

Delegated Report

Planning Application

Application No: 20250780

Location: 2A Christianfields Avenue Gravesend Kent DA12 5NF

Description: Change of use from a 6 person HMO (Use Class C4) to a 10 person HMO (Sui Generis), with minor internal alterations.

Applicant: Goldberg

Site Visit:

Submitted Documents/Plans

- Application Form – dated 31 July 2025;
- Design and Access Statement (ref. 0240) by HMO Designers;
- HMO Management Plan by HMO Designers;
- Transport Statement by Goldgate Properties Ltd (July 2025);
- Drawing no. HD00224-PL001 – Existing Floor Plans;
- Drawing no. HD00224-PL002 – Existing Elevations and Section AA;
- Drawing no. HD00224-PL003 – Proposed Floor Plans;
- Drawing no. HD00224-PL004 – Proposed Elevations and Section AA;
- Drawing no. HD00224-PL005 – Existing and Proposed Block Plan and Location Plans.

Relevant Planning History

Reference	Description	Decision	Decision Date
20231185	Change of Use from a 6 person HMO (Class C4) to a 11 person HMO (sui generis).	Application Refused	24.01.2024
2024/00007/REF		Dismissed	09.12.2024
20180523	Single storey rear extension with a depth of 6.5 metres, maximum height of 2.95 metres and eaves height of 2.95 metres.	Prior Approval Not Required	01.08.2018

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size

- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- H5 – Increasing the Housing Stock by the Conversion of Existing Buildings
- T1 – Impact of Development on the Highway Network

Paragraph 34 of the NPPF (2024) 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 (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 8 – Promoting Healthy and Safe Communities
- Section 9 – Promoting Sustainable Transport
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving Well-Designed Places
- Section 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Guidance for HMO Amenity Standards (V2 2023)

Other Relevant Guidance

- Kent County Council Dropped Kerb Guidance and Self-Assessment (2023)
- Gravesham Driveway Dropped Kerb Guidance (Informal Guidance) (2023)
- Gravesham Front Driveway Design Guidance (Informal Guidance) (2023)

Consultations, Publicity and Representations

External Consultees

Kent Police Designing Out Crime – We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED

along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We request a condition for this site to follow SBD guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

1. Perimeter, boundary and divisional treatments must be a minimum of 1.8m high. Any alleyways must have secure side gates, which are lockable from both sides, located flush to the front building line.
2. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an "active" window e.g. lounge or kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.
3. Any pre-existing or new trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
4. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Residential (Homes) Guide 2025 states:
"19.3 SBD does not advocate the use of bollard lighting to achieve lighting uniformity. Bollard lighting is purely for wayfinding and can be easily obscured or damaged. It should be avoided, as it can increase the fear of crime, because it does not project sufficient light at the right height to recognise facial features." Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.
5. If new external doorsets are proposed (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors, we recommend these to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.
6. If new windows are proposed on the ground floor or potentially vulnerable e.g. from flat roofs or balconies, we recommend these to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.
7. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.
8. We recommend "A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019" for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.
9. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.
10. Cycle and Bin Stores must be well lit and lockable, with controlled access for the residents within the flats.
11. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.
12. CCTV is advised for all communal entry points and to cover the mail delivery area.

If approved, site security is required for the construction phase. There is a duty for the principle contractor

“to take reasonable steps to prevent access by unauthorised persons to the construction site” under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application

Internal Consultees

GBC Private Housing – Our observations are as follows, in relation to Drawing No HD00224-PL003. We recommend for Bedroom 1 to be a double occupancy room, rather than Bedroom 3. Bedroom 1 is measuring larger than Bedroom 3.

We recommend for the communal kitchen fire door to have a viewing pane installed due to the high-risk room being to the foot of the stairs, located on the main means of escape.

We are satisfied the property can comfortably achieve a 10 Occupant, 7 Household HMO.

When the works are completed, the licence holder will be required to apply for a HMO licence variation. Variation requests are to be submitted via hmo@gravesham.gov.uk.

Local Ward Councillors – No comment received.

Neighbouring properties

Fourteen surrounding properties were consulted and six objections were received. The objections received raised both material and non-material planning considerations, as listed below:

Material Planning Considerations

- Out of character with the area
- Intensification of the use is overdevelopment
- Out of character with area
- Poor quality living environment for future occupiers
- Impact on the amenity of surrounding residents
 - Loss of light
 - Noise
 - Antisocial behaviour – numerous police/ambulance callouts, aggression and violence
- Increased parking demand
- Refuse and waste provision – there are issues with overflowing bins and rubbish already
- Query that the property would be occupied by 'young professionals' as stated in supporting documents

Non-Material Planning Considerations

- Appellants personal circumstances

Please note only material planning considerations are relevant to this decision.

The consultation period expired 01 September 2025.

Preliminary Matters

This application follows a refusal (ref. 20231185) and a dismissed appeal (APP/K2230/W/24/3338710) for a “change of Use from a 6 person HMO (Class C4) to a 11 person HMO (sui generis)”. The planning

application was refused by the Local Planning Authority on the following grounds:

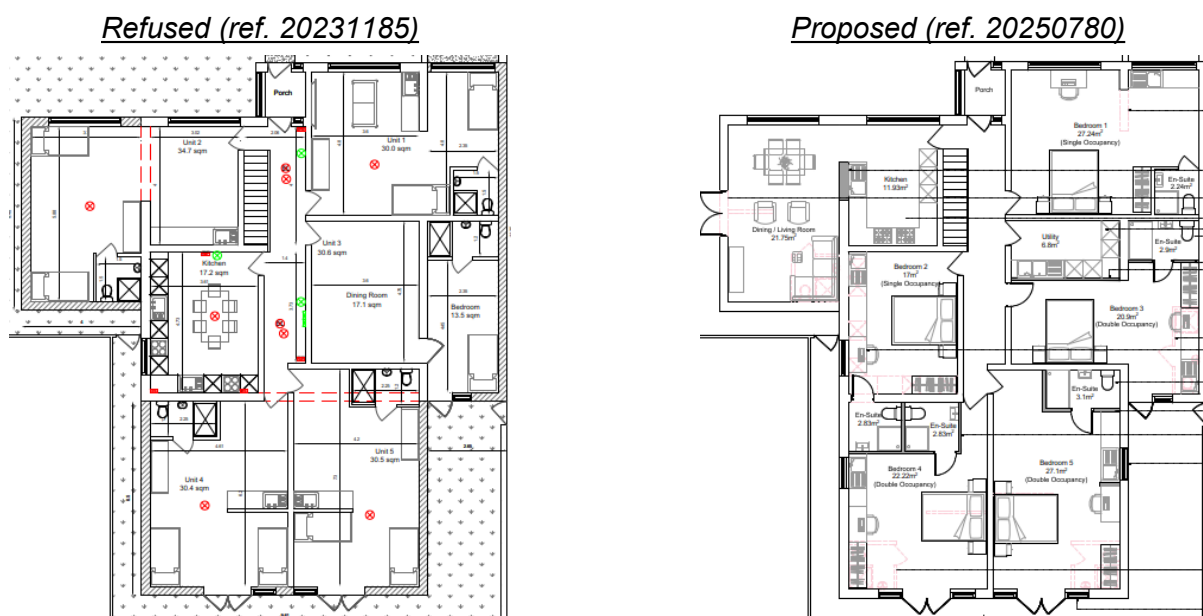
1. *The proposal is considered to be overdevelopment of the site, by virtue of the intensification of the use of the property by doubling the number of occupants within the existing HMO in an area characterised by single-family dwellings, alongside being a substantial distance from the town centre, failing to provide adequate waste storage, introducing an excessive number of occupants and activity over and above the surrounding residences, detrimentally impacting on the established character and appearance of the street and the amenity of surrounding residents through noise, disturbance and increased activity. Therefore, the proposal is contrary to Policies CS14 and CS19 of the Gravesham Local Plan Core Strategy (2014), Saved Policy H5 of the Local Plan First Review (1994) and Section 12 of the National Planning Policy Framework (2023).*
2. *The proposal fails to safeguard the amenity of future occupiers by virtue of providing an awkward and unconventional internal layout with shared bedrooms in a hostel arrangement, as well as siting a bedroom adjacent to a communal dining area with a lack of natural light. Therefore, the proposal is contrary to Policies CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).*
3. *The proposal would increase parking demand in the area a substantial distance from the town centre, without being able to provide any off-street parking to account for this demand, contrary to saved Policies H5 and P3 Saved Policy H5 of the Local Plan First Review (1994).*

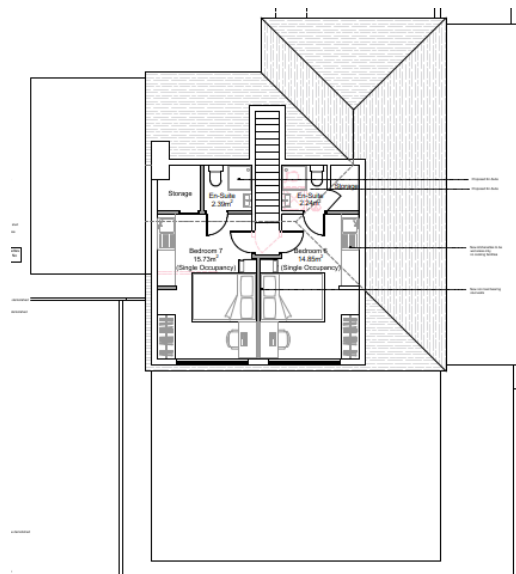
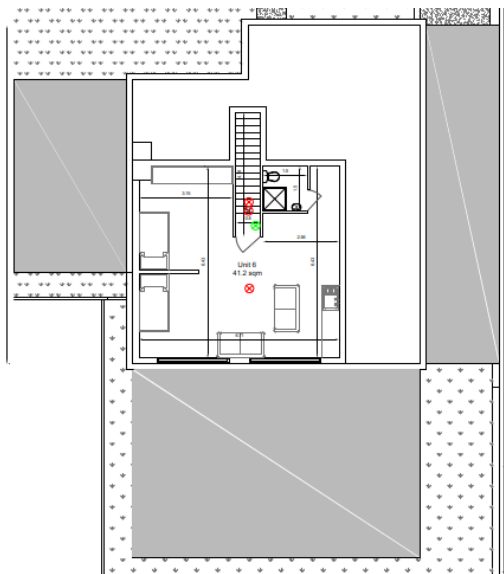
The Inspector concluded that there would be “no harm arising in relation to character and appearance or on highway safety, but I find the development would be unacceptable in relation to the living conditions of existing and future occupiers”. Therefore, ground of refusal 2 was carried forward by the Inspector and amenity of existing and future occupiers is the principle issue to overcome in this proposal.

Changes from Refusal (ref. 20231185)

This application proposes a reduced number of occupants, with a total of 10 within 7 rooms. The proposal has amended the internal layout of the property from the previous refusal, with the shared living/kitchen area located to the front and each room containing a double bed, with no room sharing of single beds.

The layouts below demonstrate the changes, there will be no extension or alteration to the external appearance of the property:





Officer's Analysis

Site Description

2A Christianfields Avenue, is a chalet style bungalow located on the northern side of the highway. The property was extended through a prior approval larger homes extension at single storey level, to a depth of 6.5m.

From the information provided it seems that the property is operating as a 6 person House of Multiple Occupation (HMO). However there is no certificate of lawfulness or planning permission confirming this change of use. The operation of a dwellinghouse as a HMO for no more than 6 people could be permitted development under Class L of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Planning permission is now required as it is proposed to increase the number of occupants from 6 to 10.

The Proposed Development

This application proposes to increase the number of occupants within the HMO to 10. The proposal will alter the existing layout, with the shared living/kitchen space to be positioned at the front of the property. The plans show that each unit would contain a double bed, an ensuite, living space and basin/kitchenette. There are no external alterations or extensions proposed as part of this application. It is unconventional for rooms in a HMO to have their own kitchen facilities, along with a communal kitchen.

Principle of the Development

The site is defined on the Policies Map of the Gravesham Local Plan Core Strategy (LPCS) (2014) as lying within the urban boundary of Gravesend, Northfleet and Ebbsfleet. Therefore, the site is within the urban area of Gravesend and Policy CS02 (LPCS) prioritises development in the urban area as a sustainable location for development. As such, there is no objection to the broad principle of residential development within this location subject to it meeting the detailed requirements of government and development plan policy, which will be assessed in later sections of this report.

The principal considerations in the assessment of this application are:

- Housing Need
- Suitability for Conversion
- Design and Impact on Listed Buildings and Conservation Area
- Amenity of Future Occupiers

- Neighbouring Amenity
- Parking and Highways
- Any Other Material Planning Considerations

Housing Need

In *Hopkins Homes Ltd v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the National Planning Policy Framework (NPPF) (2024) expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

“It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than “guidance” and as such a “material consideration” for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme.”

It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in February 2025, it demonstrates that based on data up for the period 2024-2029, the Council can only demonstrate a land supply of 3 years.

Given the Council’s current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham’s Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2024). This requires that in regard to housing development, planning permission should be granted unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- 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.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 194)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space
- (National Landscape) Areas of Outstanding Natural Beauty
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 75)
- Areas at risk of flooding or coastal change

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 129(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.

The proposed development for a net increase of one bedroom from the original property. However, HMOs cannot be counted as net additional dwellings as they would have been counted as a net additional dwellings in a previous year. A HMO would only contribute towards the local housing need if the HMO is created by change of use from a non-residential building. As such the application does not affect the five year housing supply.

Suitability for Conversion

Adopted Policy C14 (Housing Type and Size) (LPCS) provides protection for existing housing stock by seeking to prevent the conversion of family sized units to smaller properties. In line with the NPPF (2023), it also stipulates that new housing development is expected 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.

Policy CS14 (LPCS) is supported by saved policy H5 of Gravesham's Local Plan First Review (LPFR) (1994) which seeks to accommodate the growing numbers of smaller households and provide low cost accommodation, while taking into consideration the character and amenity of existing housing areas where single family occupancy is the norm.

Policy H5 (i) states that buildings shall be in an appropriate area for conversion to flats, maisonettes, bedsits and multiple occupancy. It also notes that unless there are special or overriding circumstances, conversion will not normally be permitted in an area comprised for the most part of single-family dwellings. Policy H5 (ii) requires that the building shall be of such a size and arrangement to be generally unsuitable for single-family occupancy. A larger house under this policy is considered to be in excess of two storeys in height and have more than 6 habitable rooms.

The application property is located within the urban boundary of Gravesend, near to Whitehill Lane which links to Valley Drive and is an arterial road out towards the A2 motorway, with bus routes into the town centre. There is a small parade of shops nearby on Whitehill Parade, however the property is some 2.74km from the town centre, train station and larger amenities such as supermarkets and banks.

Although the site has already utilised permitted development rights for a change of use to a 6 person HMO, and this application seeks to intensify this use further and almost double the occupancy of the property, that starting point is that the property is not considered too large for single family occupancy. Therefore, the formal conversion of the property to a 10 bed HMO is contrary to saved policy H5 (ii). The proposal would therefore take the functionality of the property significantly above the threshold for operations expected for a single family dwellinghouse in an area characterised by single family occupancy. Moreover, there are concerns with the sustainability of the location.

As aforementioned, the site is located approx. 2.74km from the Town Centre and is therefore reliant on the use of a car, or public transport to access larger amenities in the form of supermarkets, banks and the train station. It is acknowledged that the transport statement highlights bus service routes run near to the property and the small parade of shops is located on Whitehill Parade, however the distance from the Town Centre highlight that this is not a sustainable location for a 10 person HMO without adequate parking provisions.

Therefore, it is considered that the building is inappropriate for conversion into smaller units by virtue of its size, and the resultant use being out of character within an area of single-family dwellings, a lack of parking provision and the contrived internal layouts, and as such it contrary to saved policy H5 (LPFR) and policy CS14 (LPCS). The proposal constitutes overdevelopment of a detached chalet style bungalow.

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. Moreover, Section 12 (Achieving well-designed places) of the NPPF (2024) sets out that developments should function well and add to the overall quality of the area, be visually attractive and sympathetic to local character.

The application site is within a predominantly residential area, consisting of two storey properties set behind front gardens and parking areas. Therefore the area is suburban in character and made-up of single-family dwellings.

It is noted that the site is in use as a HMO, which was converted under permitted development to accommodate 6 bedrooms, which is not materially different to a single-family dwelling. This proposal will increase the occupants to 10 which would result in increased levels of activity, over and above what is typical from a single-family dwelling and could be considered out of character with the surrounding area. However, the Inspector in the dismissed appeal concluded that the proposed 11 person HMO would not impact on the character or appearance of the area by virtue of no operational development. Therefore, the proposal is considered to accord with Policy CS19 (LPCS) and Section 12 of the NPPF (2024).

Amenity of Future Occupiers

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.

Internal living space

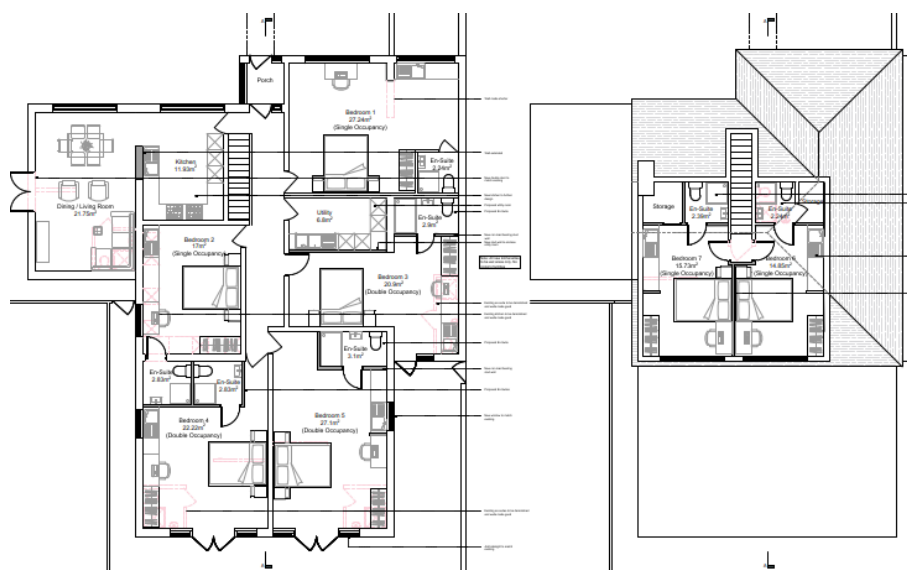
In relation to the internal living space, Gravesham's RLG (2020) and the Nationally Described Space Standards (2016) which set out minimum internal areas for new dwellings based on the level of occupancy, bedrooms size and number of storeys. However, these relate more to flat conversions rather than HMOs.

The Council's own adopted 'Guidance for HMO Amenity Standards' (2023) includes a more appropriate room sizes for this application type. For a one person, with a combined bedroom/living/kitchen unit there should be a minimum bedroom floor area of 13m², and a two person combined unit should have a floor area of 20.5m². The table below highlights the floor area of each unit within the proposed development.

	Number of Occupants	Unit Size (m ²)
1 <i>Ground Floor</i>	1	27.2m ²
2 <i>Ground Floor</i>	1	17m ²
3 <i>Ground Floor</i>	2	20.9m ²
4 <i>Ground Floor</i>	2	22.2m ²
5 <i>Ground Floor</i>	2	27.1m ²
6 <i>First Floor</i>	1	14.85m ²
7 <i>First Floor</i>	1	15.7m ²

Table 1 - HMO room breakdown

Therefore, based on Gravesham's HMO amenity guidance all of the units are generous and would provide acceptable living conditions.



There is a kitchen on ground floor level with an area of 11.9m², with a living/dining room of 21.75m². The kitchen would be used by all of the 10 occupants, notwithstanding that the floor plans show all units have an internal kitchenette. The HMO amenity standards guidance provides minimum standards for kitchens/dining areas:

Where a kitchen is shared by (communal)	1-3 occupants	4 occupants	5 occupants	6 occupants	7-10 occupants
Kitchen (minimum)	5m ²	6m ²	7m ²	9m ²	11m ²
Dining Area	2m ² per person	2m ² per person	2m ² per person	2m ² per person	2m ² per person

Table 2 - Kitchen Size Requirements (Gravesham's Guidance for HMO Amenity Standards 2023)

The kitchen would meet the minimum requirement for the 10 occupants and although the kitchen would fail to meet the dining area requirement for the number of occupants, there is space available within the rooms for dining which would overcome this issue.

External Amenity

The application property is detached, located on a relatively generous plot with a side garden and rear garden. It is not clear from the information provided if this garden space would be shared by all occupants or segregated, however the site is within walking distance of open spaces at Whitehill Parade and Kings Farm Playing Fields, which is considered to overcome any concerns with the amenity space arising from this development.

Summary

Overall, it is considered that the proposed conversion would provide a good standard of living accommodation. The rooms provided are generous and an adequate communal living area would be available for residents, as well as shared access of the external amenity space. There has been no objection raised by GBC Private Housing. Therefore, the proposal safeguards the residential amenity contrary to Policy CS19 (LPCS), Section 12 of the NPPF (2024).

Neighbouring Amenity

Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 135(f) of the NPPF (2024) requires development to have a high standard of amenity for existing users (in this case surrounding properties).

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, by virtue of there being no additional development through extensions to the existing property. However, the proliferation of the use of the building and the increase in the number of residents within the building would have an impact in terms of noise and disruption.

The site is located within an area characterized by single family occupied properties and the proliferation of the use could have detrimental impacts on the amenity of surrounding residents. It will be materially different to the operation of the house as a single family dwelling (or a modest 6 bedroom HMO). A number of representations received from neighbours has highlighted issues with noise and antisocial behaviour from its operation as a HMO with 6 residents (violence, drug use and police/ambulance callouts). This could be intensified by the almost doubling of residents within the property.

As set out earlier in this report, the Inspector considered the previous proposal for an 11person HMO to *“cause unacceptable harm to the living conditions of neighbouring residential occupiers with regards to noise and disturbance”*, due to the *“significant increase in the comings and goings, over and above the lawful HMO use in a location where the appeal property is surrounded by residential properties”* and that there would not be *“minimal additional activities, even if the number of occupants was limited by condition to 11”*.

It is acknowledged that the number of occupants proposed in this application has been reduced from the dismissed appeal, however this is a token reduction by 1no. resident (10 total). This is not a material change and the proposal remains over and above the lawful HMO use within a residential location. As such, the proposal would cause unacceptable harm to the living conditions of neighbouring residential properties through noise and disturbance contrary to Policy CS19 (LPCS), saved policy H5 (LPFR) and Section 12 (paragraph 135) of the NPPF (2024).

Further to this, the neighbour representations highlighted concerns with the impact on the character of the area, intensification of the use is detrimental to character and amenity and providing a poor quality living environment for future occupiers/surrounding residents, which have been assessed above. There were concerns with parking, refuse/waste and the protected habitats, which will be considered later in this report.

Parking and Highways

Any new development should have an acceptable amount of parking, not be detrimental to the highway network and promote sustainable transport methods, to accord with saved policy T1 and P3 of Gravesham Local Plan First Review (1994), Policy CS11 (LPCS) and Section 9 of the NPPF (2024).

The property benefits from a crossover and a single car driveway. The plans demonstrate that the bins will be stored on the existing driveway and the HMO Management Plan sets out that no off-street parking will be provided for future occupiers. Therefore, any residents with a private motor vehicle would have to park on the pavement, which is the case for many other properties on Christianfields Av. However, the lack of off-street parking for the 10person HMO is not sufficient grounds to refuse the application, based on the considerations of the Inspector:

“there would be sufficient on-street parking provision to accommodate additional vehicle parking arising from the development. Whilst reference has been made to the high demand for pavement parking, there is no detailed evidence provided by the Council of this and nor was this reflected during my site visit, where there was a significant availability of parking during a weekday morning. Whilst this only provides a snapshot in time, my observations along with the evidence submitted by the appellant demonstrates that there would not be an adverse impact on on-street parking.”

Given that there have been no significant new developments within the vicinity since the appeal was dismissed in 2024, the conclusion by the Inspector remains relevant. Moreover, the proposal has reduce the number of bedrooms within the HMO and the on-street parking demand would be reduced as a result. Therefore, the development would not have an unacceptable adverse impact on highway safety through carparking, and as such is in accordance with saved policies H5 and P3 of the Local Plan First Review (1994), Policy CS11 (LPCS) and paragraph 115 of the NPPF (2024).

The proposal would provide 10no. secure cycle spaces in the front garden, within two cycle lockups. This is in accordance with Gravesham's adopted parking standards (SPG4) (2006).

Overall, the proposal accords with local and national planning policy and would not have any severe impact on the highway network.

Any Other Material Planning Considerations

Waste Management

The provision of suitable arrangements for waste storage is a condition of issuing a HMO license. The plans indicate a communal bin store to the front of the property, containing 3x recycling and 3x waste bins, however there are no details of their size (ltrs) and no food waste provision.

As stated previously, the quantity of bins required proposed for the 10person HMO will be out of character with the surrounding area. However, a suitable bin store would ensure that the quantity of bins are screened and the impact on the area minimised. Therefore, subject to a condition requiring full details of the number and size of bins, as well as the plans and elevations of the store (which should be of timber construction), the development would accord with Policy CS19 (LPCS).

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 £337.49 for each unit/per net increase in bedrooms 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 a 7 bedroomed HMO and as such, additional recreational activity would result with the increase of one bedroom. 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). The SAMMS agreement and payment has not been made. Therefore, the Local Planning Authority cannot therefore be satisfied that the proposal has put in place adequate measures to mitigate potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar site. As such, in respect of ecology and biodiversity the proposal is not compliant with Section 15 (specifically paragraphs 192 and 193) of the NPPF (2024) and Policy CS12 (LPCS) (2014).

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

Although the proposal has reduced the number of occupants from the previous refusal, however the issue of overdevelopment and intensification of use would be at odds with the local character and negatively impact the amenity of neighbouring residents. Therefore, the application has failed to overcome the previous ground of refusal and dismissed appeal, and it is recommended that planning permission is refused on the following grounds:

- 1. The proposal is considered to be overdevelopment of the site, by virtue of the intensification of the use of the property by significantly increasing the number of occupants within the existing HMO in an area characterised by single-family dwellings, alongside being a substantial distance from the town centre, introducing an excessive number of occupants and activity over and above the surrounding residences, detrimentally impacting the amenity of surrounding residents through noise, disturbance and increased activity. Therefore, the proposal is contrary to Policies CS14 and CS19 of the Gravesham Local Plan Core Strategy (2014), Saved Policy H5 of the Local Plan First Review (1994) and Section 12 of the National Planning Policy Framework (2024).*
- 2. The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment to address the impact of the proposed development on the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) or offered a financial contribution towards the identified mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy (2014) which seeks to ensure that detrimental effects on the integrity of SPA/Ramsar sites are avoided, and also contrary to Paragraphs 192 and 193 of the NPPF (2024), and the requirements of the Conservation of Habitats and Species Regulations 2017.*

Recommendation

Refusal

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

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	25 th September 2025	Dated:	26th September 2025