



Appeal Decision

Site visit made on 23 March 2021

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2021

Appeal Ref: APP/K2230/W/20/3261660

197A Parrock Street, Gravesend DA12 1EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Parminder Birring against the decision of Gravesend Borough Council.
 - The application 20200475, dated 7 July 2020, was refused by notice dated 4 September 2020.
 - The development proposed is erection of a two-bedroom, two-storey maisonette above the existing rear flat.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Following the Council's decision the appellant has made a payment towards a strategic access management and monitoring strategy in mitigation of the potential harmful impact the development might have had on the Thames Estuary and Marshes Ramsar site, which forms part of the North Kent Marshes Special Protection Areas. The Council confirms that this mitigation overcomes the third reason for refusal on their decision notice. In the light of the payment and my decision, I have not needed to consider this issue any further.

Main Issues

3. The main issues are:
 - Whether the development would preserve or enhance the character or appearance of the King Street Conservation Area
 - Whether satisfactory living conditions would be created for future occupants with regards to outdoor space, sunlight, and parking.

Reasons

Conservation Area

4. The site lies within the King Street Conservation Area. Parrock Street is characterised in the King Street Conservation Area Appraisal as consisting largely of 19th century buildings featuring some fine 3 and 4 storey townhouses, most of which have changed to retail and office use, though some have retained their mid-19th century residential character.
5. Behind the Parrock Street frontage are a series of small yards containing a mixture of flats, workshops, storage buildings, parking and service courts.

Buildings in these yards are generally smaller in scale than the taller townhouses fronting the main road. The building on the appeal site is more modern than its neighbours having been granted permission in 2002 and purpose-built as residential flats. It nevertheless maintains the character and appearance of this part of the Conservation Area, being of an appropriate scale with a simple pitched roof form and external materials of yellow brick and slate.

6. The proposed development would add two floors to an existing single storey wing at the rear of the main building. While this would make the rear wing one of the taller buildings in the rear yard area, it would still be below the height of the main building and no higher than the building immediately to the south. I therefore consider the additional height to be acceptable in this location.
7. However, the form of the roof would differ markedly from that of the existing building and the majority of the surrounding buildings. The partially pitched roof with a large area of flat roof behind would appear bulky and awkward when compared to the prevailing form of roofs in the vicinity, which have simple pitched roofs with gabled or hipped ends. I acknowledge that given its position in the rear yard and the height of the neighbouring buildings to the east and south views of the roof would be limited, but nevertheless I consider it would still be visible from adjoining land such that its incongruous roof shape would be apparent.
8. I also acknowledge that there are flat roofs to a few sections of the buildings fronting Parrock Street, but these have parapets, which is a feature of the design of these earlier buildings. Elsewhere roof forms are almost all pitched roofed, certainly to buildings the size and height of that proposed.
9. The appellant has drawn attention to the apparent inconsistency of the Council in addressing the impact of development on this site on the Conservation Area. It is noted that no reference to the Conservation Area was made in the reasons for refusal for a previous scheme on the site¹, and the Council's heritage officer was not consulted on the current scheme. While that may be the case, the site does lie within the King Street Conservation Area and therefore it is a statutory requirement to consider its impact on the designated heritage asset.
10. The development would lead to less than substantial harm to the Conservation Area and therefore should be weighed against any public benefits of the proposal². In this case, while an additional unit of accommodation would be created, that modest benefit would be insufficient to outweigh the harm to the Conservation Area.
11. I conclude that because of its bulky and poorly designed roof form, the proposed development would fail to preserve or enhance the character and appearance of the King Street Conservation Area. It would therefore conflict with policies CS19 and CS20 of the Gravesham Local Plan Core Strategy and policy TC3 of the Gravesham Local Plan First Review, which accord high priority towards the preservation, protection and enhancement of the historic environment. For the same reason it would conflict with the statutory test set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

¹ 20190869

² National Planning Policy Framework, paragraph 196

Living conditions

12. Policy CS19 of the Gravesham Local Plan Core Strategy requires, amongst other criteria, that the design and layout of new residential development accords with the adopted Residential Layout Guidelines, provides appropriate levels of private and public amenity space, safeguards the amenity of occupants including daylight and sunlight, and has car parking well related to the development it serves.
13. The block of flats contains an external courtyard of some 20sqm at the rear of the site alongside the single storey wing. While the Council acknowledges that this exceeds the minimum space requirements set out in the Residential Layout Guidelines, it considers the shared nature of the space and its quality fails to provide adequate amenity space for occupiers of the proposed flat.
14. While I have some concern with the availability of the outdoor space given that it lies alongside the rear wing and appears to be mainly associated with that unit, the appellant has confirmed that the courtyard is accessible to all occupiers of units on the site. On that basis, it meets the space requirements set out in the Guidelines and although it is hard surfaced is sufficient to cater for most domestic outside activities. I therefore consider that the proposed development would have access to adequate outdoor amenity space.
15. The proposed flat would only have north facing windows. While this would limit direct sunlight there would still be ample daylight entering the living spaces. There is no provision in policy CS19 or the Residential Layout Guidelines that requires sunlight to all residential units. I consider the living conditions for future occupants would be acceptable in this respect.
16. The Kent Vehicle Parking Standards 2006 require the provision of 1 parking space for a 2 bedroom flat. No additional parking provision would be made as part of the proposal and therefore it would not accord with the Parking Standards.
17. The Parking Standards guidance makes provision for local variations to parking standards in urban areas, which includes Gravesend, where there is good access to public modes of transport. Although no variations have been adopted by the Council, the appellant draws attention to more recent parking guidance published by Kent County Council³ that allows for reduced or nil provision of parking in town centres. I also note that the conversion of 195 Parrock Street to residential use has been granted permission without any parking provision⁴, and that the original development on the site was permitted with reduced parking provision. The Council has therefore accepted in principle that a reduced or no parking provision can be acceptable in such a town centre location.
18. The site also lies within a very accessible location with easy access to the services and facilities available in Gravesham town centre and to bus and rail services. Having regard to the location and the factors detailed above, I consider the absence of any additional parking provision would not unduly limit access of future residents to local services and facilities, and should not be a determining matter in this case.

³ Kent County Council Interim Guidance Note 3: Residential Parking, November 2008.

⁴ 20160182

19. I conclude that the development would create satisfactory living conditions for future occupants is so far as outdoor space and light is concerned, and that given the accessible location of the site the lack of additional parking would not cause an unacceptable degree of harm. The development would therefore comply with the policy CS19 of the Gravesham Local Plan Core Strategy in so far as it relates to these matters.

Conclusion

20. While I have found no harm would be caused to the living conditions of future occupants, I have found that the development would fail to preserve or enhance the character and appearance of the King Street Conservation Area. It would as a result conflict with the development plan when taken as a whole. I have acknowledged that the creation of an additional unit of accommodation is a benefit given the demand for new housing in the area, but this is insufficient to outweigh the harm that would be caused to the designated heritage asset.
21. Consequently, I conclude that the appeal should be dismissed.

Guy Davies

INSPECTOR