



Delegated Report

Planning Application

Planning Application No: 20260791

Location: J And A Builders 41 The Hill Northfleet Gravesend

Description: Erection of single storey front extension and conversion of existing building to retail (Use Class E (a) at ground floor and 2 no. self contained two bedroom flats at first and second floors along with associated bins and cycle stores.

Applicant: Mr. Avtar Singh Toor

Site Visit Date: 21/08/2026

Submitted Documents/Plans

- Application form;
- Drawing no. 01 – Location Plan and Block Plans;
- Drawing no. 02 – Existing Floor Plans;
- Drawing no. 03 – Existing Elevations;
- Drawing no. 04 – Previously Approved Floor Plan;
- Drawing no. 05 – Previously Approved Elevations;
- Drawing no. 06 – Proposed Floor Plans;
- Drawing no. 07 – Proposed Elevations;
- Planning & Heritage Statement;
- Noise Assessment;
- Transport Statement; and
- Energy Efficiency Statement.

It is prudent to note that in respect of drawing nos. 04 & 05 – Previously Approved Floor Plans and Elevations which have been submitted, these relate to a prior approval application which has since expired. The drawings are dated 19.08.2025 but they show what was shown in the plans for prior approval application ref. 20160369. These ‘previously approved plans’ are not the same as what is proposed here.

Relevant Planning History

Reference	Description	Decision	Decision Date
20251073	Conversion of existing contractors office and erection of a third floor extension at No41 and erection of a four storey building at adjacent plot No42; to create a restaurant at ground floor level and 3no. one bedroom self-contained flats and 6no studio flats above.	Withdrawn	06.01.2026
20221305	Conversion of existing contractors office and erection of a third floor extension at No41 and erection of a four storey building at adjacent plot No42; to create a restaurant at ground floor level and 9no. one bedroom self-contained flats above.	Withdrawn	06.11.2024

20200850	Conversion of existing Contractors Office (no 41) and re-level of adjacent plot (no 42) and erection of a four storey building (no.42) and erection of a 3rd floor extension to (no 41) to create a restaurant and 9 one bedroom self contained flats.	Withdrawn	21.09.2021
20160369	Prior notification of the change of use of the ground and first floors from B1(a)) office use to 2 flats (Use Class C3) comprising 2no. two bedroom flats.	Prior Approval Not Required	18.07.2016

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS03 – Northfleet Embankment and Swanscombe Peninsula East Opportunity Area
- CS07 – Economy, Employment and Skills
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS11 - Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- H5 – Increasing the Housing Stock by the Conversion of Existing Buildings
- P3 – Vehicle Parking Standards
- TC2 – Listed Buildings
- TC3 – Development Affecting Conservation Areas
- TC7 – Other Archaeological Sites
- T1 – Impact of Development on Highway Network

As set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012 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

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 (2026), the Council will also seek to replace these.

Other material considerations

Under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, the Council has a statutory duty in considering whether to grant planning permission for development which affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architect or historic interest which it possesses.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area

National Planning Policy Framework (2026)

- Section 3 – Decision-making policies
- Section 4 - Achieving Sustainable Development
- Section 5 – Meeting the challenge of climate change
- Section 6 – Delivering a sufficient supply of homes
- Section 7 – Building a strong, effective economy
- Section 12 – Making Effective use of land
- Section 14 – Achieving well-designed places
- Section 15 – Promoting sustainable transport
- Section 16 – Promoting healthy communities
- Section 17 – Pollution, public protection and security
- Section 19 – Conserving and enhancing the natural environment
- Section 20 – Conserving and enhancing the historic 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)
- Design for Gravesham – Design Code (2024)
- The Hill, Northfleet Conservation Area Character Appraisal (2009)
- Management Plan Northfleet Conservation Areas (2009)

Emerging Local Plan as a Material Consideration

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (Planning and Compulsory Purchase Act 2004) and section 70(2) of the Town and Country Planning Act 1990 (Town and Country Planning Act 1990) make it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise.

Decision Making Policy DM4 of the Framework sets out that when considering development proposals, relevant policies may be given weight, however, this is subject to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of compliance of the relevant policies in the emerging plan with the policies for plan-making in this Framework (the closer the policies in the emerging plan to the policies in this Framework, the greater the weight that may be given to them).

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement, the Court found that the weight to be given to an emerging Local Plan was a matter of planning judgement, which had to be reached having fully considered the relevant part of the Framework, which from 17 August 2026 Decision Making Policy DM4 of the Framework.

The Council's emerging Local Plan has reached the Regulation 19 Consultation stage, with the consultation having ended on 18 August 2026. The emerging Local Plan does not form part of the Development Plan.

The Council is aware that third parties have raised objections to the wider emerging Local Plan and specific policies within it. Therefore, at present the Council cannot categorically state that the emerging Local Plan can be considered sound and consistent with the National Planning Policy Framework (2024) [as an emerging Local Plan being brought forward under the legacy system, it would be examined under the 2024 Framework]. Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan.**

This position would only change once the emerging Local Plan has progressed towards submission and

examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees

KCC Heritage

Thank you for your letter consulting us on the above planning application. In this instance I suggest that no archaeological measures are required.

I hope that the above is helpful and would be pleased to discuss further if required.

Kent Police

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 recommend SBD guidance is utilised 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. The points below identify my recommendations for the layout and design of this scheme;

1. We recommend the applicant review current site security and boundary treatments. Perimeter, boundary and divisional treatments should 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 to optimise surveillance.
2. If new external doorsets are proposed (a doorset is the door, fabrication, hinges, frame, installation and locks) including internal flat entrance and individual bedroom doors, we recommend these to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please note PAS 24 is a minimum-security standard, and communal doors may require a higher standard, such as STS or LPS.
3. If new windows are proposed on the ground floor or potentially vulnerable e.g. from flat roofs or balconies 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.
4. 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.

5. 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.
6. 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. This standard would also be suitable for the commercial units, if there will be no dedicated personnel responsible for accepting mail.
7. Unrestricted egress from a landing into the stairwell and from the stairwell to the communal lobby/emergency fire exit must be provided at all times.
8. For cycle storage, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable storage area. Bin storage must also be secure with access control. Please note commercial and residential bin and cycle stores must be segregated to prevent conflict.
9. 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. we recommend that a suitable lighting policy is installed to ensure that the units and staff have safe access to and from the units and to help deflect criminality. External lighting to conform to min standard of BS5489-1:2020.
10. For the commercial unit we also recommend alarms be installed, preferably with an autodial function, as an additional layer of security.
11. Any Shutters should be as close to the building line as possible and must avoid the creation of a recess. Shutters must be certificated to LPS 1175: Issue 7, SR2; STS 202: Issue 3, BR2; Sold Secure Gold or PAS 68:2013 .
12. CCTV is advised for all communal entry points (both commercial and residential buildings) including emergency exits to monitor who enters/ exits the buildings. CCTV should also cover and the mail delivery area, any till areas, storage areas with high values and safes.
13. Access control. Adequate access control is required for entrances used by staff only such as storage rooms and other restricted areas.
14. To minimise the opportunity for crime, especially out of hours the physical security standard should meet current standards as shown in SBD Non-Residential (Commercial) 2025 Guide: [NON RESIDENTIAL GUIDE 2025 3425.pdf](#)

To note, as Designing Out Crime Officers we use Secured By Design Guidance in our recommendations. Whilst our comments may be standardised within this letter, we encourage the applicant to contact us to discuss the plans in further detail.

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 DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

GBC Environmental Protection

It's noted that this application includes retail on the ground floor as opposed to a restaurant which was applied for previously.

The submitted Noise Assessment by Airtight Building Solution is dated 26 July 2024 and was obviously drawn up for a previous application as the plans referred to in the report are not the same as those submitted with this application. Nevertheless, the report can be considered acceptable as the proposed

living rooms are at the front of the property with bedrooms at the rear which is the same as before. The report assesses traffic noise from the road in front and industrial noise from the rear of the premises.

The internal noise criteria in BS8233:2014 are exceeded both during the day and at night with the rear of the building being noisier than the front. In order to comply with BS8233:2014, upgraded glazing and alternative ventilation (such as acoustic trickle vents) will be needed.

Specifications are given in the report for glazing and ventilation.

With regards to the industrial noise at the rear, the BS4142 assessment gives a rating level of +17dB at the rear during the day. Due to this level the report advises that bedroom windows should be kept closed which means alternative mechanical ventilation will be needed.

A nighttime assessment hasn't been carried out and it's understood that a lot of the premises in Crete Hall Road operate 24/7. If so, it is advised that the report is revised to include a nighttime BS4142 assessment.

There is no assessment of noise transference through the ceiling/floor partition between the retail on the ground floor and the flat on the first floor. This needs to be assessed to ensure that the partition is suitably robust.

In addition, no plant noise levels for the retail unit have been proposed – noise from any plant/equipment associated with the use must not impact on the flats above.

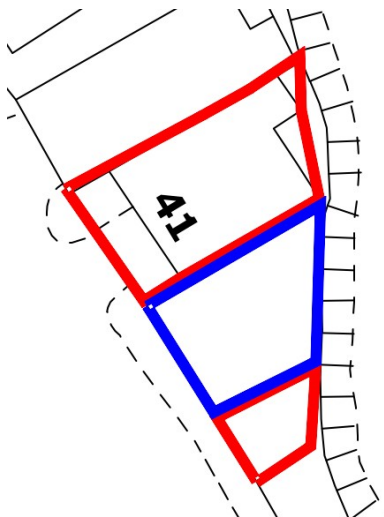
Ideally these revisions should take place prior to any decision, but alternatively conditions can be recommended if planning is minded to grant the application based on the submitted information. Conditions will include post completion testing.

Neighbouring properties

10 surrounding properties were consulted plus site and press notices – overall consultation expiry date was 18.09.2026 – no responses received.

Officer's Analysis

The application site consists of a three storey building situated on the northeastern side of The Hil which is in use as offices and storage for J&A Builders at ground and first floor levels and a two bedroom flat at second floor level; there is also a second parcel of land outlined in red on the other side of land which is also owned by the applicant. It is prudent to note that on the land outlined in blue there is a current planning application also pending consideration (application ref. 20260796) for 'Mixed use development for retail shop on the ground floor and 3 no. self contained two bedroom flats on the upper floors along with associated bins and cycle stores':



To the south is no. 7 The Hill a grade II listed building; to the west is no. 40 The Hill a single storey building in use as 'Gravesend Skill Centre' and to the north is industry in a former quarry below at a much lower ground level with industry.

The site is situated in The Hill Conservation Area, the Thames Estuary and Marshes Ramsar Buffer Zone, the Northfleet Embankment & Swanscombe Peninsula East Opportunity Area and in an Area of Archaeological Potential.



Application site

The proposal is to convert the ground floor office and storage to a retail unit, the first floor offices to a two bedroom flat and at second floor the existing two bedroom flat would remain but re-arranged internally (continue to be two bedrooms) and erection of a bin and cycle store.

The principle considerations in the assessment of this application are:

- Housing Need
- Design, Character and Appearance including Heritage
- Amenity of Future Occupiers
- Neighbouring Amenity
- Parking and Highways
- Biodiversity and Ecology
- Archaeology

Housing Need

The Local Plan Core Strategy was adopted by the Council in September 2014 and is more than five years old. Local housing need is therefore calculated using the Government's Standard Method, establishing a baseline requirement of 687 dwellings per annum.

The Housing Delivery Test (HDT), published by the Government on 17 August 2026, sets out that the presumption in favour of sustainable development applies within the Borough. National decision-making policy S3 of the Framework sets out that decisions on development proposals should apply a presumption in favour of sustainable development, as follows:

- a) National decision-making policy S4 of the Framework should be applied when considering development proposals within settlements;
- b) National decision-making policy S5 of the Framework should be applied when considering development proposals outside settlements; and
- c) In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies of the Framework are to be approved without delay.

The Council's most recent Five-Year Housing Land Supply Statement, covering the period 2025-2030, identifies a deliverable supply of 2,053 dwellings against a buffered requirement of 4,056 dwellings (based on the 2025 outcome of the standard method). The Council is therefore currently unable to demonstrate a five-year supply of deliverable housing land. This position equates to a housing land supply of 2.53 years.

National decision-making policy HO7 sets out that substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, taking into account evidence produced for the Council e.g. a local housing needs assessment, and the needs for different groups.

The proposed development is for a net increase of one residential unit, which would contribute towards meeting an unmet need for general market housing as identified in the Council's Local Housing Need Assessment (October 2025). Therefore, substantial weight should be afforded to meeting the needs of the housing needs of the community.

However, this has to be balanced against other requirements of the Development Plan and the NPPF 2026, including as set out in National decision-making policy DP3 Para.3, compliance with relevant development plan policies when assessing the design quality of proposals i.e. Local Plan Core Strategy Policy CS19: Development and Design Principles. This and other matters will be discussed in detail in the sections below.

Principle of Development

The application site is in the urban area of Northfleet and Policy CS02 (LPCS) states that development should be prioritised in the urban area; development is therefore acceptable in principle.

The site is in the Northfleet Embankment & Swanscombe Peninsula East Opportunity Area in sub area 1.6 Old Northfleet Residential Area. In the preamble to Policy CS03 (LPCS) it is stated that the Council supports the improvement of the local centres to meet the needs of the local community and will also

require new development to be well integrated with the existing residential neighbourhoods.

In this case the ground and first floor levels of the buildings are offices and stores for a builder's firm, and the second floor is a two bedroom flat.

Policy CS07 (LPCS) states that development resulting in the loss of B class employment floorspace will not be supported unless otherwise allowed for by policies set out in the Core Strategy or where:

- the proposal will deliver at least an equivalent number of new jobs on-site or elsewhere within the Borough and the proposed use is consistent with other policies set out in this plan; or
- the existing premises are no longer suited for employment purposes or are incapable of being made suitable at reasonable cost and it has been shown that there is no demand for them through an appropriate marketing exercise carried out in accordance with Council guidance (Appendix 5); or
- the existing premises have an unacceptable environmental impact on the area within which they are situated and this is incapable of reasonable mitigation or the environmental benefit that would arise from the existing use stopping would outweigh the potential loss in employment.

(Note: At the time the Local Plan was written offices were Use Class B1(a) but in 2020 when the Use Classes Order was updated offices were then changed to Use Class E(g)(i)).

The application site is in The Hill Local Centre and in the preamble to Policy CS08 (LPCS) it is stated that it is important that local centres are protected and their role and function are retained and enhanced as opportunities arise so that they continue to maintain their ability to perform this function. Proposals for new development will therefore be encouraged which are appropriate to the size of the centre and the local catchment area and where they safeguard the retail character and function of the centre. Policy CS08 (LPCS) states that it will safeguard the retail character and function of existing and new centres by resisting development that would adversely affect their vitality and viability.

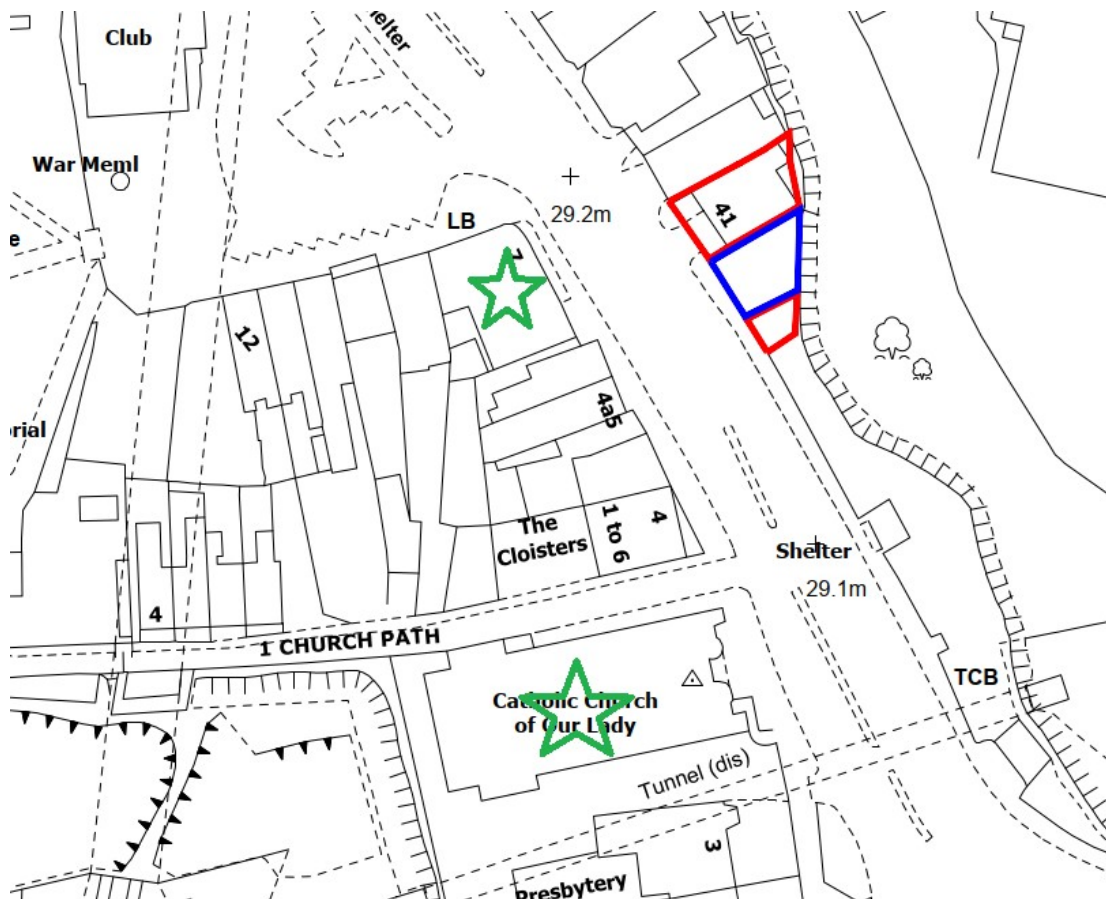
The proposal for the loss of the existing offices at ground and first floor levels is therefore considered acceptable in this particular case given that the application building is in a Local Centre (The Hill) and the proposed change to a retail unit would actually enhance the retail character and function of this local centre which is what Policy CS08 (LPCS) promotes.

Overall, therefore the change of use and extension to the building is considered acceptable in principle and compliant with Policy CS02 and Policy CS08 (LPCS).

Design, Character and Appearance including Heritage

The application site is a three storey flat roofed building. The extension would be on the front of the building full width (8.2m), with a flat roof 3.4m in height and between 2m in depth. It would be faced with brickwork to match existing and would have a single door and a window and a set of double doors with a window panel either side.

The application site is situated in The Hill Conservation Area and there are two listed buildings in the vicinity – no. 7 The Hill opposite and Our Lady of the Assumption Roman Catholic Church some 44m to the south-east.



Map showing the two listed buildings in the vicinity of the application site (marked by green star)



No. 7 The Hill



Our Lady of the Assumption Roman Catholic Church, The Hill

The application building is identified as a negative building in The Hill Conservation Area Character Appraisal (2009). The building is located in Character Area 1: The Hill in the Conservation Area and the Appraisal states that a principle negative feature of this Character Area is said to be 'Unsympathetic, poor quality 20th century development i.e. The Cloisters, no. 29a and **No. 41 The Hill** (my emphasis), the church hall and the Veterans club".

As can be seen this is a negative building in the Conservation Area which causes harm. The proposal to extend it further is therefore not considered to be acceptable. The host building does have a flat roof and ordinarily extensions should match the roof form of the host building, but great care needs to be taken with front extensions which are by their nature of high visibility. In this case the proposed single storey flat roofed front extension looks akin to a single storey extension one would find on the rear of a residential property, where a flat roof on a single storey level is considered acceptable due to it not being publicly visible. The extension does not have a proposed shopfront but would have windows and doors which would be found in a single storey extension on the rear of a residential dwelling. This window and door treatment is in no way acceptable in terms of a ground floor retail unit with two wide double doors, glazed panels to either side and a door and window to the side, none of which respects the fenestration on the upper floors and is not even a shopfront, hence its rear elevation looking design. Although it is a negative building, the proposed extension does not even follow basic design principles of matching the fenestration above and proposing a shopfront which would be needed even if this site was not in a Conservation Area; it certainly does not appear of the design one would expect on the front of a commercial property in a Conservation Area and would cause harm to it.

It is also important to note that the application building is set back from the adjoining building to the west, no. 40 The Hill by 2.9m. No. 40 The Hill is a modest single storey building with a pitched roof and it is clear that no. 41 The Hill was purposefully designed with that 2.9m set back to ensure that no. 40 The Hill could still be clearly seen in the street scene and not be swamped by the new development. The proposed single storey front extension would however result in the complete loss of this valuable set back and the visual distinction it creates which would cause harm to the adjoining building no. 40 The Hill, the streetscene and the character and appearance of The Hill Conservation Area.



Due to the existing buildings to the west the proposed extension would be largely not visible in views from the west. It would however be widely visible in the street scene being on the front of the building and would also be visible from the east as one enters The Hill Conservation Area. One positive currently is that the application building is set back from the building line (by between 2.7m – 2.9m) which means that in views from the east when entering The Hill Conservation Area, the building is currently largely obscured by trees:



View of application site from the east

The proposed front extension however, would be very visible from the east.

There is a listed building opposite (no. 7 The Hill), and it is considered that the proposed extension which would bring this negative building of no. 41 The Hill closer to it which would be harmful to its setting.





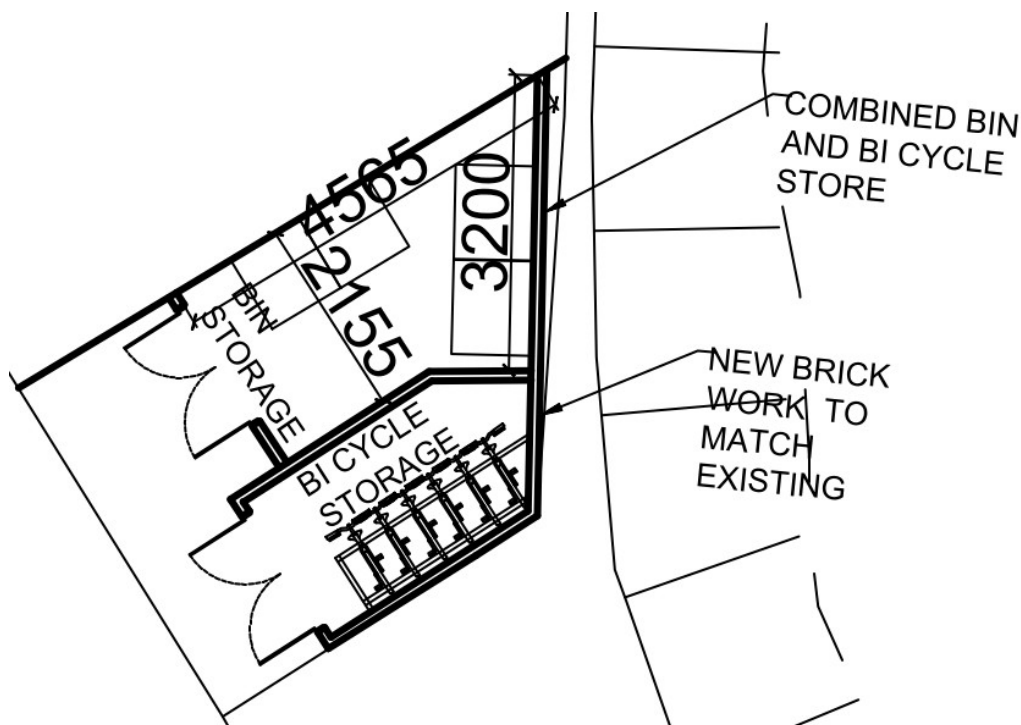
Furthermore, the listed building Our Lady of the Assumption Roman Catholic Church is situated some 44m to the south-east. The view into the Conservation Area from the east includes Our Lady of the Assumption Roman Catholic Church:



It is therefore also considered that the proposed extension would also have an impact on the setting of Our Lady of the Assumption Roman Catholic Church and the Conservation Area as it would be seen in the background of this church from views into the Conservation Area from the east.

It is important to note that there is a current planning application pending for the land adjacent to no. 41 The Hill (application ref. 20260796) for 'Mixed use development for retail shop on the ground floor and 3 no. self contained two bedroom flats on the upper floors along with associated bins and cycle stores': The building proposed in that application would be set further forward of no. 41 so that the single storey extension proposed here would then not be visible in views from the east when looking into The Hill Conservation Area. However, regardless of the outcome of that planning application, the development is not constructed at this time and the Local Planning Authority must determine this application on the basis of what exists at this current time.

A separate bin and cycle store is proposed to the south-east on a parcel of land which is the other side of land also owned by the applicant and for which there is a current planning application pending consideration for erection of a 'Mixed use development for retail shop on the ground floor and 3 no. self contained two bedroom flats on the upper floors along with associated bins and cycle stores' (ref. 20260796). Although not stated in this application for no. 41 The Hill, it is noted from looking at application ref. 20260796 for Land Adjacent to no. 41 The Hill that the exact same bin and cycle store is shown for that proposed development as is proposed here; it would therefore appear that it is proposed for both developments to use this same bin and cycle store:



However, no elevation details have been provided so it is not known what the height of this building would be or what it would look like, and so no assessment can be made of its impact in respect of design, character, appearance and heritage. Given that the building would directly front the street scene it is important to know the height of this building and what it would look like. Further details would have been requested by the case officer prior to determination if permission were to be forthcoming, but as the proposal is unacceptable in respect of the proposed single storey front extension in 'design, character, appearance including heritage' terms then this information has not been requested. There are concerns with a proposed cycle and bin store directly facing onto The Hill due to its high visibility and given that cycle and bin stores should normally be located in a less prominent place not on the street frontage.

Furthermore, from a practical point of view, it is unlikely that occupiers of the flats at no. 41 The Hill will carry their rubbish to the proposed bin store 9m along the road and would just have bins outside their building which would not be acceptable. It is also presumed the refuse from the retail unit would be stored in the refuse store also given there is no refuse storage provision in the shop, only stores but these are not identified as refuse stores. Also, it is unlikely that the refuse storage would provide sufficient storage for both developments (should they both be permitted). Overall, it is considered that the proposed refuse provision due its siting would not be fit for purpose as currently proposed.

The proposal would constitute over development of the site by virtue of no-onsite cycle or refuse provision contrary to Policy CS19 (LPCS).. While the area may be within the ownership of the applicant, it is not a practical solution and should be provided within the building itself.

The proposed single storey front extension by virtue of its siting and design and on a building that is identified as a negative building in The Hill Conservation Area, along with the siting of the proposed cycle and bin store, would cause harm to the character and appearance of The Hill Conservation Area which would not be preserved, and harm to the setting of two listed buildings in the vicinity of the site. As such the proposal in respect of design, character and appearance including heritage is not compliant with Policies CS19 and CS20 (LPCS), saved Policies TC2 and TC3 (LPFR) and sections 14 and 20 of the NPPF (2026).

Amenity of Future Occupiers

The first floor flat would be a completely new flat as the first floor is currently offices. The second floor flat would be the same size but would be re-arranged internally in terms of internal walls and therefore the flat and rooms sizes.

Flat sizes

Flat	Internal floor area (sq. m)	Minimum internal floor area as set out in the Nationally Described Space Standard (2015)	Does it meet the National Space Standard (2015)
Flat 1 (2 bed, 3, persons, 1 storey)	67.61	61	Yes
Flat 2 (2 bed, 3, persons, 1 storey)	65	61	Yes

As can be seen both flats would meet the minimum internal floor area for a 2 bed, 3 persons, 1 storey flat.

Bedrooms

The National Space Standards (2015) state that the minimum internal floor area for a single bedroom is 7.5 sq. m and for a double is 11.5 sq. m.

Flat 1

Bedroom - 9.68 sq. m

Bedroom – 15.78

Flat 2

Bedroom – 9.24 sq. m

Bedroom – 13.41 sq. m

As can be seen the bedrooms for flats 1 & 2 would each have one bedroom which would meet the minimum internal floor area for a single bedroom and for a double bedroom.

Light and outlook

In both flats 1 & 2 each habitable room would be served by a window and so they would receive natural light and sufficient outlook.

Amenity space

There is some 4.6 sq. m of space at the back of the building in two triangle shaped pieces. This is not sufficient for the 10 sq. m per flat of amenity space as set out in SPG2 (2020). However Northfleet Urban Country Park is 0.5 miles away which would provide sufficient amenity space for future occupiers and the lack of private amenity space is not considered harmful to them.

Noise & disturbance

GBC Environmental Protection (EP) point out that the submitted Noise Assessment by Airtight Building Solution is dated 26 July 2024 and was obviously drawn up for a previous application as the plans referred to in the report are not the same as those submitted with this application. They do however advise that the report can be used and considered here given that the proposed living rooms are at the front of the building with bedrooms at the rear which is the same as before. EP note how the Noise Assessment assesses traffic noise from the road in front and industrial noise from the rear of the premises.

EP state how the Noise Assessment finds that the internal noise criteria in BS8233:2014 are exceeded both

during the day and at night with the rear of the building being noisier than the front and EP state that in order to comply with BS8233:2014, upgraded glazing and alternative ventilation (such as acoustic trickle vents) will be needed. Specifications are given in the report for glazing and ventilation.

In particular reference to the industrial noise at the rear, EP note that the BS4142 assessment in the Noise Assessment gives a rating level of +17dB at the rear during the day, and that due to this level the report advises that bedroom windows should be kept closed which means alternative mechanical ventilation will be needed.

EP note how a nighttime assessment hasn't been carried out and they understand that a lot of the premises in Crete Hall Road (down below in the former quarry to the north of the application site) operates 24/7. EP state that if so, they advise that the report is revised to include a nighttime BS4142 assessment.

EP also note how there is no assessment of noise transference through the ceiling/floor partition between the retail on the ground floor and the flat on the first floor and they state how this needs to be assessed to ensure that the partition is suitably robust.

In addition, EP note that no plant noise levels for the retail unit have been proposed and that noise from any plant/equipment associated with the use must not impact on the flats above.

Ultimately EP advise that these revisions should ideally take place prior to any decision, but alternatively conditions can be recommended if planning are minded to grant planning permission on the basis of the submitted information.

This information has not been asked for given the principal objection to the proposal in respect of design and heritage terms. As EP state that it could be conditioned, this matter is not considered a reason for refusal as by stating that conditions could be suggested it appears they believe the noise matter could be addressed.

Overall therefore, in respect of future occupier amenity the proposal is considered compliant with Policy CS19 (LPCS).

Neighbouring Amenity

The site is in a local centre with no residential either side and a very large drop to the rear where a former quarry now industry is. The building next door to the west is Gravesend Skill Centre and as that projects forward of the application building, the proposed extension would cause no impact on that building. There is no development to the east of the application site.

In respect of neighbouring amenity the proposal is considered acceptable and compliant with Policy CS19 (LPCS).

Parking and Highways

The existing use is offices and store for a building company and the proposal would change this to a retail unit at ground floor with an additional flat at first floor level (the second floor flat is existing but would be re-ordered). There is no off-street parking at the site.

Cycle storage is proposed in a separate bin and cycle store to the south-east on a parcel of land which is the other side of land also owned by the applicant and for which there is a current planning application pending consideration for erection of a 'Mixed use development for retail shop on the ground floor and 3 no. self contained two bedroom flats on the upper floors along with associated bins and cycle stores' (ref. 20260796):

Although not stated in this application for no. 41 The Hill, it is noted from looking at application ref. 20260796 for Land Adjacent to no. 41 The Hill that the exact same bin and cycle store is shown for that

proposed development as is proposed here; it is therefore proposed for both developments to use this same bin and cycle store. That is not stated in this application and that means that rather than the proposed retail unit and 2 flats proposed here in this application, there would potentially actually be a total of 5 flats and 2 retail units using the cycle storage. There are 6 cycle spaces shown so there would be sufficient cycle provision for both developments (should they be permitted).

However, It is not considered ideal or fit for purpose for cycle storage to be so separate from a development and as discussed in the 'design, character and appearance including heritage' section above, no elevation details have been submitted of this proposed bin and cycle store and so it is not known if it would be acceptable to even have it or not in terms of design and heritage matters.

Ideally the cycle provision should be included within this development itself at no. 41 The Hill, not on land further along the road and it is considered that the applicant would need to look how the internal area of no. 41 The Hill could be re-arranged in order to provide some cycle provision for the two flats. The proposed floor plans show the retail area at ground floor with just a small area to enter the flats and then one goes directly up the stairs. It would appear that more of the ground floor area needs to be given over to cycle provision so that the proposed development is self-sufficient and not having to rely on separate cycle provision elsewhere and shared with another development.

The site is located just along from The Hill public car park, this would provide sufficient parking provision for the site which is used for the other businesses in The Hill local centre. There is a bus link with bus stops on The Hill and Northfleet train station is within walking distance. The cycle storage is therefore not considered a reason for refusal but is something that would need to be addressed in any re-submission to address how it can be located within the actual development itself.

As such in respect of parking and highways the proposal is considered compliant with saved Policy P3 (LPFR).

Biodiversity and Ecology

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is a mandatory requirement for all new development and proposals must deliver a BNG of at least 10% unless they are exempt. In this instance, the applicant is stating on the application form under the BNG section that the proposal is subject to the de minimis exemption in that the proposal would impact less than 25 sq. m of onsite habitat as there is no on-site habitat.

This is considered to be the case and so BNG does not apply.

Thames Estuary and Marshes Special Protection Area (SPA)

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 £350.16 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. The applicants have paid towards the mitigation.

This application proposes one additional residential unit and applicant has not paid the required tariff of £350.16 towards strategic mitigation measures within Special Protection Areas, and therefore the development does not comply with the requirements of the Habitat Regulations and Chapter 19 (specifically policy N6) of the NPPF (2026) and Policy CS12 (LPCS).

Archaeology

The site is in an Area of Archaeological Potential and the proposal would involve groundworks, but KCC Heritage advise there would be no impact on archaeology. As such this proposal is compliant with saved Policy P3 (LPFR).

Any Other Material Planning Considerations

None.

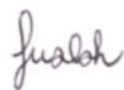
Conclusion

The proposed development would provide a net addition of one residential unit and would be acceptable in respect of the principal of the development, amenity of future occupiers, neighbouring amenity, parking and highways and archaeology. However, it would not be acceptable in respect of design, character and appearance including heritage, biodiversity and ecology and refuse storage. The net addition of one unit is not considered to outweigh the harm identified. The proposal would be contrary to Policies CS12, CS19 and CS20 (LPCS), saved Policies TC2 and TC3 (LPFR) and sections 14, 19 and 20 of the NPPF (2026).

Recommendation

Refusal

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

Case Officer:	Ms Rebecca Harrison	Team Leader:	Mrs Faye Walsh
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	30th September 2026	Dated:	01 October 2026