

Our ref: 4021.SC  
GBC ref: 20231185

Date: 20 December 2023

Mr Ethan Bonthron  
Development Management  
Gravesham Borough Council  
Civic Centre  
Windmill Street  
Gravesend  
DA12 1AU

Dear Mr Bonthron,

**Application 20231185: Change of Use from a 6 person HMO (Class C4) to a 11 person HMO (sui generis).  
2A Christianfields Avenue Gravesend Kent DA12 5NF**

1. Graham Simpkin Planning Ltd. have been instructed by [REDACTED] to review the submitted application and provide representations on his behalf in support of his **objections** to planning permission being granted.
2. Christianfields Avenue is situated in a residential area comprised predominantly of single family dwellings of varying ages, styles and sizes. Any redevelopment or change that has taken place that has been approved by the Council has maintained this existing long-established character.
3. Policy CS14 of the 2014 Core Strategy makes it abundantly clear that the Council will seek to resist the conversion of family sized residential units into smaller properties as a direct result of the findings of the SHMA undertaken at the time the Core Strategy was prepared..
4. The SHMA recommended that the conversion of family homes (taken to be homes with two or more bedrooms) into smaller units should be restricted so that new families have more choice within the market and, by doing so, will improve the flow of smaller homes onto the market that they vacate.
5. It is recognised that the current use of the property as a '6-person' HMO falls under Class C4 of the Use Classes Order and that a change to this use from the previous use of the property as a single dwelling under Class C3 was 'permitted development' under Class L of Part 3 to the General Permitted Development (England) Order 2015 (as amended).



6. The currently proposed use goes beyond this permitted level of change and as such given the character of the area is considered to be contrary to the aims of Policy CS14. However, it is also necessary to consider whether the introduction of a more intensive sui-generis HMO use is in accordance with other aspects of adopted Development Plan policy.
7. Saved policy H5 of the Local Plan 1994 provides criteria and commentary on this type of change of use. The predominant existing character of the area is generally comprised of single family occupancy dwellings which is precisely the type of accommodation that Policy H5 seeks to protect.
8. The proposed use would be alien to this prevailing character and utilise a property that remains capable of single family occupation notwithstanding the current use and as such is considered to be contrary to the provisions of Policy H5.
9. Policy CS19 of the Core Strategy and its accompanying supporting text are also relevant to the determination of this application. The Council is seeking through this policy to achieve the following aims; (paragraph 5.15.3)

*'The Council will seek to manage new development in a way that makes a positive contribution to the built, historic and natural environment. Ensuring new development is attractive and fit for purpose, reinforces local character and safeguards people's amenity is the key to achieving successful neighbourhoods and gaining community acceptance of changes to their local area.'*

10. It is clear to see from the representations already made by others on the application and the experiences of our client [REDACTED] that the current (permitted) use of the property has not been successful in terms of its impact on the neighbourhood and the amenities of its existing residents. The development has not successfully integrated into the local area.
11. The genuine fear held by our client and seemingly other local residents is that the intensification of the occupancy of the property now proposed, will only serve to worsen the situation and problems that are occurring now. Given the catalogue of issues already raised, this appears to be a situation where a review of the existing HMO licence would be in order, notwithstanding the unacceptable planning merits of the proposed increase in occupancy of the property from 6 to 11 persons.
12. In terms of the suitability of the accommodation now proposed, the Council's attention is particularly drawn to the changes proposed to Unit 3 on the ground floor compared to the current layout.
  - The unit is dropping in size from 32.2 sqm to 13.5 sqm which is at the minimum advised in the Council's HMO guidance.
  - However it is now to be sited directly adjacent to the newly proposed communal dining room and as such it is questioned whether an appropriate level of privacy and amenity for the occupier of this room will realistically be achieved.



- Furthermore given the orientation and narrowness of the bedroom and the reduction in size of the existing window following the re-building of the previous lean-to, it is questionable that there is adequate natural lighting.
- The newly proposed dining area at 17 sqm does not meet the Council's published HMO guidance which requires a minimum of 22 sqm at 2 sqm per occupant.
- No indication of areas for refuse storage for the increased occupation has been provided. This should be sought given the issues raised in the representations already received regarding the extent of refuse storage and the impact that this is having on the character and appearance of the site and area.

13. The site is located within the 6km buffer zone of the Thames Estuary and Marshes Special Protection Area and Ramsar site. As such, proposals for residential accommodation should be assessed as whether they fall under the adopted North Kent SAMMS scheme and as appropriate payment of the applicable SAMMS tariff (currently £314.05 for each net increase in bedroom spaces for Class C4 development) made to offset the increased recreational pressure of new residential development in combination with other projects and plans on these protected sites.
14. The application has failed to address the impact on the SPA and Ramsar sites and no reference is made in the supporting documentation that confirms whether an appropriate SAMMS payment has been made in respect of the property in relation to its current Use Class C4 use and certainly not in relation to the proposed intensification from 6 to 11 bedrooms.
15. In the absence of such a payment, the application proposals fail to secure a contribution towards strategic mitigation measures within Special Protection Areas, and the development fails to comply with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 186 to 188) of the National Planning Policy Framework December 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy (2014) which seeks to ensure that detrimental effects on the integrity of SPA/Ramsar sites are avoided.
16. It is recognised that the proposed provision will assist in diversifying the availability of differing types of residential accommodation and also enable provision at the more 'affordable' end of the market and that it will assist in meeting local housing needs.
17. However, this provision should not be at the expense of an adverse impact on the level of amenity the existing community and neighbouring residents should reasonably expect to be able to continue to enjoy.
18. HMO uses of the intensity proposed do not often fit well into predominantly family orientated residential areas. Indeed, it is clear that the current level of occupation has not done so.



We request that these representations are considered and taken into account by the Council in their determination of the application in due course.

Yours sincerely,

**STEVE CLARKE**  
**Associate Planner**