously approved and others that deviate from the previously approved plans.

- [Installation of new window at first floor level on side elevation involving reduction in size of opening.](#)

Ref. No: 20050334 | Status: Application Permitted

- [Application for the approval of the roof slate as required by condition \(iv\)\(h\) of planning permission reference number GR/95/470.](#)

Ref. No: 19970102 | Status: Approval of details

- [Application for the approval of the brick bond as required by condition \(iv\)\(d\) of planning permission reference number GR/95/470.](#)

Ref. No: 19970014 | Status: Approval of details

- [Application for the approval of the brick sample as required by condition \(iv\)\(h\) of planning permission reference number GR/95/470.](#)

Ref. No: 19960832 | Status: Application Permitted

4.0 PROPOSED VARIATIONS

- 4.1 This application follows the previous planning permission 20191193 and seeks a fresh permission to take account of minor material changes to the previously approved plans, as well as seek approval of details in relation to the discharge of the

requirements of previously included conditions 3 (external materials); 4 (joinery); 5 (hard surfacing and fencing/walls); 6 (soft landscaping), and; 7 (refuse arrangements).

- 4.2 Beyond the original permission that secured the conversion of the former public house to a single residential dwelling, the nature of this latest proposal also seeks permission for the following schedule of detailing:

Front Elevation (SE):

1. Retention of single timber garage door and glazing above (as built) but with obscure glazed windows instead (note: the previous two garage doors were black metal);
2. Replacement of recent timber door to side of garage with simple timber boarded door as previously approved;
3. Replacement of recent hipped roof on reduced single storey side extension with a flat roof along with window design to match previously approved plans;
4. Removal of projecting eaves and reinstatement of flush eaves detail as previously approved;
5. Removal of ground floor quoins and replacement of recent first floor quoins with those that imitate the originals in black;
6. Reinstatement of arched detailing above ground floor windows (as previously approved);
7. Reinstatement of flat gauged arch with keystone above first floor windows (as previously approved);
8. Replacement of timber storm proof casement windows with timber flush casements and thinner proportions (as previously approved);
9. Removal of trickle vents (as previously approved);
10. Reinstatement of roughcast, but white render (smooth render was previously used elsewhere and on the ground floor front elevation);
11. Retention of thinner window cills;
12. Retention of new flue within existing chimney;
13. Removal of parapet wall on eastern side extension.

Side Elevations:

14. Retention of timber storm casement windows on NE side;
15. Retention of trickle vents;
16. Retention of third window in first floor south-west side elevation, but to have this replaced as a timber sash window to match the two either side;
17. Retention of timber shiplap white painted weatherboarding on the side elevations (as opposed to timber featheredge as previously approved);
18. Retention of thinner window cills;

Rear Elevation (NW):

19. Retained new location for first floor white painted sash window;
20. Removal of one ground floor door (as existing);
21. Retention of double doors as opposed to triple doors as previously approved to rear of side extension;

22. Windows are timber, with three opening sash windows plus one casement on the ground floor;
23. Black painted render around first floor window on projecting gable.

5.0 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 The Development Plan for the area within which the application site is located comprises the Gravesham Local Plan Core Strategy (CS) (adopted September 2014) and the Saved Policies of the Gravesham Local Plan First Review (LPFR) (adopted November 1994).
- 5.6 Relevant Development Plan policies in the CS include:
 - CS01: Sustainable Development;

- CS02: Scale and Distribution of Development (Green Belt);
- CS19: Development and Design Principles;
- CS20: Heritage and the Historic Environment.

5.7 Relevant Development Plan policies in the LPFR include:

- T1: Impact of Development on the Highway Network;
- TC2: Listed buildings;
- TC3: Development affecting conservation areas;
- P3: Vehicle Parking Standards.

Other Material Considerations

The Framework

5.8 Paragraph 11(d) of the Framework states that for decisions, where the policies which are the most important for determining the application are out-of-date, permission should be granted unless:

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

5.9 At paragraph 60 the Framework confirms the Government's objective of significantly boosting the supply of homes and that it is important to ensure that a sufficient amount and variety of land can come forward where it is needed. Paragraph 69 of the Framework acknowledges that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should (amongst others) support the development of windfall sites through decisions.

5.10 Paragraph 119 states that decision should promote an effective use of land in meeting the need for homes and making as much use as possible of previously developed land. Paragraph 120 expands on this point by promoting and supporting the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing. Paragraph 124 adds that decisions should support development that makes efficient use of land, taking into account (amongst others) the desirability of maintaining an area's prevailing character and setting.

5.11 It is noted that the application of paragraphs 60, 69, 119-120 and 124 all do not depend on whether an authority has a five-year housing land supply (5YHLS).

5.12 Paragraph 134 states that "development that is not well designed should be refused."

5.13 Section 16 of the Framework sets out policy guidance in respect to conserving and enhancing the historic environment. In determining applications, LPAs should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting (paragraph 194). This is done so alongside other Framework references in the accompanying Heritage Statement.

5.14 The following are also material considerations:

- National Design Guide (NDG) (October 2019);
- Residential Layout Guidelines SPG2 (February 1996, amended June 2020);
- Kent County Council Parking Standards SPG4 (2006);
- Windmill Hill Conservation Area Character Appraisal (2007);
- Conservation Areas Maintenance/Replacement Windows and Doors Guidance Supplementary Planning Document (2020).

6.0 PLANNING ASSESSMENT

6.1 It is important to note given the previous permission and the nature of the previous proposal, the following is not expected to be in dispute between the applicant and GBC:

1. Principle of the conversion;
2. Impact on future occupiers;
3. Impact on neighbouring amenity;
4. Parking, access and highway safety.

6.2 Referring to the previous single reason for refusal, it is considered that the key planning issues relevant to this application are the impact on heritage assets and five-year housing land supply.

1. Impact on Heritage Assets

6.3 The proposal is for a conversion with limited external alterations so that the character and appearance of the building (particularly the front and most sensitive elevation) will not be significantly altered and the character and appearance of the street scene, the area and the Conservation Area will remain largely unaffected. This resubmission aims to secure a revised permission for the front elevation of the modern side projection being set back behind the front elevation of the main building, so that the original shape of the building can be appreciated. As set out above, other alterations will be made in line with the comments set out in the previous delegated report.

6.4 The building will be refurbished and redecorated. Again, as set out above, the key front elevation is to have many of its original features restored as part of this resubmission.

6.5 The frontage which was subdivided into terraces and paved with various poor quality hard surfacing material and this resubmission aims to secure a new permission involving improvements and enhancements with planting in a traditional style to match the character of the building as a cottage, as reflected in the name of the former

public house, with landscaping details supplied as part of this resubmission. Planting will incorporate traditional cottage garden flowering plants and will include the provision of a fruit tree. The result will be an enhancement in the attractiveness of the frontage which will be of benefit to the character and appearance of the Conservation Area and will enhance the setting of adjacent listed buildings.

- 6.6 It is noted that there is recent modern development adjacent to the application site and also on the opposite side of the road adjacent to the terrace of listed buildings. The overall character is mixed and some of these developments are not entirely sympathetic to the heritage assets and do not enhance or preserve their setting. The upgrading of the frontage of this site will help to offset that impact and uplift the character and appearance of the area generally.
- 6.7 The applicant has, in the main, positively responded to the suggested changes in the previous delegated report, and whilst it is accepted that some of the changes that have been carried out are intended to be retained, these are considered minor by comparison and, on balance, it is no longer considered that the proposed development is unsympathetic and that it will preserve and enhance the character and appearance of the Windmill Hill Conservation Area as well as protect the setting of nearby listed buildings.

7. Five-year Housing Land Supply

- 6.8 It is understood that the Council cannot presently demonstrate an up-to-date 5YHLS when measured against its objectively assessed need, meaning that the presumption in favour of sustainable development, as set out in paragraph 11(d) of the Framework, is engaged. For decisions this means:

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.*

- 6.9 If the Council conclude that the development would not result a development that would harm heritage assets, then it would be appropriate to assess such an application against part (ii) of paragraph 11(d). Given that the applicant considers that it would be possible to ensure that the revised proposal will not result in any harms or disbenefits, the following are clear benefits of the proposal:

- A social benefit with the addition to GBC's housing stock (there is a national drive to significantly boost the supply of homes of which this factually will make a positive contribution);

- It would result in a more effective use of previously developed land (that would otherwise be vacant as a former public house) and increase housing densities in the area, as promoted by the Framework;
- The provision of housing brings economic benefits in the short term, through employment and investment related to construction activity, and the longer term, through the spending power of additional local residents that would benefit local shops and businesses;
- Landscaping and ecological enhancements can be secured as part of a planning permission, that would otherwise not be the case;
- Framework support for this proposal is provided in paragraphs: 60 (significantly boosting housing supply), 69 (small windfalls), 119 (effective use of land for homes), 123 (taking a positive approach to re-use of buildings where this helps to meet needs).

6.10 It is therefore considered that there would be no adverse impacts of allowing the proposal and certainly not to the extent that these would “significantly and demonstrably outweigh the benefits” when assessed against the policies in the Framework taken as a whole.

7.0 CONCLUSIONS

7.1 The applicant believes that this revised development takes full account of GBC’s comments in the previous delegated report and that the proposed change of use and conversion of the vacant former Public House to form one residential dwelling house will now no longer lead to harm to the character and appearance of the area, the character and appearance of the Conservation Area, nor the significance or setting of any nearby Heritage Asset.

7.2 As such, in accordance with paragraphs 11 and 38 of the Framework, and 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.