



Delegated Report

Planning Application

Planning Application No: 20240970

Location: Bowling Green, Church Walk, Gravesend, Kent DA12 2QU

Description: Application for variation of Condition 2 (Approved Plans) attached to planning permission reference number 20221328 for demolition of existing bowls pavilion and erection of a 4-storey building to provide a 62-unit Use Class C2 retirement living complex, with a new access from Ellerslie, a new emergency access off Ellerslie, parking, landscaping and associated works; to allow substation repositioned to southeastern corner of site, now accessed from Church Walk. Projecting units in central portion of eastern elevation to Church Walk aligned / projection removed, replaced with brick details. Opaque balustrades to balconies replaced with glazed panels. Some window depths and location of transoms altered to improve proportions.

Applicant: McCarthy And Stone Retirement Lifestyles Ltd

Site Visit Date: 13 November 2024

Submitted Documents/Plans

Application form

Cover letter

Overview of changes to the proposal

Statutory Biodiversity Metric (Greenlink Ecology, February 2025)

Drawing no. LSE-2821-03-AC-5501 rev P1 (proposed southern and western elevations)

Drawing no. LSE-2821-03-AC-1004 rev P7 (proposed roof plan)

Drawing no. LSE-2821-03-AC-1003 rev P11 (proposed third floor plan)

Drawing no. LSE-2821-03-AC-1002 rev P10 (proposed second floor plan)

Drawing no. LSE-2821-03-AC-1001 rev P9 (proposed first floor plan)

Drawing no. LSE-2821-03-AC-1000 rev P11 (proposed ground floor plan)

Drawing no. LSE-2821-03-AC-11 rev F (proposed site layout/roof plan)

Drawing no. LSE-2821-03-AC-0010 rev P15 (proposed site layout/ground floor)

Drawing no. LSE-2821-03-AC-5500-P1 (proposed northern and eastern elevations)

Relevant Planning History

20240821	Application for the approval of conditions 12, 17, 19, 21 and 22 attached to planning permission reference number 20221328 relating to details of (12) Boundary Treatments, (17) Travel Plan, (19) Soft Landscaping. (21) External Lighting and (22) Hard Landscaping.	Approval of details	12.11.2024
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20240654	Application for a non-material amendment to planning permission reference number 20221328 to allow the relocation of substation within the site, aligning projections, changes to balconies and changes to window depths / proportions.	Refused	15.08.2024
20240396	Application for approval of conditions 4, 6, 7 and 10 attached to planning permission reference number 20221328 relating to details of (4) Construction Management Plan; (6) Written Scheme of Investigation; (7) Building Recording; and (10) Materials.	Approval of details	06.08.2024
20221328	Demolition of existing bowls pavilion and erection of a 4-storey building to provide a 62-unit Use Class C2 retirement living complex, with a new access from Ellerslie, a new emergency access off Ellerslie, parking, landscaping and associated works.	Permitted	12.01.2024

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC7 – Other Archaeological Sites
- T1 – Impact of Development on the Highway Network
- T5 – Formation of New Accesses or The Intensification of Use of Existing Accesses

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 4 – Decision-making
- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance

- Kent Design Guide (SPG 5 published December 2005, adopted July 2006)
- Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)
- GBC Residential Layout Guidelines (SPG2 February 1996)
- Housing Standards Policy Statement 1st October 2015
- Technical Housing Standards - Nationally Described Space Standards
- Gravesham Design Code 2024

Consultations, Publicity and Representations

Consultees

Sport England

No objection.

Kent Fire and Rescue

The variations do not appear to affect Fire and Rescue service access arrangements into the estate, which I can see my colleague consulted on in January 2023 under ref: 20221328, therefore I have no further comment at this stage.

Please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

KCC Highways

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

It is important to note that Local Planning Authority (LPA) permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners.

Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

KCC Flood and Water (20 November 2024)

We note that the proposed site layout now shows the substation in the southern corner of the site where an attenuation tank, flow control and the final off-site discharge location was previously proposed. No information has been submitted relating to the impact of the proposed layout changes on the approved drainage design, which is required in order for us to make meaningful comment.

We request that further information relating to amended site drainage under this variation is submitted, and until this is reviewed would recommend a holding objection. This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

In response to further information KCC provided the following (8 January 2025):

Kent County Council as Lead Local Flood Authority have reviewed the Proposed Drainage Plan prepared by Infrastructure Design LTD (Oct 2024) and have the following comments:

- It can be noted that the proposed changes likely have a minimal impact of the drainage strategy. It can however be noted that changes to the attenuation systems total areas have been made. Can

the applicant provide additional hydraulic calculations demonstrating the performance of the amended drainage scheme? This is to outline that no increase in flood risk under greater return periods that previously demonstrated surcharging and risk of flooding within the 1 in 30 and 1 in 100 year return periods has occurred.

If the applicant provides additional hydraulic calculations as requested in the above comments, Kent County Council as Lead Local Flood Authority would see no further reason to object to the variation of Condition 2.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

In response to further information KCC provided the following (17 February 2025):

Kent County Council as Lead Local Flood Authority have received additional information from the applicant and have the following comments:

- It can be noted that updated hydraulic calculations have been provided demonstrating the drainage scheme will not be adversely affected by the amendments to the drainage strategy.

Kent County Council as Lead Local Flood Authority would see no further reason to object to the variation of Condition 2.

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

KCC Heritage

My recommendations for an archaeological watching brief and historic building recording, made in January 2023, remain the same.

KCC Biodiversity

I have reviewed the submitted documents in relation to the application to vary condition 2 (accordance with approved plans) of permission 20221328 and advise that further information is required to vary the condition.

The only proposed change to the layout of the site I have considered is the repositioning of the substation to the southeastern corner of the site. This has resulted in the removal of two proposed trees which are visible in the Proposed Site Layout Revision E (On Architecture, August 2023) which condition 2 currently requires adherence to. The new revision of this document (Revision F dated February 2024) also seems to indicate a ~20m stretch of hedging is no longer proposed adjacent to the driveway.

The loss of these two trees and some 20m of hedge planting required to accommodate the proposed variations should be relocated elsewhere on site rather than being entirely removed. Condition 2 of permission 20221328 also requires accordance with the Biodiversity Net Gain Assessment and Biodiversity Metric 3.1 associated with the original application; this will not be possible with reduced tree/hedge planting. There is space elsewhere on the site for these trees/hedges.

The applicant has submitted a covering letter, BNG baseline plan and BNG metric calculation in response to the above (3 March 2025) and KCC have responded with the following:

We have reviewed the ecological information submitted in support of this application and advise that no further information is requested from the applicant prior to determination of the planning application.

FULL COMMENTS

Our previous comments on this application (12 December 2024) noted that reduced hedge/tree planting was proposed to facilitate changes to the design of site. These alterations would make accordance with the BNG metric associated with 20221328 (as required by condition 2) impossible.

A new BNG metric has been submitted which indicates that the new site layout will deliver a 15.75% habitat unit net gain and 33.04% hedgerow unit net gain. Previous figures indicated that an 18.33% habitat unit net gain and 110.76% hedgerow net gain would be achieved.

No post-development habitat map has been provided so it is unclear where some proposed enhancements are to be located (including 700m² of species-rich neutral grassland) but in consideration of the Proposed Site Layout (On Architecture, February 2024), it is clear that a measurable biodiversity net gain is achievable onsite, as required by the NPPF 2024 (193d) and as supported by local policy CS12.

As such, we recommend condition 2 of 20221328 is varied such that accordance with the Statutory Biodiversity Metric (Greenlink Ecology, February 2025) is required.

If you have any queries regarding our comments, please do not hesitate to get in touch.

Southern Water

No objection.

GBC Private Sector Housing

No comments.

GBC Leisure

No comments.

GBC Environmental Protection

No objection.

Environment Agency

The proposed changes don't affect our response ref KT/2023/130379/01-L01 to the original application dated 11 January 2023.

Therefore, we do not have any comments to make.

Neighbouring properties

The application has been advertised by site notice, press notice and individual letters to 84 neighbouring properties (and to those who made representations previously). No letters of representation have been received. The overall consultation period expired on 06 December 2025

Officer's Analysis

Proposal

Issues relating to the principle of development, economy, employment and skills, physical and social infrastructure, green space, sport and recreation, housing type and size, housing density and affordable housing have already been dealt with under the original planning reference 20221328. The only policies

applicable to this application are those related to the proposed changes listed below. It is acknowledged that the NPPF has been updated since the original approval, but given the sites location in the urban area, it is not considered that the changes to the NPPF (2024) alter the determination of the original application and subsequent amendment.

The original application was accompanied by a section 106 agreement. This contains a clause (18) that specifies that the agreement remains in place and the obligations shall relate to and bind any subsequent planning permissions without the need to enter into any subsequent deed of variation or new legal agreement pursuant to Section 16 of the 1990 Act.

The amendments to the approved plans are:

- The repositioning of the substation to the southeastern corner of site, now accessed from Church Walk
- Projecting units in central portion of eastern elevation to Church Walk aligned / projection removed, replaced with brick details.
- Opaque balustrades to balconies replaced with glazed panels.
- Some window depths and location of transoms altered to improve proportions.

The site layout plan below shows the approved layout compared with the proposed layout:



The substation is now to be located in the southern most corner of the site adjacent to Church Walk.

The change below shows that the slight forward projection to the middle of the eastern flank will now be removed as shown below:



Instead of the projection there will be a vertical brick banding to break up the façade as shown below:



The opaque balustrades will be replaced with glazed balustrades as shown above. This will also be applicable to the front elevation, rear and western elevations as shown below:



Approved North Elevation



Proposed North Elevation



Approved Western Elevation



Proposed Western Elevation



Approved Southern Elevation



Proposed Southern Elevation

Also, some of the window proportions have been changes on all elevations as can be seen above (labelled 'D')

Condition 2 of 20221328 states:

The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans:

*Application form
Contamination Desk Study
Covering letter
Design and Access Statement
Heritage Statement
Flood Risk Assessment
Transport Statement
Energy Statement*

*Drainage Strategy
Air Quality Assessment
Archaeological Desk-Based Assessment
Biodiversity Net Gain Assessment
Preliminary Ecological Appraisal by GreenLink Ecology Ltd
Biodiversity Metric 3.1
Extra Care Contributions Statement
Transport Statement
Tree Survey and Impact Assessment
Statement of Community Involvement
Planning Statement
Image Production Document Issue C by Virtual Resolution
Noise Impact Assessment
Drawing no. LSE-2821-03-AC-0010 rev P13 (proposed site layout ground floor plan)
Drawing no. LSE-2821-03-AC-1000 rev P9 (ground floor plan)
Drawing no. LSE-2821-03-AC-1001 rev P7 (first floor plan)*

Drawing no. LSE-2821-03-AC-1002 rev P8 (second floor plan)
Drawing no. LSE-2821-03-AC-1003 rev P8 (third floor plan)
Drawing no. LSE-2821-03-AC-1004 rev P6 (roof plan)
Drawing no. LSE-2821-03-2000 rev P3 (primary elevations)
Drawing no. LSE-2821-03-AC-2001 rev P4 (secondary elevations)
Drawing no. LSE-2821-03-AC-2005 rev P2 (proposed north elevation)
Drawing no. LSE-2821-03-AC-11 rev E (proposed site layout)
Drawing no. 04 rev P1 (existing sports pitch site plan)
Drawing no. 05 rev P1 (proposed sports pitch site plan)
Drawing no. LSE-2821-03-AC-0000 (site location plan)
Drawing no. PP/4081/GRAVESEND/F1 (topographical survey - existing)
Drawing no. PP/4081/GRAVESEND/F2 (existing floor plans and elevations)
Drawing no. 1856-KC-XX-YTREE-TPP01Rev0 (tree protection plan)
Drawing no. 1856-KC-XX-YTREE-TCP01Erev0 (tree constraints plan)
Drawing no. MCD23935 10 (landscape strategy)
Drawing no. LSE-2821-03-DE-103 rev c (proposed levels plan)
Drawing no. LSE-2821-03-DE-102 rev c (drainage area plan)
Drawing no. LSE-2821-03-DE-101 rev d (proposed drainage layout)

Reason: For the avoidance of doubt and in the interests of proper planning.

This application seeks to replace drawing numbers:

Drawing no. LSE-2821-03-AC-1004 rev P6 (roof plan)
Drawing no. LSE-2821-03-AC-1003 rev P8 (third floor plan)
Drawing no. LSE-2821-03-AC-1002 rev P8 (second floor plan)
Drawing no. LSE-2821-03-AC-1001 rev P7 (first floor plan)
Drawing no. LSE-2821-03-AC-1000 rev P9 (ground floor plan)
Drawing no. LSE-2821-03-AC-11 rev E (proposed site layout)
Drawing no. LSE-2821-03-AC-0010 rev P13 (proposed site layout ground floor plan)
Drawing no. LSE-2821-03-AC-2000 rev P3 (primary elevations)
Drawing no. LSE-2821-03-AC-2001 rev P4 (secondary elevations)

with drawing numbers:

Drawing no. LSE-2821-03-AC-1004 rev P7 (proposed roof plan)
Drawing no. LSE-2821-03-AC-1003 rev P11 (proposed third floor plan)
Drawing no. LSE-2821-03-AC-1002 rev P10 (proposed second floor plan)
Drawing no. LSE-2821-03-AC-1001 rev P9 (proposed first floor plan)
Drawing no. LSE-2821-03-AC-1000 rev P11 (proposed ground floor plan)
Drawing no. LSE-2821-03-AC-11 rev F (proposed site layout/roof plan)
Drawing no. LSE-2821-03-AC-0010 rev P15 (proposed site layout/ground floor)
Drawing no. LSE-2821-03-AC-5500-P1 (proposed northern and eastern elevations)
Drawing no. LSE-2821-03-AC-5501 rev P1 (proposed southern and western elevations)

Design, Character and Appearance

The approved design of the building was a result of negotiations between the applicant and the Council. Much emphasis was placed on reducing the overall bulk and massing of the building through a staggered roofscape, articulation and vertical emphasis. The use of different materials and window sizes helped play with the scale of the building. The proposed changes include the loss of the slight projection to the eastern side and its replacement with a vertical brick detail. This is a minor change that will still result in the visual breaking up this elevation and ensure it is not bulky and imposing facing Church Walk. No objection is raised to this change.

This application also seeks to change the balconies from opaque to glass. The balconies remain the same

in terms of size and number and this change is considered relatively minor. It is not considered this will have a detrimental impact on the appearance of the building or the character of the area.

The proposed relocation of the substation from the western side of the site close to the parking at the entrance to the area to the southern most corner will improve the appearance of the site. The proposed location is better screened and located in a less conspicuous location without having a detrimental impact on Church Walk. No objection is raised to this change to the approved plans.

Heritage

The original application was accompanied by a Heritage Statement due to the proximity of Milton Church to the northeast. None of the proposed changes will have any detrimental impact on the setting of this Grade II* listed building and therefore no objection is raised on these grounds.

Archaeology

The site lies within an area of multi-period, background, archaeological potential and has been little developed in the recent past except for the bowling green, pavilion and a sewer pipe. The archaeological potential of the site is presently unknown and the existing evidence (including taking account of past development impacts) does indicate that it is unlikely that development of the site would have a significant below-ground impact, however, without field evaluation, it is not possible to be certain that the site has no archaeological interest, given the site's location on the historic routeway (Milton Road) and the site's proximity to the medieval Milton church of St Peter and St Paul. A condition was imposed on the original consent to ensure that a watching brief is undertaken in accordance with the written scheme of investigation. There is also historic interest in the site and therefore a condition to ensure a record of the building and pavilion should be made and lodged with the Kent Historic Environment Record was also imposed. The original conditions have been discharged and therefore a condition is required that an updated Written Scheme of Investigation for the archaeological watching brief is submitted to ensure it is properly targeted and to take account of any variations since the drafting of the original WSI.

Trees and Landscaping

The landscaping condition imposed on 20221328 has been discharged. This showed the substation in its new location. A condition is therefore recommended that the soft landscaping be implemented as agreed and maintained thereafter.

In terms of design, the proposed revised plans will have no detrimental impact in terms of street scene, heritage and landscaping are considered to accord with the objectives of policies CS12, CS18 and CS19 of the Gravesham Core Strategy 2014 and para. 135 of the National Planning Policy Framework 2024.

Amenity

The proposed changes will remove the eastern projection. However the internal layout will remain the same in terms of both arrangement and area. No concerns are therefore raised to the layout or size of the rooms. The substation will be located away from any residential properties and sufficiently screened so that it will have no impact in terms of loss of outlook, privacy, sunlight or daylight.

The proposals therefore accord with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.

Ecology and Biodiversity

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 £328.27 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 not paid towards the mitigation.

This fee was paid during the course of the original permission 20221328.

In terms of landscaping, the approved landscaping scheme already showed the substation in its proposed location and therefore no concerns are raised.

Biodiversity Net Gain

Biodiversity net gain does not apply to:

- retrospective planning permissions made under section 73A; and
- section 73 permissions where the original permission which the section 73 relates to was either granted before 12 February 2024 or the application for the original permission was made before 12 February 2024

Parking and Highways

The proposed changes will not result in any changes to the parking layout or number of dwelling and therefore no objections are raised on highways grounds.

Conditions

As this application is a Section 73 application the originally imposed conditions will still stand unless they have been discharged.

Conclusion

The proposed alterations will not result in any detrimental impact to the character and appearance of the surrounding area, amenities, parking or highway safety and therefore accord with the abovementioned policies and are recommended for approval.

Recommendation:

Permission

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

Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	

Dated:	26 March 2025	Dated:	27 March 2025
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