



Delegated Report

Planning Application

Application no:	20220207
Location:	Ascot Arms Central Avenue Gravesend Kent DA12 5AW
Description:	Demolition of the existing former public house building and redevelopment to provide a new 62 bed care home (Use Class C2) in a three-storey building together with associated access, car and cycle parking, structural landscaping, and amenity space provision.
Applicant:	Mr Adrian Doyle, Avery Healthcare Ltd
Site Visit Date:	07.04.2020; 11.03.2022

The Site and Surroundings

The Ascot Arms Public House in Central Avenue, Gravesend, which is located at the junction with Ascot Road, is a two storey detached premises currently closed and boarded up since July 2019 (although there is some recent evidence of temporary residential use as an HMO) but prior to that it was run as a public house and at one time was the Central Pub and Hotel.

The application site is roughly square shaped and has an area of approx. 0.4 hectares (0.98 acres). It has a frontage to Central Avenue of 58m, a frontage to Ascot Road of similar size and maximum depth of 66m.

The application site includes a small part of an existing Council open amenity space area in the southwest corner (circa 790m²), thus about 20% of the application site area, and which is within the landownership of the applicants, notwithstanding that it has been and still is maintained by the Borough Council.

The public house building is orientated in a splayed position towards the corner junction of Ascot Road and Central Avenue. The building is constructed of part brick and part painted and rendered walls and a hipped and gabled plain tiled roof. It has a function room at the rear and other hire rooms and had living accommodation at first floor level. There is a large, grassed pub garden at the rear.

The building has a car parking area in front accessed from an existing vehicular access from Ascot Road close to the junction with Central Avenue. There is a further car parking area to the west side of the public house accessed from the same access, that runs up to Aintree Close on the western boundary. In total there is parking for some 14 cars. There is an access on to Aintree Close, but this is currently boarded off.

There is an electrical substation on the western edge of the car park (although not within the red line application site boundary) and a shoe/clothes bank facility at the front of the site to Ascot Road.

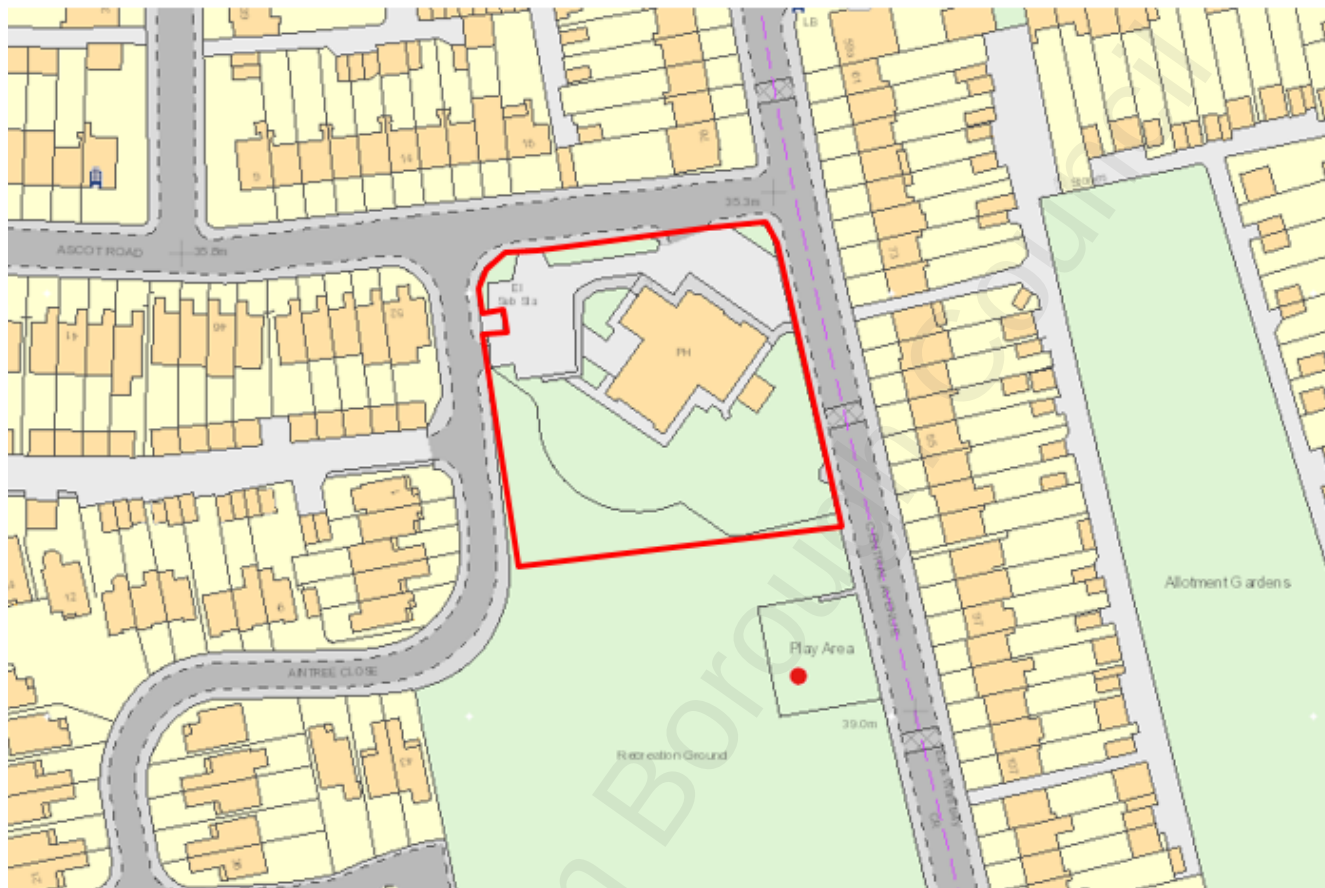
To the south of the public house and immediately adjoining its grounds is a small public park owned and run by the Borough Council. It includes a grassed playing area and some play equipment for younger children. There are some established trees including some good quality trees within the site although these are not protected by a tree preservation order (TPO).

Opposite the site to the east in Central Avenue are two storey 1930's terraced dwellings and similarly on the north side of Ascot Road. Aintree Close comprises a mixture of terraced, semi-detached and detached

two storey dwellings that date from the 1980's and which included some terraced dwellings on the south side of Ascot Road. These were all built on the site of a former sports Ground.

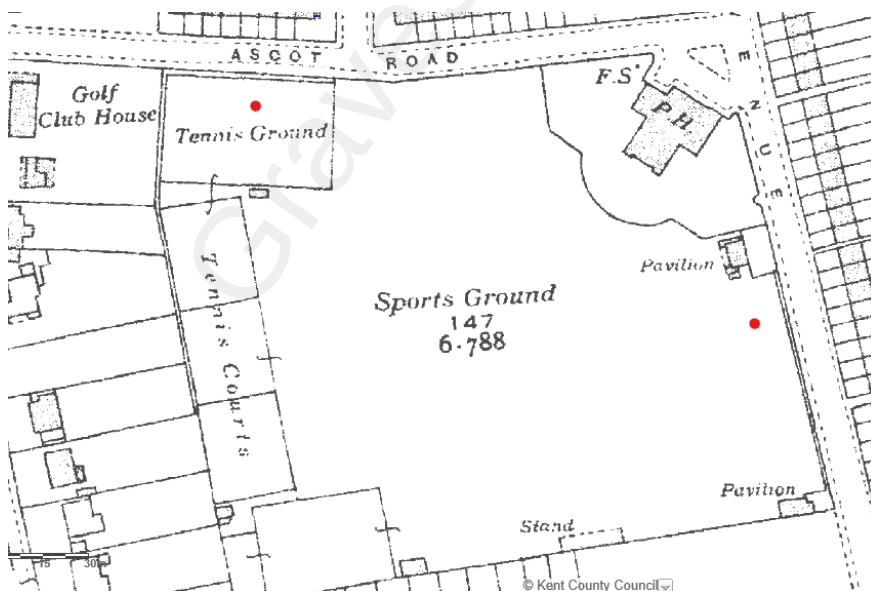
Central Avenue and Ascot Road are unclassified local adopted highways. They are not on bus routes. The nearest bus route is in Singlewell Road to the west which is a 'C' class classified highway. This was route 455 but this was deregistered by Arriva Southern Counties in March 2022. There is an alternative bus route however 300m to the east in Sun Lane.

The extent of the application site is shown by the red line in the site plan below.



Planning History

The existing public house dates from 1932 originally as the Central Hotel and Public House. It was renamed as the Ascot Arms in 2001.



The more recent owners were Star Pubs and Bars, but it was formerly run by Truman Taverns.

Prior to the development of Aintree Close in the 1980's, the land to the south and west of the public house was a sports ground on which there were pavilion buildings and tennis courts.

It was used as a football ground (the home of Gravesend United FC)

See Ordnance Survey plan opposite.

Planning Applications

Ref No	Description and Site	Decision	Date
19650080	Erection of a chair store and construction of a car park.	Permission	03.06.1965
19770742	Erection of squash courts other sporting facilities with additional car parking.	Withdrawn	23.09.1977
19850761	Erection of entrance canopy and five awnings on the front elevation and one awning on the side elevation.	Permission	17.12.1985
19900037	Formation of a new road to link the front and rear parking areas and closure of Central Avenue and Ascot Road access points.	Permission	18.06.1990
19930730	Change of use of the function room to offices.	Permission	03.02.1994
20000874	Alterations to the front elevation involving rendering and timber edging to gable ends, installation of new main entrance doors and 6 no. floodlights.	Permission	12.02.2001
20031112	Installation of three antennae within three imitation chimney pots on chimney on north-west elevation with equipment cabinet and ancillary equipment.	Permission	19.03.2004

Note: There are also some previous applications relating to advertisements and signage on the building.

Pre-Application Enquiries

PRE20200137 - Demolition of existing public house building and redevelopment to provide a new 61 bed care home (Use Class C2 - Residential Institutions) with associated parking.

Proposal

This planning application proposes the demolition of the existing former public house building and redevelopment to provide a new 62 bed care home (Use Class C2) in a three-storey building together with associated access, car and cycle parking, structural landscaping and amenity space provision.

It is a major development proposal.

Submitted Plans and Documents, as revised/amended

Existing Plans

Drawing AL(9)900: Site Location Plan
Drawing AL(9)906: Existing Site Plan

Proposed Plans

Drawing AL(9)901 Rev E: Proposed Site Layout Plan
Drawing AL(1)101 Rev C: Proposed Ground Floor Plan
Drawing AL(1)102 Rev C: Proposed First Floor Plan
Drawing AL(1)103 Rev C: Proposed Second Floor Plan
Drawing AL(1)104 Rev C: Proposed Roof Plan
Drawing AL(1)140 Rev C: Proposed Elevations Sheet 1 (East and North)
Drawing AL(1)141 Rev C: Proposed Elevations Sheet 2 (West and South)

Drawing AL(1)160: Site Sections
Drawing AL(9)902: Proposed Site Plan Building - Sun Path Analysis (trees omitted)
Drawing AL(9)903: Proposed Boundary Treatments and Signage
Drawing AL(9)904: Proposed Cycle Stores - Visitors and Staff
Drawing AL(9)905: Proposed Refuse Store
Drawing AL(1)120: Proposed Materials Board

Drawings Submitted for Indicative Purposes Only

Drawing AL(1)150: Artists Impression Sheet 1
Drawing AL(1)151: Artists Impression Sheet 2
Drawing AL(1)152: Artists Impression Sheet 3
Drawing AL(1)153: Artists Impression Sheet 4

Documents

Planning Application and certificates by QED Planning
Covering Letter by QED Planning (ref 18118) dated 28 January 2022
Planning Policy Statement by QED Planning (ref 18118) January 2022
Statement of Community Involvement by becg, March 2021
Design and Access Statement by TDC Architects (ref A202043 Doc001), March 2021
Landscaping Design Plan by PDP Landscape and Urban Design Ltd (Drawing No CAG L1 Rev A), February 2021
Landscape Design Strategy by PDP Landscape and Urban Design Ltd, February 2021
Care Needs Assessment by Healthcare Property Consultants, February 2021
Operator Supporting Statement by TDC Architects (A202043 - Doc005)
Waste Management Plan by TDC Architects (ref A202043 - Doc003)
Crime Prevention Statement by TDC Architects (ref A202043 - Doc004)
Public House Viability Report by James A Baker Surveyors 10 February 2021
Arboricultural Report by Andrew Day Arboricultural Consultancy Ltd, 26 February 2021
Tree Protection Plan by Andrew Day Arboricultural Consultancy Ltd, 26 February 2021
Transport Statement by Bancroft Consulting (Revision D), June 2022
Transport Technical Note by Bancroft Consulting, May 2022
Framework for Green Travel Plan by TDC Architects, February 2021
Flood Risk Assessment and Drainage Strategy by Herrington Consulting Ltd January 2022
BREEAM Pre-Assessment by Scott White and Hookins (Project No. 503396 Revision: 01) 24 March 2021
Sustainability Report by Harniss Consulting, March 2021
Phase 1 Land Contamination Desk Study Report by ASL (ref 002-21-719-11) February 2021
Preliminary Ecological Appraisal by Andrew Day Arboricultural Consultancy, February 2021
Archaeological Heritage Asset Assessment by Souterrain Archaeological Services Ltd (ref SOU21-723) February 2021
Utility Services Report by Harniss Consulting, March 2021

Details of the Development

The proposal is for a 62-bedroom care home built over 3 floors and a 2.5 storey height building. The home will provide 24-hour support and care for the frail elderly, meeting a full range of residential, nursing and dementia care needs, including end of life and palliative services.

It is stated in the covering letter that Avery Healthcare Group (Avery) develop and run industry-leading residential, dementia and nursing care homes and specialist retirement housing schemes. They have a portfolio of 60 elderly communities across the country. They provide residential and nursing care for over 3,800 residents and offer independent living facilities for over 300 people with further developments planned and in progress. It is further stated that the site of the former Ascot Arms has been identified to address local care needs and the new care home will be registered with the Care Quality Commission

The care home will have a gross internal area of 3423m² (footprint of 1190m²). The Ground Floor will comprise 18 Bedrooms, Entrance Lobby, Resident's Lounges, dining room and kitchen, laundry, staff facilities and other ancillary spaces, the First Floor will feature 22 Bedrooms, Resident's Lounges and dining rooms, entertainment and wellbeing and the Second Floor will comprise 22 Bedrooms, and Resident's Lounges.

The external facing materials for the proposed development are red brick and render with Tudor boarding and a red plain tiled roof as set out in the submitted Materials Board.

The proposed ground floor layout of the development and showing the existing building footprint superimposed as a red line, is below. The scheme provides a courtyard garden for residents to the south.



Artistic Impression 01 - Junction of Central Avenue and Ascot Road, looking south



Artistic Impression 02 - Central Avenue, looking north



Artistic Impression 03 – Rear View from Aintree Close, looking northeast



Artistic Impression 04 - Junction of Ascot Road and Aintree Close, looking east



Development Plan and other related Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.¹ Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

The Development Plan for Gravesham comprises: -

- *The Gravesham Local Plan Core Strategy (September 2014)*
- *Remaining Saved Policies of the Local Plan First Review (1994)*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance, and, where they exist, neighbourhood plans. There are currently no adopted neighbourhood plans. Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

The application site is shown as being within the **urban area** in the Gravesham Local Plan Policies Map.

It is not an allocated site for development or subject to any specific designations in the Local Plan, but in respect of other constraints it lies within a Groundwater Source Protection Zone and Smoke Control area.

The following development plan policies in the Gravesham Local Plan Core Strategy are of relevance to the consideration of this planning application:

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS07: Economy, Employment and Skills
Core Strategy Policy CS10: Physical and Social Infrastructure
Core Strategy Policy CS11: Transport
Core Strategy Policy CS12: Green Infrastructure
Core Strategy Policy CS13: Green Space, Sport and Recreation
Core Strategy Policy CS14: Housing Type and Size
Core Strategy Policy CS15: Housing Density
Core Strategy Policy CS16: Affordable Housing
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles
Core Strategy Policy CS20: Heritage and the Historic Environment

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994. A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

¹ See the Judgement in the Court of Appeal on R(on the application of William Corbett) and The Cornwall Council and others [2020] EWCA Civ 508 at <https://www.bailii.org/ew/cases/EWCA/Civ/2020/508.pdf>

Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

The following remaining saved policies are relevant to the consideration of this proposal:

Policy TC7: Other Archaeological Sites
Policy T1: Impact of Development on the Highway Network
Policy T2: Primary and District Road Network
Policy T5: New Accesses onto Highway Network
Policy P3: Vehicle Parking Standards

Review of Local Plan

Paragraph 33 of the NPPF (2021) sets out those 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 The review 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 a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF, policies in this document may be accorded weight in the decision-making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this application these should be relied on instead.

The following draft policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going and are considered as being relevant to the consideration of this application albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy RE 5: Retention of Public Houses
Proposed Policy INF 2: Transport Design Principles
Proposed Policy INF 3: Understanding and Mitigating Transport Impacts
Proposed Policy INF 4: New Accesses and Junctions
Proposed Policy INF 5: Electric Vehicle Charging Points
Proposed Policy GI 6: Biodiversity
Proposed Policy RES 2: Residential Space Standards
Proposed Policy RES 6: Residential Intensification through New Build
Proposed Policy AM 1: Air Quality
Proposed Policy AM 4: Sunlight and Daylight within New Development

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The following paragraphs in the National Planning Policy Framework (NPPF) July 2021 are specifically highlighted as being of importance to the consideration of the application proposals, but it should not be

taken that these are the only parts of the NPPF that need to be considered. Reference to the national planning guidance is also considered in the analysis section of this report.

Section 2, Paragraphs 7 - 14: Achieving sustainable development

Section 4, Paragraphs 38 - 59: Decision Making

Section 5, Paragraphs 60 - 80: Delivering a sufficient supply of homes

Section 8, Paragraphs 92 - 103: Promoting healthy and safe communities

Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport

Section 11, Paragraphs 119 - 125: Making effective use of land

Section 12, Paragraphs 126 - 136: Achieving well-designed places

Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment

Section 16, Paragraphs 189 - 208: Conserving and Enhancing the Historic Environment

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF.

It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things.

The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95). It indicates that when used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.

Supplementary Planning Guidance and other Documents

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this development:

- Kent Design Guide (SPG 5 published December 2005, adopted July 2006)
- Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)
- Vehicle Accesses on Classified Highways (SPG6 November 1992)
- GBC Residential Layout Guidelines, SPG2, including Housing Standards Policy Statement October 2015, Adopted February 1996 - amended June 2020
- Technical Housing Standards: Nationally Described Space Standards, March 2015

Consultations, Publicity and Representations

Consultations - Internal

GBC New Homes Development and Strategy Manager

National Planning Policy and Older Persons Housing

Paragraph 10 of the NPPF sets out a presumption in favour of sustainable development. The provision of a care home fits with the social objective of ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

Paragraph 62 of the NPPF also promotes the overarching housing choice. More particularly 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in local planning policies (this includes, but is not limited to, **those who require affordable housing**, families with children, **older people**, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.

In addition to the two paragraphs above, the need to provide housing for older people is described in the PPG as 'critical' as people are living longer lives and the proportion of older people in the population is increasing (paragraph 001)

It is acknowledged that there are different types of specialist housing designed to meet the diverse needs of older people which can include age-restricted general market housing, retirement living or sheltered housing, extra care housing or housing-with-care and residential and nursing care homes, (paragraph 010 of NPPF).

Development Proposal

Avery proposes to redevelop the site by demolishing the existing building and constructing a new 62-bedroom care home (Use Class C2). The home will be registered with the Care Quality Commission (CQC) and will provide 24-hour support and care for the frail elderly, meeting a full range of residential, nursing and dementia care needs, including end of life and palliative services. The home will offer a continuing care pathway, where the long-term needs of residents can be met on one site as their care requirements may change. The average age of residents will be approximately 85 to 90 years. Residents will move into the care home at the point at which their care needs have escalated and when they or their family/carers are unable to address these needs within their own home. The average length of stay of residents in nursing care will be 15 - 18 months and the average length of stay for residents in residential care will be approximately 2 years.

The scheme will provide full time provision of support and care. The care home will exceed the space standards set by the CQC and will incorporate bedrooms equipped with en-suite bathrooms designed for safety and accessibility - 24-hour on site care provision - Spacious communal and amenity spaces incorporating café/bar/lounge, hairdressers, cinema room, activity rooms, lounges, dining spaces and quiet rooms.

The development will include an on-site kitchen and laundry - Staff facilities including lounge, training area and changing rooms

I have not studied the proposed drawings in detail. If the rooms are simply bedrooms with en suite bathrooms, 24-hour nursing care is provided, the scheme is registered with the CQC and communal facilities are as stated, then I am satisfied that the development falls into category C2 and is therefore exempt from the provision of affordable housing as per GBC Affordable Housing Planning policy CS16 on site or should provide a contribution towards off site provision.

The applicant states that the proposal will result in the long-term enhancement to the provision of care services in the local area which also demonstrates that the proposal is 'housing with care' which falls under category C2.

Housing Need for Older Persons Care Accommodation

The applicant states that the proposed care home will primarily cater for residents over the age of 80. The applicant demonstrates the need at a national level stating that the population aged 85 and over is projected to double from 1.7 million in 2018 to 3.4 million in 2030. To 2038, the 85-89 age group is projected to increase by 89%, the 90-94 age group by 162% and the 95- 99 age group. However, no source for these statistics is provided.

At a local level, the latest Gravesham Borough Council Strategic Housing Market Assessment, states that; "The most significant growth is forecast in the age bands over 65. Growth is particularly marked in the 85+ household age band, which is projected to increase by 2,030 householders (144%) over the 25 years from 2012 to 2037." 5.1.7 This change in the population profile results in a greater need for all forms of housing and care provision for older people.

At a policy level, CS14 of the Council's Core Strategy similarly notes that there will be a growth in the older population in the Borough over the plan period and supports the provision of specialist and extra care housing.

The independent assessment provided as part of the application of demand and supply points to an existing and future shortage of the local care home provision that is of a market standard. When accounting for all existing provision (nearly all of which is within older stock) and all pipeline provision, the current shortfall within the catchment area (which is defined as a 10-minute drive time of the site) is 333 bedspaces. This figure is projected to increase to 376 bedspaces by 2025. Consideration has also been given to the level of provision within the Gravesham administrative area. The current shortfall of market standard bedspaces is 379 bedspaces, a figure projected to increase to 424 bedspaces by 2025. The latter is the equivalent of 7 care homes of the size proposed on the subject site.

It is further noted that there have been very few applications for new care homes in recent years, with the Council's latest published Monitoring Report (2016-2017) indicating that there were no residential care homes completed during this period. Avery's research also outlines a shortage of care homes within the local catchment area that offer specialist dementia services and an under-supply of care home bedrooms with full en-suite facilities.

The above information appears to support the need for older persons nursing care. The applicant provided their own study supporting the need for this type of accommodation - HPC Care Home Need Assessment, February 2021. As part of the application the study confirms a total requirement for 585 elderly care beds. This level of demand rises to 628 by 2025 and 673 by 2030

GBC Property Services

No comments.

GBC Leisure and Resilience Manager - Revised Comments

Following recent discussions with Property Services regarding the site and in particular the Central Avenue Open Space, I am aware that negotiations have been ongoing regarding mitigation for the loss of incidental open space at site as part of the development.

Therefore, further to my previous comments, the leisure team does not require any further mitigation for replacement leisure land/facilities but would expect that the applicant will be responsible for securing the new boundary, as well as any suitable boundary treatments, including replacement trees, as agreed and in consultation with the horticultural team at the council.

GBC Service Manager (Housing Options)

We can confirm Private Sector Housing have no comments to relay in relation to the proposed development and our housing legislations and regulations.

GBC Highways Development Management Officer - Initial Comments

This proposal requires careful consideration as it can generate significant level of car parking demand to meet the requirements of staff and visitors.

Adopted guidance SPG4 suggests for a C2 use Nursing/residential care homes the following is required. A minimum space of one space for an Ambulance plus one space per resident staff and two spaces for every two other staff and one space for every 6 residents. In addition, there should be 1 cycle space per 10 beds.

Applying these standards to this development,

55 full time equivalent staff would result in a potential 28 parking spaces, (35 spaces if taking the 70 actual staff numbers). (It must be remembered that the highest demand for parking is when shifts change and two shifts are on site and need to be accommodated). Whilst it is accepted the standards are maximum, it needs to be demonstrated that a parking demand will not overflow on to the street

62 bedrooms would require 10 parking spaces, whilst commercial use classes usually have a maximum provision, for visitors to such this type of establishment, it is essential to ensure adequate provision is available to meet the needs of visitors to increase security when visits may be in the evening or inclement weather.

The guidance defines these as maximum requirements, but the Transport Statement clearly states this is an out-of-date approach

62 bedrooms requires 7 cycle spaces. Plus, the ambulance bay which has the potential to be used for deliveries.

The application form states that only 20 parking spaces will be provided which includes two disabled spaces, the 20 cycle spaces are to be welcomed and may, subject to the implementation of a successful travel plan offset the demand for additional car parking.

Considering the Transport Statement, the sites used for comparison are single sites for the existing and proposed use. This is an unusual approach, with a more common approach being an average from a range of sites. However, providing the sites are comparable and ideally below the probable or equal to the existing traffic generation and above or equal to the proposed traffic generation should provide a robust analysis. Unfortunately, no additional data has been provided to determine if the sites chosen are appropriate and only Kent county Council has access to TRICs, and the parking accumulation data is not shown.

The suggested parking accumulation and the number of proposed spaces is very close with no room for error, it is therefore essential that the analysis is robust and not based on single sites. I also cannot trace any Travel Plan to ensure a low dependence on the car by staff and visitors, whilst a Travel Plan can be conditioned, I believe it is an essential element given the low car parking provision and should be considered now rather than later.

In terms of the visibility splay requirements the speed surveys give a disappointing sample size with only 45 vehicles westbound and 41 vehicles eastbound, I consider this is an inadequate sample and a longer survey period should be undertaken. However, this would be subject to Kent County Council's view and the fact there is an existing access which can be reopened.

As presented, I believe there is insufficient information to make a balanced judgement.

GBC Highways Development Management Officer - Further Comments

The applicant has submitted further information which will now be analysed to consider the adequacy of the car parking at the proposed care home.

In terms of bus services there is a single viable option, and its usability depends on shift patterns and times and where people live, although it does provide a service to the Gravesend Town Centre transport hub and so other bus and rail services.

When considering the traffic generation from the site, from the data submitted I would agree overall this is liable to result in an overall reduction from the previous use as a public house. The access arrangements

are also deemed acceptable as are the vehicle sight lines based on a speed survey. Although the applicant needs to note the requirement for 2m x 2m pedestrian visibility splays either side of the access.

In terms of car parking provision, the evidence submitted suggests that there will be adequate provision. Only Kent County Council have the ability to dispute the adequacy of the information as they can access the TRIC's data base. It should also be noted that both councils have a maximum car parking requirement with no minimum for establishments such as the one proposed, although this approach is dated and a more evidence-based approach is best, which the applicant has provided.

A number of other similar care home sites operated by the applicant including in Kent have been analysed. All sites reviewed have some spare car parking capacity, although the number of available spaces varies considerably. It is therefore doubtful that a refusal based on car parking provision could be sustained at appeal. The Edenbridge Manor Care Home in Kent was opened in 2021 and was for 85 bedrooms this appears to have 26 or 27 parking spaces so at best a rate of 0.32 spaces per bedroom compared with 20 spaces for 62 bedrooms or a rate of 0.32 spaces per bedroom.

In respect of the issue of an ambulance space and provision for delivery vehicles in terms of other sites reviewed in Kent no special provision seems to have been made for ambulance or delivery vehicles.

In the light of the available evidence and the Council's adopted supplementary planning guidance I have no reason to object and doubt that any refusal on highway grounds could be sustained at appeal. However, there should be a robust Travel Plan and adequate cycle parking provision that ideally greatly exceeds the minimums with provision for staff to shower, change and suitably store wet clothes.

GBC Waste Management

No comments

GBC Environmental Protection Team (Regulatory Services)

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

Code of Practice on Construction and Demolition

Please apply

Watching Brief

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical, and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Noise

No objection to this application to the residential care home however it is noted there may be concerns about the potential for noise from the home's residents. The development shall not take place until a comprehensive Noise Management Plan covering all potential noise from the new developments and its

residents and how it will be controlled on an ongoing basis is provided by the applicant and submitted for approval to the LPA. No works shall commence until approval of this report has been given by the LPA.

Electric Vehicle Charging Point(s)

This Service would wish to see the inclusion of suitable electric vehicle charging facilities at the proposed dwellings in support of the Council's commitment to become carbon neutral by 2030.

Ward Councillors - Woodlands Ward

No comments received

External Consultation Responses

Kent County Council (KCC) Highways and Transportation Services - *revised comments*

I refer to the previous consultation response dated 25th April 2022 in which a holding objection was requested due to issues with the Transport Statement and traffic survey information.

It is noted that a revised Transport Statement dated June 2022 together with a Technical Note dated May 2022 have been submitted, the latter addressing the car parking provision.

The Transport Statement has now been reviewed and found to be acceptable and in respect of the car parking provision, it is agreed that sufficient evidence has been provided to justify the level of parking using data from other similar premises and from the TRICS database. It would therefore be difficult to maintain an objection on highway grounds to the parking level.

In conclusion, I can confirm that provided the following requirements are secured by condition or planning obligation, then I would raise no objection on behalf of the local highway authority: -

1 Provision and permanent retention of the vehicle parking spaces shown on the submitted plans prior to the use of the site commencing.

2 A Car Parking Management Plan is submitted and approved prior to the first occupation of the building.

3 At least 10% of the parking spaces are provided with EV charging points and a further 10% are provided with passive provision i.e., cabling / ducting.

4 Submission of a Construction Management Plan before the commencement of any development on site to include the following:

- (a) Routing of construction and delivery vehicles to / from site
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management / signage

5 Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1.05 metres above carriageway level within the splays, prior to the use of the site commencing.

Request imposition of standard KCC Highways Informative

Kent County Council (KCC) Heritage and Conservation

The Archaeological Heritage Asset Assessment by Souterrain Archaeological Services Ltd (ref SOU21-723) February 2021 is thorough and supports the understanding that the site has archaeological potential.

As the past development of the site will have had some impact on any below-ground archaeological remains, I think that the most practical approach would be to attach the following condition to any forthcoming consent:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of

- i. archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
- ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

The field evaluation would take the form of trial trenching which could be undertaken before or after demolition and I would be happy to provide the applicant with a brief for the field evaluation on request.

Kent County Council Development Contributions

No comments received.

KCC Social Services

No comments received.

Natural England

Since this application will result in a net increase in residential accommodation, impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s).

Notwithstanding this, Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

This is because Natural England notes that the recent People Over Wind Ruling by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site.

The ruling also concluded that such measures can, however, be considered during an appropriate assessment to determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context.

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Further general advice on the consideration of protected species and other natural environment issues has been provided.

KCC Biodiversity Officer

We have reviewed the ecological information submitted by the applicant and advise that sufficient ecological information has been provided. Given the urbanised setting of the development, with poor habitat connectivity, we concur with the report's conclusion that there is unlikely to be any protected species interest associated with the site.

If planning permission is granted, we advise that the informative and condition below are attached.

Breeding Bird Informative

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (March to August) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented during construction. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged. We suggest the following informative is included with any planning consent:

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.

Biodiversity and Ecological Enhancement

Under section 40 of the NERC Act (2006), paragraph 174 of the NPPF (2021) and the Environment Act (2021), biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF 2021, the implementation of enhancements for biodiversity should be encouraged.

As recommended within the ecology report, native species planting, and wildflower grassland creation will help the development to achieve a biodiversity net-gain. As such, we advise that these measures are secured with any granted planning permission. Suggested wording:

Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include recommendations in section 7.0 of the Preliminary Ecological Assessment (Andrew Day Arboricultural Consultancy February 2021). The approved details will be implemented and thereafter retained.

Designated Site

The development includes proposals for new dwellings within the zone of influence (6km) of The Thames Estuary & Marshes Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Gravesham BC need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) to mitigate for additional recreational impacts on the designated sites, and to ensure that adequate means are in place to secure the mitigation before first occupation.

A decision from the Court of Justice of the European Union has detailed that mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a full 'appropriate assessment' is needed under the Habitats Directive. Therefore, we advise that due to the need for the application to contribute to the North Kent SAMMS, there is a need for an appropriate assessment to be carried out as part of this application.

Kent Police Crime Prevention Design Advisor

We note from the planning portal that the applicant is applying for BREEAM and combining the below

advice and their crime prevention statement will assist in gaining points for the security section. We request a condition for this site to follow SBD Homes 2019 guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998. If approved, we recommend.

1. Perimeter, boundary and divisional treatments must be 1.8m high. Any alleyways/ side entrances must have secure side gates, which are lockable from both sides, located flush to the front building line to optimise surveillance.
2. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g., a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states:
“18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.”
Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.
3. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including internal flat entrance and individual bedroom doors to meet PAS 24: 2016 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.
4. Windows on the ground floor or potentially vulnerable e.g., from flat roofs or balconies to meet PAS 24: 2016 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. Please note these windows may also benefit from a defensive treatment, such as prickly planting, or a film on the windows to increase privacy.
5. If cycle storage is proposed, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable shed or storage area. Bin storage must also be secure with access control.
6. CCTV is advised for all entry points to monitor who enters/ exits the building.

If approved, site security is required for the construction phase. There is a duty for the principal 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. Please note that Kent Police no longer assist with BREEAM applications so it will be up to the applicant to find an independent assessor.

Kent Fire and Rescue Service

Following my assessment of Fire and Rescue Service emergency access provisions for application number 20220207 I would like to make the following observation.

Although it appears access to the proposed building under the County of Kent Act 1981 can be achieved, please confirm that once on site there is vehicle access for a pump appliance to within 45m of every point of the footprint of the building or 15% of the perimeter.

If the above cannot be achieved, then fire mains will be required in accordance with paragraph 16.3 of ADB Vol 2.

Applicants should be aware that in the event of planning permission being granted the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

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.

South East Coast Ambulance NHS Foundation Trust

No comments received

Environment Agency

We have **no objection** to the proposal, based on the low risk of the previous uses, site setting, or proposed use identified in the report.

The reports submitted to accompany the planning application for a care home on the site of this Public House appear generally in line with relevant guidance. These reports have not been audited/assessed by our Groundwater & Contaminated Land specialists in detail.

Developers are reminded that it is their duty under planning law to ensure safe and sustainable developments and under separate environmental legislation to not cause or knowingly permit pollution of the environment, harm to human health or detriment to the amenity of the area around the development.

If any unexpected contamination is discovered during development the Local Planning Authority may need to re-appraise the site proposals and re-consult us if there are risks to controlled waters identified.

KCC - Flood & Water Management (*Lead Local Flood Authority*)

Notes that the application is supported by a Flood Risk Assessment produced by Herrington Consulting Limited (dated January 2022). The drainage strategy for this site is to infiltrate via a soakaway, permeable paving is also proposed as a SuDS measure. Comments that infiltration testing can be completed at detailed design stage but should be completed at the location of the proposed infiltration device and in accordance with BRE Digest 365.

Requests that if permission is given a number of planning conditions are imposed requiring details to be submitted before development commences of a detailed sustainable surface water drainage scheme for the site, verification report and infiltration scheme.

Southern Water

Southern Water advises that initial studies indicate that additional flows from the proposed development may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water. It may be possible for some part of the development to connect, pending network reinforcement.

Notes that the supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other

arrangements to secure the operation of the scheme throughout its lifetime.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The developer can discharge surface water flow no greater than existing levels if proven to already be connected and it is ensured that there is no overall increase in flows into the surface water system. The developer will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

We request that should this planning application receive planning approval, the following **informative** is attached to the consent:

Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer.

UK Power Networks

No comments received

CAMRA Gravesend & Darent Valley Branch

No comments received

Publicity and Representations

The proposal has been advertised as a major development proposal by a site notice and press notice and the owner/occupiers of **146** nearby properties and other interested parties were individually notified.

The final expiry date for the receipt of any representations was 29 April 2022.

A total of **16 representations** have been received, of which 9 responses were objections, 5 representations were in support and 2 were neutral observations, neither objecting or in support.

Objections

The objections can be summarised as follows:

Transport, Traffic Generation, Access and Parking

- Concern about additional volumes of traffic at a busy junction
- The surrounding roads are not adequate to support the additional traffic
- Ascot Road, Central Avenue and Smarts Road are cut throughs for traffic coming off A2 and going into local housing estates
- Central Avenue is not on a bus route, with the nearest bus stops in Sun Lane
- Development will add to car parking congestion already in the area

- Insufficient off street/on-site parking has been provided for staff and visitors. There will be 30 members of staff working in the facility, which would increase substantially at handover periods. Many of the 62 residents will have family/friends visiting during daytime/evening hours.
- If any residents have a car the parking is quite simply insufficient
- The application fails to articulate how the applicant would manage the parking overspill. Parking overspill will be significantly detrimental to local residents
- Consideration should be given to one car space per four bedrooms (for residents/visitors), plus one car space for either every 1 or 2 staff member(s) on site.
- Aintree Close will become a turning circle for the development
- The proposed delivery access in Aintree Close is close to the junction with Ascot Road and is already dangerous due to current parked cars restricting visibility

Open Space Impact

- Loss of some of the designated Central Avenue open space
- Public spaces are valuable and should be protected

Environmental Impacts

- Potential noise from any generators/extractors
- Potential food smells from cooking

Design and Layout

- The proposed development is contrary to Policy CS19 of the Local Plan
- It does not respect local context and street pattern and is out of scale and proportion to surrounding buildings, and would be entirely out of the character of the area, to the detriment of the local environment
- The proposed development has a much greater build footprint than the existing building and effectively builds over the entire plot and represents an overbearing and overlarge development.
- The proposed development by reason of its size, depth, width, height and massing is out of character with the area

Scale of Development and Loss of Building

- The original "consultation" was for over 80 rooms, and the application is for approx. 20 less tenants. Clearly, it shows that there is opposition for so many people/rooms in the initial consultation
- Loss of a stunning building. As the downpipes on it clearly show - 1932. It would be a terrible loss to the area.
- Already a number of public houses have been lost locally
- Considers that there would be interest in reusing the building as a hotel as well as a public house and such use would be viable
- It will be a loss to the community

Support

Comments made in support are:

- A nursing home would suit the area much better than previous use i.e., public house
- It is the best option for the site, and it will be quiet
- The community will benefit from more care facilities.
- Although a shame to lose the building and all the associated memories it is no longer financially viable to have a pub in this location. There have been several failed attempts to make it a viable business
- Any new proposal would likely involve requests to demolish the building as it sits at an angle that doesn't make the most of the site footprint.
- The site has been derelict for well over two years and is a complete eye sore and is largely a magnet for litter and fly tipping
- The development will not cause a problem with cars although it probably needs more than 20 spaces.

- Architecturally, the design is aesthetically pleasing, and it seems as though a lot of care has been taken to help the proposed structure blend in with the surrounding built environment, e.g., the incorporation of false chimneys and mock Tudor gables as well as red brick facades with roughcast and traditional russet roof tiles.
- There is also a comprehensive landscaping package which will be beneficial
- There are lots of well-established trees in the grounds of the Ascot Arms that add to the environment of the area both aesthetically and environmentally and are the habitat of many species of bird, insects and mammals. New replacements will take many years for the trees to reach full maturity and therefore the developer should keep as many of the existing trees in the grounds as possible.

Neutral Comments

Comments made are:

- The application gives the impression that the site is easily accessible by public transport. This is not the case
- Concern about parking and do not want permit parking in the area. The developers should ensure that they have ample parking

Planning Analysis and Appraisal

Introduction

This planning application was the subject of extensive pre-application discussions in 2020 including a full Design Review with Design South East (DSE) on 13th January 2021.

An introductory letter was emailed to all identified stakeholders on Thursday 28th January 2021 to offer a virtual meeting with the applicant's project team and subsequent meetings held with local councillors.

To inform residents and businesses of the plans, a newsletter advising them of the proposals and how to respond to them was distributed on 3rd March 2021 to 760 neighbouring residential and business addresses in the vicinity of the site.

The emerging proposals were also the subject of a virtual online public exhibition, due to the Covid pandemic, hosted on the project website, between Thursday 4th March 2021 and Thursday 18th March 2021 that allowed the local community to both explore the initial proposals in detail and respond to them with their views, comments, and suggestions.

The results of the consultation and exhibition are set out in Statement of Community Involvement. This indicated that 61% of respondents to the consultation agreed with the principle of development, of which 42% agreed strongly, whereas just 12% objected to the scheme.

The Key Issues

The key issues in the analysis and assessment of this planning application are:

- The Principle of the Development
- Design, Layout and Impact on the Character of the Area
- The impact on the amenity of future residents of the development
- Impact on existing local residential amenity and existing residents
- Open Space, Trees and Landscaping
- Highways, Access and Parking
- Other Material Planning Considerations -; *Ecology and Biodiversity; Heritage and Archaeology; Construction and Contamination; Drainage/Flood Risk/Services; Sustainability, Energy Efficiency and Green Credentials; Waste & Refuse; Fire Access; Security - Secured by Design, etc.*

Principle of the Development

The site to which this pre-application enquiry relates is not specifically allocated for residential development or any other forms of development as such in the adopted development plan (Gravesham Local Plan Core Strategy 2014 and saved policies of the Gravesham Local Plan First Review 1994) being within an urban area.

Policy CS02 of the Gravesham Local Plan Core Strategy 2014 (LPCS) prioritises development in the urban area as a sustainable location for development. Policy CS02 seeks to achieve this by:

Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area

The National Planning Policy Framework (NPPF) is explicit that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 119 advises that local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them.

The application site meets the definition as previously developed land and generally there is no overriding objection in principle to the development of the site per se.

Nevertheless, development proposals would need to be judged against the general policies of the development plan and national planning guidance and policy.

Planning Policy, the Provision of Elderly Care Accommodation, Affordable Provision and Employment

Planning Policy

In respect of the specific use as proposed for a care home Policy CS14 (LPCS) states that 'sheltered housing and extra care housing for people with special needs will be supported on suitable sites in areas with access to a range of services that provide for the needs of future occupants'.

The need to provide housing for older people is described in the National Planning Policy Guidance (NPPG) as 'critical' as people are living longer lives and the proportion of older people in the population is increasing (Paragraph 001 Reference ID: 63-001-20190626). It indicates:

Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems.

The pre-ambles to Local Plan Policy CS14 (in Paragraph 5.10.7) indicates that it is important that the concentration of residential institution accommodation is controlled and therefore that such accommodation is in accessible locations and not result in a concentration of such facilities. The application site is reasonably well served by public transport, local services are easily accessible and there are no existing facilities within close proximity. A new care home in this location will therefore address the Council's spatial planning objectives and will help in delivering a broad mix of social community uses in the area.

The latest Gravesham Borough Council Strategic Housing Market Assessment, states that; *"The most significant growth is forecast in the age bands over 65. Growth is particularly marked in the 85+ household age band, which is projected to increase by 2,030 householders (144%) over the 25 years from 2012 to 2037."*

Provision of Elderly Care Accommodation

The application is accompanied by an Operator Supporting Statement that sets out the Avery Philosophy and how the care home will operate and will offer care for older people, respite care, dementia care and convalescence care.

Kent County Council's accommodation strategy for social care projected that by 2021 Gravesham would

require an additional capacity of 56 residential dementia care units. The Strategy will be refreshed to forecast to 2031 and with the increasing demographic changes for older people this will evidence further need. This proposal would go directly to meeting this required need.

The applicant's planning statement additionally says:

Avery have commissioned an independent assessment of demand and supply points which to an existing and future shortage of the local care home provision that is of a market standard. When accounting for all existing provision (nearly all of which is within older stock) and all pipeline provision, the current shortfall within the catchment area (which is defined as a 10-minute drive time of the site) is 333 bedspaces. This figure is projected to increase to 376 bedspaces by 2025. Consideration has also been given to the level of provision within the Gravesham administrative area. The current shortfall of market standard bedspaces is 379 bedspaces, a figure projected to increase to 424 bedspaces by 2025. The latter is the equivalent of 7 care homes of the size proposed on the subject site.

It is further noted that there have been very few applications for new care homes in recent years, with the Council's latest published Monitoring Report (2016-2017) indicating that there were no residential care homes completed during this period. Avery's research also outlines a shortage of care homes within the local catchment area that offer specialist dementia services and an under-supply of care home bedrooms with full en-suite facilities. Taking this into account there is a need for additional care homes within the area to accommodate the growth in the older population.

It is agreed with the applicant's assessment that there is a significant quantitative and qualitative need for the proposed scheme to meet both current and projected need, particularly in respect of dementia care provision that gives significant weight to this public benefit when assessing the overall planning balance.

The housing need for Older Persons Care Accommodation is supported by the Council's Housing Development & Strategy Manager.

A further benefit of the care home proposal as set out in the applicants Planning Statement is that it has the potential to free up other sectors of the housing market by releasing much-needed family housing accommodation, as residents moving into care homes often 'downsize' from larger dwellings and the proposal therefore delivers a knock-on benefit across the whole housing chain, and this in turn will help to reduce pressure on other sites in the area.

The applicants Planning Statement indicates that an additional social benefit is that the proposal can help to minimize the costs to health and social services. Residents will primarily be drawn from the local area and the large majority will already be Gravesham residents. In providing specialist and dedicated in-house care and support, the new care home can reduce the need for residents (who might have previously lived alone) to call on local healthcare services.

It is noted that in some of the neighbour representations in support of the development as well as even in neutral responses or some of the objections that local residents support the actual use as a care home and the local benefits that this could bring.

Affordable Provision

Policy CS16 (Affordable Housing) of the Gravesham Local Plan Core Strategy requires that the provision of affordable housing will be required on all new housing developments over a certain threshold (15 dwellings in the urban area), subject to site viability and a tenure mix necessary to meet local needs and achieve a successful sustainable and socially inclusive development. In this case the use of the proposed building falls within Planning Use Class C2 (Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres).

The Council's Housing Development & Strategy Manager comments that as the rooms are simply bedrooms with en suite bathrooms, 24-hour nursing care is provided, the scheme is registered with the CQC and communal facilities are as stated, then the development falls into category Use Class C2 (Residential Institutions) and is therefore exempt from the provision of affordable housing as per GBC Affordable Housing Planning policy CS16 on site or should provide a contribution towards off site provision. It is also pointed out that the applicant states that the proposal will result in the long-term enhancement to the provision of care services in the local area which also demonstrates that the proposal is 'housing with care' which falls under category C2.

Employment

It is also acknowledged that a further benefit of this proposal is that, according to the applicant's application form, the development will create 40 full time equivalent employees and 30 part time employees, which also give some weight to the development proposals in the overall planning balance. It is noted that the Planning Statement indicates slightly different figures and that there might be 50 full time equivalent jobs and 70 overall and as a result of shift patterns there would be approx. 20 staff on site at any one time. It does indicate that the majority of staff will be recruited from within the local area and positive steps would be taken to encourage this. It is recommended that an informative to this effect could be included within the decision in the event of planning permission being granted.

The employment generated by the proposal as a care home is significantly greater than the previous use of the existing building as a public house, estimated at a maximum of 20.

There would also be associated opportunities for job creation including in the construction of the development and through services to support the care home operation once operational.

It accords with Gravesham Local Plan Core Strategy Policy CS07: Economy, Employment and Skills that seeks to enhance opportunities for all local people to access new jobs arising from the Council's employment policies.

Loss of the Public House and Asset of Community Value and Re-Use of the Existing Building

It is noted that a few of the representations received cite the loss of the public house, that it ought to be retained or re-used and it should provide a community use or function.

That public house ceased trading in July 2019 and has been vacant since this time.

Policy towards Demolition of Public Houses

Paragraph 92 of the NPPF requires planning policies and decisions to plan positively for the provision of community facilities and to guard against the loss of valued services, particularly where this would reduce the community's ability to meet its day-to-day needs. At a local level Policy CS10 (Physical and Social Infrastructure) of the Gravesham Local Plan Core Strategy states that support will be given to proposals and activities that protect, retain or enhance existing social infrastructure, or lead to the provision of additional infrastructure which improves community well-being. The policy also states that where there is the threat of loss of existing infrastructure, consideration will be given to viability and whether sufficient alternative provision is available.

There are no policies in the adopted Local Plan that specifically refer to the retention of public houses or community assets. However emerging Proposed Policy RE 5 (Retention of Public Houses) of the Regulation 18 (Stage 2) Development Management Policies Document (2020) states:

5.5.7. Planning permission will only be granted for development which results in the loss of an existing public house where:

- It has been demonstrated through the submission of evidence that the public house is no longer economically viable or capable of being made economically viable at a reasonable cost; and*
- The public house has been the subject of continuous effective marketing for a minimum period of 12 months in a lettable condition on reasonable terms, with no reasonable offer refused.*

5.5.8. In considering the acceptability or otherwise of a proposal which would result in the loss of a public house, the Council will also have regard to:

- The role the public house plays in the provision of space for community groups to meet and whether the loss of such space would contribute toward a shortfall in local provision*
- The design, character and heritage value of the public house and the significance of the contribution it makes to the streetscape, local distinctiveness and the historic environment of its location; and*

- *The ability and appropriateness of the building and site to accommodate an alternative use or uses without the need for demolition or alterations that may detract from the character and appearance of the building*
- *The appropriateness of the proposed alternative use in relation to the location of the site and neighbouring uses, together with the adequacy of parking and delivery arrangements to support the proposed use and potential impact on highway safety; and*
- *Whether or not the proposal provides an alternative community service or function*

The applicants suggest that whilst the public house is located to serve the surrounding residential area, it is evident that when it was previously operational, efforts to continue trading the public house as a viable business failed, notwithstanding a significant refurbishment and favourable rental terms.

Avery have commissioned an independent viability report to review the scope for re-instating a public house use. This report accompanies the application and concludes:

- *Notwithstanding a £250,000 refurbishment in 2015, the pub has since been managed by six tenants, each of whom failed to make it work.*
- *The pub has a very poor trading history and barrellage declined by circa 60% from 2016 until 2018.*
- *A comprehensive marketing strategy commenced in January 2020. Interest was predominantly received for alternate uses and the marketing agents did not receive any offers from public house operators.*
- *The trading format and location of the pub does not meet the requirements of public house operators.*
- *There is a substantial amount of licensed competition in the locality which would deter interest for public house use.*
- *A commercial decision by the owners to dispose of the site (notwithstanding a substantial £250,000 refurbishment in 2015) suggests it is not a viable operation.*
- *The loss of this pub would not be detrimental to the local area due to the vast amount of other public houses located nearby - 8 public houses within a circa 1.5-mile radius of the site. This includes a good provision of public houses in the centre of Gravesend, which are easily accessible from the site, as well as the following public houses that serve the residential neighbourhoods surrounding the site*
- *The impacts of Covid are very likely to have a further negative impact on the already struggling public house sector.*

It is noted that there have been no representations from the Gravesend and Darent Valley Branch of CAMRA at the loss of the public house.

Asset of Community Value

In 2020 a nomination was made to list the premises as an Asset of Community Value (ACV). The freeholder of the site, the Red Star Pub Company, submitted an objection to the ACV nomination which made the following points:

- Since 2016, six separate operators have occupied the Ascot Arms, none of whom have been able to make the public house profitable.
- The last management arrangement was provided at zero rent, and despite this, the operator was again unable to make the pub profitable.
- There are 10 existing pubs within a 1-mile radius of the site that provide trade competition. - The site has been actively marketed since January 2020 and no viable bids for public house use have been received.
- In light of the above, the Ascot Arms is not commercially viable as a public house and therefore cannot realistically be expected to further the social interests of the local community as a public house.

The Council concluded its assessment on 20 April 2020 stating that the site “...is not currently used for a purpose which furthers the social wellbeing or social interest of the local community, and it is unlikely that it could be used in a way which furthers the social wellbeing or social interests of the local community in the next five years.”

Retention and Re-Use for Community Purposes

It is acknowledged that there is an argument that the existing building (notwithstanding the loss of the actual public house use) is an asset in itself and its retention and conversion for an appropriate use could potentially be a more sustainable option than redevelopment.

While the building is neither a listed building (or has potential for listing) or is within a conservation area, the building is prominent and could be considered as a landmark locally and is of the same age of the surrounding residential area and therefore part of the local fabric.

It is clear that the building could not be converted as it stands for the use as proposed for economic or design/layout reasons and again the applicant's viability assessment and marketing exercise undertaken demonstrates that alternative uses would not reasonably work within the context of the current footprint and layout on site.

Whilst it is acknowledged that the building has some value as a building and landmark in the local community it was evident from the Council's discussion with Design South East that external and independent design advisors did not consider that the building was of such value that it should be retained for some future re-use and that a well designed and well-proportioned building could offer a future valued landmark perhaps incorporating and reflecting the 1930s residential context within which it sits.

The applicants again cite that the proposed development will provide an alternative form of community use in the form of a care home meeting locally identified needs and offering care and support services to the local elderly population. It is stated:

Avery is committed to integrating their new care homes into local communities and opening the communal spaces for use by the local public. More specifically, any function previously offered by the public house in providing a space for local community groups can potentially be re-engaged through the new use.

If permission is to be granted it is considered appropriate to include a informative that gives a commitment to community use of the new building in the future.

Conclusions and Sustainability

The site is within a highly sustainable location and close to existing bus stops and a bus route in Sun Lane and within a comfortable walking distance of local shops in Singlewell Road. The applicants Planning Statement indicates that Avery and their operating partners are committed to integrating their schemes into existing local communities, with for example, the community rooms within the new care home (including café area, hairdressers and activity rooms) available for use by the local public and local community groups by prior arrangement, thereby complementing wider community objectives for the local area.

On balance the development of this site for the use as proposed along with the demolition of the public house building is considered to be appropriate and a sustainable use within the local area in accordance with Policy CS01 (Sustainable Development) of the Gravesham Local Plan Core Strategy and accords with the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) in Section 2, Paragraphs 7 - 14: Achieving sustainable development. It also accords with Policy CS02 of the Gravesham Local Plan Core Strategy 2014 which prioritises development in the urban area as a sustainable location for development by recycling of underused, derelict and previously developed land in the urban area. It accords with Section 11, Paragraphs 119 - 125 of the NPPF by making effective use of land.

However, this also has to be balanced against other requirements of the NPPF and in particular paragraphs 130 and 134 of the NPPF which requires development to be add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Notwithstanding the weight to be given in favour of sustainable development it is necessary to assess the proposals against the policies in the National Planning Policy Framework (NPPF) and established local planning policy taken as a whole. There are also other important material planning considerations that need to be considered in relation to, the loss of open space, landscaping and tree impacts, parking and highway matters and ecology amongst other matters

Design, Layout and Impact on the Character of the Area

Policy

The design and built form of the proposals need to be considered against the Council's Local Plan Core Strategy Policy CS19 (Development and Design Principles) that sets out detailed criteria. Policy CS19

(LPCS) states that the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area.

The National Planning Policy Framework (NPPF) sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve and add to the overall quality of the area, not just for the short term but over the lifetime of the development (paragraphs 126 and 130 of Part 12 - Achieving well designed places).

Paragraph 130 of the NPPF also indicates that developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation and change (such as increased densities); and establish a strong sense of place, using streetscapes, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Paragraph 134 of the NPPF advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Design Reviews

The design and layout of the development was originally considered at the pre-application stage by Design South East (DSE) at a Gravesham Design Surgery with planning officers on 8th April 2020. Significant design advice was offered in respect of the design, form, layout and detailing of the scheme development and much of that advice was incorporated into further amendments that included:

- Reconfiguring the internal accommodation to relate better to the external space influences
- Repositioning the building entrance to the junction of the two roads with an enhanced landscape forecourt
- Amending the boundary treatments to provide a more open aspect to the open space beyond
- Removing the proposed access from Aintree Close to create a single point of access and egress into the site; and
- Revising the material palette to reflect the immediate surroundings as well as the character of the existing building on the site.

The amended scheme was then presented at a full design review to DSE on 13 January 2021 and the panel's report was issued on 27 January 2021.

The DSE summary stated:

We appreciate the applicant's engagement with the review process and welcome the positive design changes made since the design surgery. However, significant work is still required in order to provide a social and civic presence on this site, which preserves the sense of a neighbourhood 'centre' justifying the loss of the existing community landmark.

An elderly care home can work on this site, but proposals must be justified with detailed evidence against the viability of the existing pub or other community use.

A stronger vision, one that reflects the site's setting and focusses on promoting quality of life for residents must inform the design and character of the architecture and the landscape. Resolving the relationships between private, communal and public places both within the building and in relation to its wider landscape is critical. In addition, although the design shows a level of practical resolution, we feel that it currently lacks experiential joy missing key opportunities for social gathering, sunlight and views, without which it will fail to become a place which is welcoming for both residents and the local community.

To compensate for the potential the loss of the existing building with its civic and social presence and embodied carbon, the proposals must be more aspirational through architectural expression, take better advantage of its setting, and maximise energy efficiency through passive design strategies. It must primarily offer generously back to the area's existing communities.

The key recommendations were

1. *The design of the landscape, its access, boundaries and relationship with both the building and green to the south, must have the input of a landscape architect, and include Gravesham Council in design dialogue to maximise communal benefit.*

2. The local community should be actively engaged to define potential activities and public uses that could work in tandem with the management of the home.
3. Further iterations of architectural design are required, which should be better informed by local garden suburb and 'Arts and Crafts' details, material and character, including three-dimensional, contextual refinements of scale and proportion developed in relation to programmed use, responding appropriately to distinct street contexts.
4. The interior arrangement of public, communal, private and ancillary spaces should be carefully reconsidered prioritising the quality of residents' daily experiences, accounting for sociability, sunlight, views and outlook.
5. The carpark and landscape to the north of the site could be further rationalised and simplified in line with overall design changes, which may include a reduction in parking spaces or secondary connection to Aintree Close.

The applicants were able to make further amendments prior to their own public consultation and exhibition scheme and the subsequent submission of this current planning application.

Paragraph 4.12 of the applicants submitted planning statement shows a raft of further changes that have been made to the scheme in response to the DSE Design Review Panel comments.

The Submitted Scheme

The design approach submitted with this planning application shows that the elevations are designed to incorporate a mix of brickwork, render and Tudor Boarding to reflect the surrounding context, while also creating what is considered to be a striking design that will enhance the corner of Ascot Road and Central Avenue and provides an appropriate response to the style, form and character of the former public house building that will be demolished. It is noted that in the comments in support of the application from local residents there is reference to the fact that the current building sits an angle which doesn't make the most of the site footprint. In this scheme the footprint is square to facing residential dwellings thus more in keeping with the street form and layout.

The proposed building is appropriately proportioned and stepped to help break up the elevations, so its scale is in character with neighbouring properties. Whilst the building has three floors the approach is to make the best use of the land by incorporating three floors within a two and a half storey building, where the top floor windows are set within the roof slope.

The roof of the care home building extends from the eaves line to the main ridge, such that the highest parts of the building are set back from the boundaries. The ridge line is varied and, although in parts it is approximately 1.75 metres higher than that of the existing public house building, in other parts it drops below the existing building height.

The sections through the site, as shown below, shows the scale of the development in relation to firstly the corner of Ascot Road and Central Avenue and secondly to facing dwellings opposite in Central Avenue



Building features such as dormers, herringbone brick details and large glazed entrance, mix the materials palette to soften the overall impact on the development and whilst the overall design concept could be described as a pastiche approach it is appropriate to the local context.

It is noted that in the neighbour comments in support that the design is considered architecturally and aesthetically pleasing, and they consider that a lot of care has been taken to help the proposed structure blend in with the surrounding built environment.

The boundary treatments are considered appropriate being a mix of different height loop-top black metal railings with 1.8m high railings to the boundary with the Central Avenue open space.

Overall and subject to appropriate planning conditions it is considered that the design and layout and impact on local character is not at variance with local or national policy and notably Policy CS19 of the Gravesham Local Plan Core Strategy and Section 12, Paragraphs 126 - 136: Achieving well-designed places of the NPPF.

The impact on the amenity of future residents of the development

Policy

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 (LPCS) requires that all development should be 'fit for purpose' and be 'adaptable to allow changes to meet the need of users' and that 'the design and layout of new residential development, including conversion, will accord with the (SPG2) adopted GBC Residential Layout Guidelines'.

The Supplementary Planning Guidance Note 2 Residential Layout Guidelines referred to above sets out the Council's standards in relation to private garden areas and internal space standards, amongst other things.

There are no specific adopted local standards in relation to care homes and nursing homes as such.

Assessment

It is stated in the Design and Access Statement that

Avery Healthcare Group homes are designed and constructed to the new Essential Standards and all bedrooms include hotel style ensuite showers and toilets which far exceed the National Minimum Spatial Requirements as defined in the Care Standards Act 2000.

Within the care home, all floor levels are to be accessible with no steps or changes in level. Resident's movement between different floors would be assisted by the passenger's lifts.

It is also stated in the Design and Access Statement:

Ground floor rooms within the Care Home wherever possible have ease of access to the outdoors with a mini-patio, small planting areas and trellis for semi-privacy. Beyond these small seating areas there are links to the wider open spaces for use by the visitors and other residents. Each of the outdoor spaces are linked by footpaths and ramps at appropriate gradients.

The terraces and gardens are maintained to a high standard and incorporate level walkways, garden features and specialist facilities (e.g., sensory gardens, raised gardens, water features, seasonal planting) where appropriate.

Spacious living facilities should enable residents and their families to continue to live well with the appropriate level of skilled support.

The applicant's Operator Supporting Statement states:

All the rooms will be designed to be appropriate for differing levels of care whilst retaining the resident's dignity at all times. Bedrooms, at a minimum of 15sq.m with full en suite facilities will be large enough to provide full assistance if required. These areas are far superior to the Standards which only require 12sq.m

with en suites with no showers. Day space accommodation has also been increased from the Standard requirement of 4.1 sq. m to 6.2 sq. m reflect the needs of residents who may require more space to live in... Avery's theme of providing 'hotels with care' continues with most schemes having a spacious entrance foyer containing the reception, cafe and required office spaces. This leads on to give access into the rest of the home. The residential wings are usually accessed from a central core area and residential care is provided on the ground floor with rooms having patio doors with personal exterior space. The accommodation is organised onto corridor wings with day space areas arranged accordingly... Staff facilities will include full changing rooms (including showering), staff rooms and training areas to ensure that all staff are fully trained in the current best practice, to make the residents lives as pleasant as possible during their stay in an Avery Home.

The home will be managed by a general manager and supported by nursing staff, careers, chef and catering staff, administrative staff, housekeeping staff, leisure and recreation co-ordinators, maintenance staff and gardeners. Staffing is 24 hours a day with three shifts – 8.00am-2.00pm, 2.00pm-8.00pm and 8.00pm-8.00am.

As a result of the design reviews with Design South East there have been internal changes reconfiguring the internal accommodation to relate better to the external space influences.

Overall, it is considered that the design and layout will provide a good standard and quality of accommodation on the site and a high-quality environment for future residents in accordance with national and local planning policy.

Impact on local residential amenity and existing residents

In considering any proposals for development it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions.

Safeguarding residential amenity, in terms of privacy, daylight and sunlight and ensuring that all development proposals are fit for purpose and adaptable to meet the need of users are important considerations referred to in Gravesham Local Plan Core Strategy Policy CS19.

The Supplementary Planning Guidance Note 2 Residential Layout Guidelines also sets out requirements not to just protect future residents/occupants of new development but also those existing residents that might be affected by the development.

The National Planning Policy Framework (Paragraph 130) also assists and seeks to ensure developments will function well and add to the overall quality of the area and create attractive, welcoming and distinctive places to live, work and visit with a high standard of amenity for existing and future users.

The application is supported by a Sun Path Analysis drawing that analyses the impact of the development on neighbouring properties. Neighbouring impacts are also examined in the submitted Planning Statement.

The positioning of the building centrally within the site in order to retain good separation distances to the houses to the north, east and west and, where closest to its neighbours, to orientate the building to minimise the scope for directly facing windows has sought to address potential neighbour impacts.

To the north there will be a minimum of 20 metres between the care home and the side elevation of the nearest properties at no. 76 Central Avenue. This property contains no windows to habitable rooms within its flank elevation. The element of the new care home facing the properties in Ascot Road to the north is set back by approximately 40 metres.

To the east, the nearest facing windows will be over 25 metres from the front elevations of the properties in Central Avenue, with existing boundary planting occupying the intervening space. To the west, the flank elevation of the proposed care home (which contains no windows to habitable rooms) is set back 20 metres from the nearest property in Aintree Close, which itself has a side elevation facing the application site. The development would not be contrary to the GBC residential layout guidelines in terms of privacy distances or overshadowing.

It is recognised that the previous use of the site as a public house had the propensity to generate potential

noise and disturbance particularly late at night from activities within the building and from car parking movements.

Nevertheless, GBC Regulatory Services (Environmental Protection) have suggested that there may be concerns about the potential for noise from the home's residents and request as a planning condition a comprehensive Noise Management Plan covering all potential noise from the new development and its residents. It is recognised that whilst the actual use might be a low noise generator in comparison to the previous use it will operate 24/7 and there will be staff comings and goings and emergencies at any time. It is considered that this is appropriate to impose such a condition.

Subject to the above it is considered that the development is in conformity with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and section 12, Paragraphs 126 - 136: Achieving well-designed places, of the National Planning Policy Framework 2021.

It is noted that there have been no neighbour objections in respect of overlooking or loss of privacy with the only amenity concerns relating to potential noise from any generators/extractors or odours from cooking, and these matters can be addressed through planning conditions.

Open Space, Trees and Landscaping

Loss of Open Space

Gravesham Local Plan Core Strategy Policy CS13: Green Space, Sport and Recreation indicates that the Council will seek to make adequate provision for and protect and enhance the quantity, quality and accessibility of green space in accordance with an adequate up to date and relevant evidence base. The Open Space Assessment dated April 2016 is clearly an up to date and relevant evidence base on which to assess the proposals.

Policy CS12 (Green Infrastructure) indicates that all green spaces contribute to the green infrastructure network and that the network of green spaces will be protected, enhanced and maintained.

At a national policy level Paragraph 99 of the NPPF 2021 indicates that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The application site boundary includes an area of land (roughly triangular) in the southwest corner that currently forms part of the Central Avenue open space, the larger part of which is owned and maintained by the Borough Council. The part of the site extends to circa 790m² and amounts to about one fifth of the whole site area of the application site. It is currently grassed, contains new tree planting and dog bin and is enclosed by palisade fencing but does form part of the overall open space.

It is within the ownership of the Ascot Arms but historically it has been maintained by the Council's Horticultural Team for many years, as part of the overall site. The land was included in the grass cutting schedule tendered in 1995 under Compulsory Competitive Tendering. There is evidence that this part of the park has been in use in the 1980s and the boundaries have not changed.

The whole park extends to circa 2.1 acres (0.84 hectares) and the corner of the site now included in the site the subject of this application therefore amounts to about 9% of the overall open space area.

The Gravesham Borough Council Open Space Assessment by Knight Kavanagh & Page, 2016, outlines that the Central Avenue Open Space has a quality score of 42.9% and a value score of 38.9% for amenity greenspace, and similar scorings for its use for provision for children and young people. The assessment shows it is below the threshold for quality (dated/tired in appearance) and above the threshold for value. However, the site has had some investment made in recent years to the play area.

The area of the existing park that will be taken back into the application site and incorporated into the

development principally as a resident's garden and open space is shown in the case officer photograph below.



It is noted that there are some limited neighbour objections at the loss of some of the designated Central Avenue open space pointing out that public spaces are valuable and should be protected.

This particular issue was the subject of much discussion at the pre-application stage. The Council's Horticultural Services officer stated that, whilst it is important for all open space to be protected as far as reasonably practical, *"In this instance however, the area isn't hugely significant and doesn't really add much in terms of amenity value to the site as a whole so wouldn't be a huge loss. The issues for me are that the public perception will be that we are selling off open space and that this is another example of the piecemeal erosion of open space that's now happening in the Borough."* The Council's Leisure and Resilience Manager similarly raised no objection to the principle of the proposal but added that: *"...it is anticipated that some form of agreed off-set improvements (and/or contribution) will need to be included as part of the planning process/sign-off to the adjacent amenity area for the benefit of the wider community."*

Whilst it is recognised that there is a slight diminution of open space at what is a well-used albeit small local play area for youngsters theoretically the area will still remain as an open space even though it will no longer be publicly available. The applicants suggest that this space is intended to provide a sensitive transition between the two uses.

Separate from the planning process there have been negotiations that have been ongoing regarding mitigation for the loss of incidental open space at site as part of the development with GBC Property Services.

The GBC leisure team have advised that in the light of this they would not require any further mitigation for replacement leisure land/facilities but would expect that the applicant will be responsible for securing the new boundary, as well as any suitable boundary treatments, including replacement trees, as agreed and in consultation with the horticultural team at the Council.

There are in fact some young trees that have been planted on the open space by the Brough Council and the applicants have agreed to a planning condition that requires these to be incorporated into the landscaping scheme, either in situ or in an alternative location.

Therefore, while the loss of this corner of the Central Avenue open space is unfortunate it is agreed with the applicants, as set in the supporting Planning Statement, that in this case the proposed landscaping of this space, the introduction of new tree planting, the incorporation of sensitive boundary treatments and a programme of tree management, will enhance the overall quality and backdrop of the retained open space and on balance there is no planning objection to this element of the proposals and subject to planning conditions no overall conflict with local or national planning policy.

Impact on Existing Trees

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 indicates that the design and layout of new development needs to take account of the site context including features of townscape and landscape value and appropriate soft landscaping is important to ensure well planned public realm.

Paragraph 131 of the National Planning Policy Framework (NPPF) states:

Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

The application is supported by an Arboricultural Report and Tree Protection Plan by the applicant's consultants, Andrew Day Arboricultural Consultancy Ltd, 26 February 2021

The applicant's Design and Access Statement says:

There is a band of mature trees that cut across the site, these trees have been left untouched for some years and are in need of some maintenance and will be reduced and managed by a tree surgeon to facilitate their future health and ongoing screening to the site, the overall line of trees will be maintained to minimise views to the neighbouring properties.

There is also a tree line along both Ascot Road and Central Avenue, which will be retained and as above has been left untouched for some years and are in need of some maintenance and will be reduced and managed by a tree surgeon to facilitate their future health and ongoing screening to the site, to maintain a natural buffer and screen to the surroundings.

The applicants Planning Statement notes, as set out in the Arboricultural Report that to facilitate the new care home development it is, however, necessary to remove a total of 7 individual trees within the site as well as one tree group. The Statement says:

It is concluded that the majority of these are low quality and that new trees can be planted to compensate for their removal that will be better suited to the location and have space to develop into landscape features of the future. Each of the retained trees will be protected both during construction and following the occupation of the care home to ensure their long-term retention.

It further states:

- The scheme allows for the long-term protection of the mature trees adjacent to the two main frontages. The new building is set back sufficiently from these trees to allow them to flourish, and for prospective care home residents to benefit from their shading effects in the summer months.*
- The mature trees in the rear (south) part of the site are also to be retained in order to retain the visual screen that they provide as a backdrop to the adjoining park.*
- Within the western part of the site, a modest degree of tree loss is considered necessary to facilitate the proposed development. This approach stems from pre-application discussions in which the applicant was advised to maximise the extent to which the care home accommodation in the rear part of the site utilises*

views onto the new amenity spaces as well as to provide a sufficient breathing space around the building.

- A site-wide arboricultural maintenance strategy is proposed to secure the long-term health of the existing trees and vegetation.

Whilst it is recognised that the layout of the development does require some tree loss on the site to make the scheme work the findings of the Arboricultural Report are accepted that the majority of those trees that will be lost are of low quality and the development will incorporate good-sized landscaped amenity spaces including opportunities for the planting of new trees, shrubs and flowers to enhance seasonal interest and ecological net gain.

Overall, therefore the proposed tree works are supported and do not conflict with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 or Paragraph 131 of the National Planning Policy Framework (NPPF).

Highways, Access and Parking

Local and National Policy

The proposed development needs to be considered against Gravesham Local Plan Core Strategy Policy CS11 which states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities. This approach to development is also supported by saved policies in the Local Plan First Review Policy T1 (Impact of Development on the Highway Network), Policy T5 (New Accesses onto Highway Network) and Policy P3 (Policy for Vehicle Parking Standards).

Saved Policy T1 requires that all proposed developments are adequately served by the highway network identified on the Proposals Map. Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities. Saved Policy P3 requires development to make provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

At a national level the National Planning Policy Framework (NPPF) recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability objectives. It indicates that all development that generates significant amounts of movement should be supported by a Transport Statement or Transport Assessment and development should only be prevented or refused on transport grounds where there is an unacceptable impact on highway safety, or the residual cumulative impact of development is severe (paragraph 111).

In this instance the nature and scale of the development does not require a full transport statement or transport assessment (indicative threshold of Use Class C2 - Residential Institutions developments with 100 parking spaces) in Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006)

The Council's approach to parking requirements is in accordance with the adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006) and endorsed as supplementary guidance by GBC on 6 July 2009. These are set out as maximum standards although it should be noted that the government abolished national maximum parking standards in 2011 and the ministerial statement in March 2015 indicated that the imposition of maximum parking standards leads to blocked and congested streets and pavement parking and arbitrarily restricting new off-street parking spaces does not reduce car use. The adopted standards therefore would normally seek to be met in full.

Scheme Details

Whilst the nature of development is below the local threshold the application is nevertheless accompanied by a Transport Statement (TS) Revision D by Bancroft Consulting that was updated in June 2022 in response to consultee and neighbour comments along with a supplementary transport technical note, May 2022 and there is also Framework for Green Travel Plan by TDC Architects, February 2021 and additional supporting information on highways impacts in the applicant's Planning Statement.

The TS indicates that speed surveys were undertaken at the site in January 2021.

In terms of vehicle and pedestrian access to the site the existing access from Ascot Road will provide the only access into the site, but newly configured. This is located at circa 15m from the 'T' junction of Ascot Road with Central Avenue. The proposed site access comprises a bellmouth junction with a 6-metre wide carriageway and 6 metre kerb radii. The proposal also incorporates the stopping up of the secondary access from Aintree Close, although refuse collection would take place from Aintree Close. The layout also indicates a pedestrian access to the site from Central Avenue close to the junction with Ascot Road as access to the main front entrance and running through to the vehicle access and car parking area.

The scheme includes 20 parking spaces total including 2 No. disabled bays, with area for drop off zone and ambulance waiting. In terms of cycle parking, it is indicated that there will be 5 x Sheffield hoops = 10 No. cycle stands provided within the site, for the use of staff with a separate 5 x Sheffield hoops for Visitors, totalling 20 cycles for Staff and visitors.

It is suggested that the residents of the care home are not expected to be car owners or drivers. Therefore, the majority of the car trips are likely to be carried out by care home staff, visitors, emergency and delivery vehicles.

The anticipated staff/visitor and service vehicular movement to the proposed care home are anticipated to be as follows:

- Residents – no vehicular ownership
- Staff – bicycle, car, public transport or on foot
- Ambulance – for taking residents to hospital/ medical appointments; generating 1-2 vehicle movement a day
- Food deliveries – by transit van giving bulk deliveries 2-3 times per week
- Refuse collection – 1 time per week (bin storage area has been shown on the plans)
- Visitors – 3-9 vehicular movements a day (relatives, volunteers etc.)

Traffic Generation

The TS indicates that the floorspace of the former public house had the capacity to generate a total of 294 daily arrivals and departures whereas the proposed care home (based on TRICS output data) is calculated to generate 225 daily arrivals and departures. The TS therefore suggest that overall, given that the proposed care home would result in a significant net reduction in trips across the day, it is considered that it would not have a "severe residual cumulative impact" and meets the requirements of Paragraph 111 of the NPPF.

The GBC Highways Development Management Officer considers that the traffic generation from the site, from the data submitted is liable to result in an overall reduction from the previous use as a public house.

Vehicle Access

The width of the realigned vehicle access and access drive from Ascot Road will be 6 metres allowing for two vehicles to comfortably pass.

The access arrangements are also considered to be acceptable as are the vehicle visibility splays, based on a speed survey, of 2.4m by 33m to the left and 2.4m by 16m to the right and which will need to be secured through a planning condition. KCC Highways also point out that there is also a requirement for 2m x 2m pedestrian visibility splays either side of the access, which can also be the subject of a condition.

Parking Provision

The main concerns voiced by local residents in the objections to the development relate to what is considered to be lack of off-street parking provision and the impact of spill over from the site on to surrounding residential roads and what is suggested is the lack of alternative public transport provision locally.

In terms of car parking provision, the applicants operating supporting statement indicates that car parking provision is usually required to be a minimum of one space per three registered care beds, thus requiring circa 20 spaces for this care home.

The Operator Supporting Statement states in relation to parking that:

Due to the nature of the proposed care home, which will provide full personal and dementia care, the car parking spaces will be utilised by the staff and visitors only and it is not anticipated that any residents will have their own car.

Avery's experience is that staff generally live within a five to eight-mile radius and as well as driving, are either delivered to the home by their partners, share journeys, cycle or use public transport. Avery always gives priority to recruit staff from the immediate residential areas who would walk to work. The home will be provided with secure cycle racks and staff changing/showering facilities with lockers.

The Planning Statement additionally says:

The level of provision is entirely appropriate for the nature of the proposed use and having regard to the operator's experience from other facilities in a comparable location. No residents will own cars and provision is therefore required only for staff and visitors. There are no resident staff and in a highly sustainable location such as this, it is anticipated that no more than 50% of staff would travel in their own cars. Based on approximately 20 staff on site at any one time (and allowing for staggered shift changeovers), approximately half of the proposed spaces may be required for staff, with the remainder being available for visitors. The applicant's parking accumulation data indicates that there would be a maximum demand for 17 car parking spaces overall.

Having regard to the Kent Vehicle Parking Standards (set out in SPG4), provision is required for 1 car parking space per 2 members of non-residential staff and 1 space for every 6 care home bedrooms for visitors plus 1 space for an ambulance. For the proposed 62-bedroom care home, with up to 20 staff on site at any one time, the standards require a total of 20 car parking spaces. The proposal therefore adheres entirely with these standards. With regard to ambulance provision, although a parking bay has not been designated for use by ambulances, the vehicle tracking exercises that have been carried out indicate that an ambulance can drive into the site, park safely and manoeuvre out again without impediment. The same applies to any other service vehicles such as deliveries that would enter the site...

Without prejudice to the parking assessment set out above, it is important to note that in catering for atypical events (such as an annual garden party) there are no parking restrictions on the surrounding roads and there is generally a surplus of on-street provision.

The KCC adopted standards (in SPG4) for Use Class C2 Residential Institutions is as follows:

	Goods Vehicles	Car Parking	
		employees	residents/visitors
Nursing/Residential Care Homes	Minimum of 1 space for an Ambulance (see Note 1)	1 space per resident staff + 1 space per 3 other staff	1 space per 6 beds or residents

The GBC Highways Development Management Officer queried the car parking provision particularly in relation to the staffing figures and required more evidence that there would not be a spill over from the site into adjoining residential roads.

As a result of concerns at the level of car parking from the highway authority and local residents the Transport Statement was revised and a Technical Note dated May 2022 produced, the latter addressing the car parking provision.

The technical note includes details of parking surveys conducted for a proposed Avery scheme for a care home elsewhere that showed at two other existing 60-bedroom Avery care homes the maximum parking accumulation was 14 and 19 parking spaces (these were for Acorn Lodge Care Home and Hinckley House Care Home). Other research was completed at other Avery care homes within the Kent area that showed similar results ('Adelaide Care Home' in Bexleyheath and 'Elvy Court Care Home' located in Sittingbourne).

KCC Highways consider that the revised Transport Statement is acceptable and in respect of the car parking provision, agree that sufficient evidence has been provided to justify the level of parking using data from other similar premises and from the TRICS database, and that it would be difficult to maintain an objection on highway grounds to the parking level.

KCC Highways and Transportation nevertheless request that a Car Parking Management Plan is submitted and approved prior to the first occupation of the building, and this is accepted by the applicants. This is in line with the applicant's own transport consultants technical note in terms of allocating spaces to staff who need the use of a car the most, amongst other things.

The GBC Highways Development Management Officer had also undertaken some additional research of some Kent care homes and has concluded that based on surveys and examples of other care homes operated by Avery or by others, the proposed provision of 20 parking spaces should be considered suitable and in line with other similar developments and would accommodate the maximum parking demand at the site, in accordance with the overarching guidance within the National Planning Policy Framework and local parking policy.

Electric Vehicle Charging

Paragraph 112 (e) of the NPPF requires applications to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Suitable electric vehicle charging facilities are required on developments in support of the Council's commitment to become carbon neutral by 2030.

There is an emerging policy, Proposed Policy INF 5: Electric Vehicle Charging Points, in the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020, that indicates, where viable, all new developments must provide charging infrastructure for electric vehicles with the specific requirements according to the type of development.

It is indicated in the scheme that two of the vehicle parking spaces will be provided with electric vehicle charging points. KCC Highways has advised that at least 10% of the parking spaces are provided with EV charging points and a further 10% are provided with passive provision i.e., cabling / ducting. It is proposed that this level of provision is secured through a planning condition.

Cycle Parking

In terms of cycle parking, SPG4 states that a minimum of "1 space per 10 beds" should be provided. The scheme includes a cycle storage area that will accommodate 20 cycle stands for staff and visitors. The GBC Highways Development Management Officer has suggested that the cycle provision (in view of the levels of parking on site and limited access to good public transport provision) should greatly exceed minimums with provision for staff to shower, change and suitably store wet clothes. It is considered that this can be secured through an appropriate planning condition.

Travel Plan

It is local and national policy in Gravesham Local Plan Core Strategy Policy CS11: Transport and Section 9: Promoting Sustainable Transport of the National Planning Policy Framework (NPPF) to encourage the use of sustainable and more environmentally acceptable modes of transport.

As part of the application a Framework Green Travel Plan has been submitted to assist with the justification of the parking provision, availability of public transport and alternative ways of travel.

However, both KCC Highways and the GBC Highways Development Management Officer consider that a full and final workplace Travel Plan, detailing the measures designed to help and thereafter maintain a modal shift in favour of reduced reliance on private car usage for travel to and from the development, should be submitted to and approved in writing by the Local Planning Authority and this will be secured through a planning condition.

Summary

Whilst the neighbour concerns are understood in relation to parking provision the evidence presented suggests that the level of provision should be sufficient on site to meet the parking demand from the development, but this will need to be supplemented by other requirements through planning conditions including a travel plan, cycle provision and a Car Parking Management Plan.

There are now no highway objections from the GBC Highways Development Management Officer or KCC Highways and Transportation, as the relevant highway authority.

On balance it is considered that the proposals will satisfy the objectives of Gravesham Local Plan Core Strategy Policy CS11 (Transport) as well as saved policies T1, T5 and P3 of the Gravesham Local Plan First Review 1994, and which seek to prioritize sustainable modes of transport, and which assesses car parking in accordance with the adopted Kent Parking Standards. The development is also in accordance with Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport of the National Planning Policy Framework, 2021

Other Material Planning Considerations

Ecology and Biodiversity

Paragraph 174 of the National Planning Policy Framework (NPPF) indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:

- (a) Protecting and enhancing valued landscapes,
- (b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland
- (d) Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures

Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy 2014 indicates that there should be no net loss of biodiversity in the Borough.

Appropriate Assessment and the SAMMS Tariff

The application site falls within 6km of the Thames Estuary and Marshes Special Protection Area (SPA) classified in accordance with the European Birds Directive which requires Member States to classify sites that are important for bird species listed on Annex 1 of the European Directive, which are rare and/or vulnerable in a European context, and also sites that form a critically important network for birds on migration. It is also listed as a Wetland of International Importance under the Ramsar Convention (Ramsar Site).

Studies have shown marked declines in key bird species, particularly in areas that are busiest with recreational activity.

Research conducted in 2011 found that additional dwellings were likely to result in additional recreational activity, causing disturbance to protected bird species that over-winter or breed on the SPA and Ramsar Site. The studies found that 75% of recreational visitors to the North Kent coast originate from within 6 km of the SPA boundary and Ramsar Site. The impacts of recreational disturbance can be such that they affect the status and distribution of key bird species and therefore act against the stated conservation objectives of the European Sites.

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, as new housing development is likely to lead to further increases in recreational use of the sites. This means that further declines in the bird population cannot be ruled out.

To address this decline, the Borough Council has adopted a tariff which is imposed on all new dwellings (including flats) or non-C3 residential use that are built within the 6km zone to pay for a Strategic Access Management and Monitoring Strategy (SAMMS).

New dwellings or non-C3 residential use would be liable for a tariff payment which is currently set at £275.88 per dwelling unit. Payment is normally either collected by s106 agreement (if one is required) or a unilateral undertaking which should accompany an application or through the SAMMS agreement form https://www.gravesham.gov.uk/_data/assets/pdf_file/0003/470937/SAMMS-Contribution-Agreement.pdf

The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds.

The tariff has been accepted effectively in lieu of an Appropriate Assessment (AA) under the Habitat Regulations and thus avoiding the need to progress into a full AA.

However, a more recent Court of Justice European Union (CJEU) ruling means that this approach is now no longer valid and although the mitigation measures (in the form of a tariff payment) will still need to be made the first stage will be a screening assessment as to whether the development either alone or in combination, is likely to have significant effects on a designated site without mitigation. The CJEU sees a distinction between “the plan or project” itself and “measures intended to avoid or reduce the harmful effects of a plan or project on a European site”. This means that mitigation measures, which are intended to avoid or reduce effects, should be assessed within the framework of an AA and cannot be taken into account at the screening stage.

Further information and evidence can be found via the following link:

<http://www.gravesham.gov.uk/home/planning-and-building/nature-conservation-and-landscape/thames-estuary-and-marshes>

In terms of residential institutions (Use Class C2) the tariff is £275.88 per unit or otherwise on a case-by-case basis.

There is no staff accommodation on site and the use as proposed is not for an unrestricted Use Class C2 (Residential Institutions) permission that could also include hospitals, nursing homes, boarding schools, residential colleges and training centres, but specifically for a residential care home for the elderly. It is expected that the nature of the occupancy is to provide residential care needs for the frail, elderly with complex physical and care needs, such that residents will not be active and will under the terms of the management of the scheme not be allowed to have or keep pets on the site or have access to or the use of vehicle parking spaces. The applicant's agents have advised that if permission is to be granted then a condition to that effect would be acceptable. This is recommended in the user restriction planning condition.

On that basis it is considered in this case that a SAMMS payment is not required and that an appropriate assessment need not be undertaken.

Biodiversity Enhancement

Under policy CS12 of the Gravesham Local Plan Core Strategy 2014 and critically also at national level within the NPPF there is a requirement that there should be no net loss in biodiversity and moreover a net gain and therefore again any loss of trees, grassland and hedging should be positively compensated in the future planning submission.

Policy CS12 (Green Infrastructure) indicates that all green spaces contribute to the green infrastructure network and that the multifunctional network of green spaces will be created, protected, enhanced and

maintained. It requires that there should be no net loss of biodiversity in the Borough and gives protection amongst other things to internationally designated sites. It sets out that the overall landscape character and valued landscapes within the borough will be conserved and enhanced and opportunities to enhance, restore, re-create and maintain habitats will be sought.

KCC Biodiversity has assessed the development as result of the planning consultation and consider that sufficient ecological information has been provided and recommend a breeding bird informative and also a planning condition to secure the measures within the ecology report, for native species planting and wildflower grassland creation to help the development to achieve a biodiversity net-gain.

Subject to these it is considered that the development will provide biodiversity enhancement in accordance with Paragraph 174 of the National Planning Policy Framework (NPPF) and Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy 2014.

Note: The issue relating to the loss of trees on the site and therefore that consequentially has some impact on biodiversity is discussed in an earlier section of this report.

Heritage and Archaeology

Policy CS20 (Heritage and the Historic Environment) gives a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk. When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset's conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

Saved Policy TC7 (Other Archaeological Sites) of the Gravesham Local Plan First Review 1994 indicates that planning permission may be refused without adequate assessment of the archaeological implications in areas of archaeological potential. Similarly emerging policy HER4 in the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020 indicates that planning applications on sites where there is potential archaeological interest must be supported by an informed assessment of the asset and the impact of the proposal on its significance

At a national level paragraph 189 of the NPPF advises that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest (evidence of past human activity), local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

The application is accompanied by an Archaeological Heritage Asset Assessment by Souterrain Archaeological Services Ltd (ref SOU21-723) February 2021.

KCC Heritage and Conservation who were consulted on the application considers that the assessment is thorough and supports the understanding that the site has archaeological potential but recommends an archaeological condition for field evaluation as the past development of the site will have had some impact on any below-ground archaeological remains. The field evaluation would take the form of trial trenching which could be undertaken before or after demolition.

It is considered that the proposals in respect of archaeology will conform to national and local planning policy, subject to the recommended planning condition for field evaluation.

Construction and Contamination

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 indicates that new development will be located, designed and constructed to avoid adverse environmental impacts from pollution, including noise, air, odour and light pollution, and **land contamination**.

Paragraph 174 of the National Planning Policy Framework (NPPF) indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability; and
f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate

The application is accompanied by a Phase 1 Land Contamination Desk Study Report by ASL (ref 002-21-719-11) February 2021.

It is considered that this document covers any potential environmental and geotechnical risk issues and liabilities pertaining to the future development of the site.

It recommends that

An intrusive investigation is completed before commencement of any development works to assess the actual contaminative status of the ground at the site. The intrusive investigation is likely to comprise a series of boreholes and should include the installation of gas monitoring standpipes. Selected soil and leachate samples recovered during the intrusive investigation would be tested for a general suite of determinants.

The findings of the Explosive Ordnance Desk Top Study indicate that there is a low and medium risk in relation to the potential for UXO to be present at the site. Specific precautions are therefore required during the investigation and development of the site.

It is recommended that an asbestos survey is completed ahead of the demolition and site clearance works.

It is considered that adherence to the recommendations and requirements for additional work as set out in the applicants Phase 1 Land Contamination Desk Study Report should be included as a planning condition.

The Environment Agency have also requested a planning condition that if any unexpected contamination is discovered during development the Local Planning Authority may need to re-appraise the site proposals and re-consult us if there are risks to controlled waters identified. This is also similarly requested by GBC Regulatory Services (Environmental Protection).

Drainage, Flood Risk and Services

Policy CS18 (Climate Change) of the Gravesham Local Plan Core Strategy 2014 indicates in respect of flood risk that proposals in areas at risk of flooding must be accompanied by a Flood Risk assessment (FRA), while Policy CS19 (Development and Design Principles) advises that new development should be located, designed and constructed so as not to pose an unacceptable risk or harm to the water environment.

Paragraph 159 of the National Planning Policy Framework (NPPF) indicates that inappropriate development in areas at risk of flooding should be avoided. A sequential approach should be applied to the location of development (paragraph 161). Paragraph 167 indicates that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, while paragraph 169 advises that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The application site falls outside the higher flood risk zones (flood risk zone 2 or 3), according to the Environment Agency's Flood Map.

The application is nevertheless supported by a Flood Risk Assessment produced by Herrington Consulting Limited (dated January 2022). The drainage strategy for this site is to infiltrate via a soakaway, permeable paving is also proposed as a SuDS measure.

Kent County Council as Lead Local Flood Authority have no objection subject to planning conditions being imposed requiring details to be submitted before development commences of a detailed sustainable surface water drainage scheme for the site, verification report and infiltration scheme.

The Environment Agency have no objection to the proposal, based on the low risk of the previous uses, site setting, or proposed use identified in the report.

Southern Water have made a number of comments relating to SuDS and other matters including the proposed means of foul sewerage and surface water disposal all of which can be dealt with as informatives. There is no suggestion from them to suggest that existing drainage systems cannot cope with the additional development or that there is insufficient water supply.

The application is also accompanied by a Utility Services Report that covers electrical, potable water and gas surveys and telecommunications.

It is considered that the development can be properly serviced in accordance with policies CS18 (Climate Change) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

Sustainability, Energy Efficiency and Green Credentials

Adopted Gravesham Local Plan Core Strategy (LCPS) Policy CS18 (Climate Change) and the accompanying written text requires all development to support the transition to a low carbon future and ensure that they address issues relating to flood risk, sustainable drainage and water run-off, water demand and carbon reduction through building construction and energy supply systems. Policy CS19 (LPCS) requires (where relevant) that new development will provide carbon reduction and provision for low carbon and renewable imagery, minimising energy consumption and water use.

In respect of water efficiency Core Strategy Policy CS18 includes a requirement that all new homes should be built to at least level 3/4 of the Code for Sustainable Homes (105 litres per person per day). Non-residential developments are required to meet the BREEAM 'excellent' standards of water efficiency and include provision for the collection of rainwater.

The transition to a low carbon future in a changing climate is also a key environmental objective in the National Planning Policy Framework (paragraph 8) and with policies set out in section 14 (Meeting the challenge of climate change, flooding and coastal change). Paragraph 154 of the National Planning Policy Framework (NPPF) indicates that new development should be planned in ways that avoid increased vulnerability to the range of impacts arising from climate change and can help to reduce greenhouse gas emissions such as through its location, orientation and design.

In addition to the various sustainable transport measures outlined in this report (cycle parking, travel plan and electric vehicle charging) it is critical that the development of this scale and nature seeks to be an exemplar for and makes a real term impact in respect of sustainable construction and future use.

The application is accompanied by a Sustainability Report by Harniss Consulting, March 2021 and a BREEAM Pre-Assessment by Scott White and Hookins (Project No. 503396 Revision: 01) 24 March 2021.

It is indicated that it is the ethos of the development team to provide a care home that is sustainably designed and constructed to achieve a carbon reduction through a combination of energy efficiency, carbon compliance and sustainable solutions, which are in line with and exceeding current industry standards.

In respect of energy efficient solutions, the sustainability statement indicates the following:

- High efficiency heating systems.
- High efficiency DX / VRV cooling systems, where specified.
- High efficiency ventilation systems with heat recovery, where mechanical solution is required.
- Position plant to minimise pipe / cable / duct runs thus reducing system losses.
- High efficiency lighting with LED fitting used throughout.
- Intelligent lighting control utilising occupancy sensors and background lighting levels – where appropriate.
- Meter reading for energy and water consumption.

In respect of water use, the sustainability statement indicates the following:

- Metering of water consumption which will highlight any abnormal usage patterns and help in the creation of and subsequent tracking of consumption targets for water use minimisation.
- Sub-metering is proposed for individual system usage such as domestic hot water (where central system

is utilised).

- Automatic irrigation systems will not be provided as the landscaping design will seek to utilise low maintenance landscaping features and plant species.
- Water efficient / low flow appliances and fittings are proposed to further minimise water consumption.
- Recycling of water is not considered feasible and therefore is not proposed for this development.

The Planning Policy Statement says

The scheme will meet the best possible BREEAM standard of water efficiency. Whilst not a policy requirement, the applicant also commits to meeting an overall BREEAM rating of "very good" as set out in the accompanying BREEAM Pre-Assessment. The Council's policies seek an 'Excellent' rating in the BREEAM 'Water' Category. This is not considered feasible in the context of a care home development on the basis that restricted flow rates would have an impact on the performance of washing facilities and would not align with the high level of health and wellbeing of the residents and grey water feeding internal appliances are resisted by due to the risk of contamination within the home.

It is considered that the proposals in respect of energy and sustainability will conform to national and local planning policy, including policies CS18 (Climate Change) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

Waste and Refuse

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 indicates that new development will incorporate appropriate facilities for storage and recycling of waste.

It is a key environmental objective under paragraph 8 of the NPPF in respect of minimising waste. There is also separate Government planning policy for waste (PPS10 – Planning for Sustainable Waste Management).

Drawing AL(9)905 shows the Proposed Refuse Store for the proposed development and the application is also accompanied by a Waste Management Plan by TDC Architects (ref A202043 - Doc003). See extract below of drawing.

There will be separate receptacles on each floor and externally next to the electricity substation a waste storage area for ordinary waste, clinical waste and recycling.



The waste storage area will be 4m by 4.75m and 2.1m high (see visual across)

The Transport Statement supporting this application demonstrates how the access arrangements will provide safe access and egress for all users including emergency/refuse vehicles.

It is indicated that waste and refuse will be

collected by refuse vehicles using Aintree Close.

It is stated that it is Avery's intention to provide appropriate facilities for the adequate storage of both non-recyclable waste and recyclable waste. Adequate screened storage area for clinical waste prior to collection by the company's recognised waste management contractor for appropriate disposal. Composting area will be allocated to accommodate biodegradable waste collected subsequent to garden maintenance.

It is considered that the refuse arrangements conform with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

Fire Access

In response to the planning consultation Kent Fire and Rescue Service has indicated that emergency access provisions under the County of Kent Act 1981 can be achieved but require additional detail and point to requirements under the Building Regulations.

It is considered that their comments can be included as an informative to the planning decision.

The Kent Fire and Rescue Service comments do not indicate a requirement that the home includes a sprinkler system.

Security - Secured by Design

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 indicates that the layout of new development will create a safe and secure environment and provide surveillance to minimise opportunities for crime and vandalism. There is national guidance in the ODPM document titled "Safer Places; The Planning System and Crime Prevention" and statutory duties under Section 17 of the Crime and Disorder Act 1998.

The Design and Access Statement indicates that

- Access to the care home for the residents, staff and visitors is restricted to the main entrance from the corner of Ascot Road and Central Avenue
- Communal garden and external space of the care home is to be surrounded by landscaping and boundary fencing to provide an enclosed secure space for the residents.
- The format of the building elevations with large openings at all levels provides the high degree of surveillance over the external spaces
- The parking area would be illuminated during the hours of darkness
- CCTV will be installed as a continuation of the system operation on the proposed nursing home
- The care home is staffed 24/7 and therefore the risk of crime and vandalism would be reduced.
- Door to stairs will be security code operated by staff only.

The applicant's Operator Supporting Statement states that:

Safe, well designed external areas that provide a sense of security will also be incorporated.

The application has been reviewed by Kent Police who make a number of recommendations in relation to perimeter, boundary and divisional treatments, lighting, doorsets and windows, cycle storage and CCTV, and it is considered that these can be set out in an informative

Financial Considerations

In terms of other financial benefits, it is noted that these will accrue to the area as and when permissions are granted. The Government wishes to ensure that the decision-making process for planning applications is as transparent as possible, so that local communities are more aware of the financial benefits that development can bring to their area. In this instance the proposed development might potentially generate the New Homes Bonus and Council Tax receipts.

Other financial benefits would accrue to the local economy throughout the construction phase, potentially

generating local employment and consumption and in direct and indirect employment in the operational phase of the development.

Human Rights

The application has been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation below, is compatible with the Act.

Conclusions and Balancing Exercise

This planning application is for the demolition of the existing former public house building and redevelopment to provide a new 62 bed care home (Use Class C2) in a three-storey building together with associated access, car and cycle parking, structural landscaping, and amenity space provision.

It was the subject of extensive pre-application discussions that enabled issues and concerns to be identified at an early stage prior to the submission of a planning application. There was also an online exhibition prior to the submission of the planning application and design reviews undertaken with design input from the Council's external design advisors, Design South East.

Policy CS14 (Housing Type and Size) of the Gravesham Local Plan Core Strategy states, amongst other things, that 'sheltered housing and extra care housing for people with special needs will be supported on suitable sites in areas with access to a range of services that provide for the needs of future occupants' and the development accords with the aims of this policy.

The application site is reasonably well served by public transport, local services are easily accessible and there are no existing care home facilities within close proximity. A new care home in this location will therefore address the Council's spatial planning objectives and will help in delivering a broad mix of social community uses in the area.

It is agreed with the applicant's assessment that there is a significant quantitative and qualitative need for the proposed scheme to meet both current and projected need, particularly in respect of dementia care provision that gives significant weight to this public benefit when assessing the overall planning balance.

The housing need for Older Persons Care Accommodation is supported by the Council's Housing Development & Strategy Manager.

It is noted that in some of the neighbour representations in support of the development as well as even in neutral responses or some of the objections that local residents support the actual use as a care home and the local benefits that this could bring.

The development falls into category Use Class C2 (Residential Institutions) and is therefore exempt from the provision of affordable housing as per GBC Affordable Housing Planning policy CS16 on site or should provide a contribution towards off site provision.

It is indicated that there might be 50 full time equivalent jobs and 70 overall, and as a result of shift patterns there would be approx. 20 staff on site at any one time, which is significantly greater in terms of employment provision than the previous use of the existing building as a public house, estimated at a maximum of 20. There would also be associated opportunities for job creation including in the construction and through services to support the care home operation once operational. It accords with Gravesham Local Plan Core Strategy Policy CS07: Economy, Employment and Skills that seeks to enhance opportunities for all local people to access new jobs arising from the Council's employment policies.

Whilst the loss of the public house and a community facility is acknowledged the applicants suggest that whilst the public house is located to serve the surrounding residential area, it is evident that when it was previously operational, efforts to continue trading the public house as a viable business failed, notwithstanding a significant refurbishment and favourable rental terms.

The building as it stands could not be easily re-used or extended for the use as proposed as it would not be adaptable or economic to do so but there may be opportunities in the future to use the new building for local

community uses.

The development of this site for the use as proposed along with the demolition of the public house building is considered to be appropriate and a sustainable use within the local area.

The design, scale and layout of the proposed development seeks to respond positively to the site context, and while representing a pastiche of local design it will provide a quality development and will be a focal point for the community and a landmark building and the design has followed and responded to the design advice offered by Design South East (DSE). Subject to appropriate planning conditions it is considered that the design and layout and impact on local character is not at variance with local or national policy and notably Policy CS19 of the Gravesham Local Plan Core Strategy and Section 12, Paragraphs 126 - 136: Achieving well-designed places of the NPPF.

The design and layout will provide a good standard and quality of accommodation on the site and a high-quality environment for future residents in accordance with national and local planning policy.

The positioning of the building centrally within the site in order to retain good separation distances to the houses to the north, east and west and, where closest to its neighbours, to orientate the building to minimise the scope for directly facing windows has sought to address potential neighbour impacts. Although the building has three floors it is effectively only 2.5 storeys in height, and it would not be contrary to the GBC residential layout guidelines in terms of privacy distances or overshadowing. There have been no neighbour objections in respect of overlooking or loss of privacy with the only amenity concerns relating to potential noise from any generators/extractors or odours from cooking, and these matters can be addressed through planning conditions.

Whilst it is recognised that there is a slight diminution of open space at what is a well-used albeit small local play area because the development will include land within the ownership of the applicant that has been for many years maintained by the Borough Council, it is agreed with the applicants, as set in the supporting Planning Statement, that in this case the proposed landscaping of this space, the introduction of new tree planting, the incorporation of sensitive boundary treatments and a programme of tree management, will enhance the overall quality and backdrop of the retained open space and on balance there is no planning objection to this element of the proposals and subject to planning conditions no overall conflict with local or national planning policy. It is considered that this will not compromise the overall quality of the remainder of the open space.

There is some loss of existing trees on the site, but they are not particularly good specimens and have been poorly managed in recent years and the development will incorporate good-sized landscaped amenity spaces including opportunities for the planting of new trees, shrubs and flowers to enhance seasonal interest and ecological net gain.

In respect of highways, parking and access matters whilst the neighbour concerns are acknowledged and understood in relation to parking provision, the evidence presented suggests that the level of parking provision should be sufficient on site to meet the parking demand from the development, but this will need to be supplemented by other requirements through planning conditions including a full and effective travel plan, cycle parking provision and a Car Parking Management Plan. There are now no highway objections from the GBC Highways Development Management Officer or KCC Highways and Transportation, as the relevant highway authority.

All other material planning considerations, including Ecology and Biodiversity, Heritage and Archaeology; Construction and Contamination, Drainage/Flood Risk/Services, Sustainability, Energy Efficiency and Green Credentials, Waste & Refuse, Fire Access, Security - Secured by Design, etc., have been considered and fully assessed and can be addressed through planning conditions and informatives.

The proposed development of this sustainable site represents a carefully considered scheme that is in accordance with local and national policy. It provides an acceptable use for this site and will bring forward positive social, economic, environmental and community benefits and can be supported.

In respect of the recommended planning conditions these have been discussed with the applicant's agents and where possible some amendments have been made to address their comments.

No planning obligations or financial contributions have been deemed to be necessary in this case.

Recommendation:

PERMISSION subject to conditions, reasons and informatives

CONDITIONS AND REASONS

Time Limit Condition

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: In pursuance of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans and Particulars

2. The development hereby permitted shall be carried out only in precise accordance with the following approved details, plans and specifications:

Proposed Plans

Drawing AL(9)901 Rev E: Proposed Site Layout Plan
Drawing AL(1)101 Rev C: Proposed Ground Floor Plan
Drawing AL(1)102 Rev C: Proposed First Floor Plan
Drawing AL(1)103 Rev C: Proposed Second Floor Plan
Drawing AL(1)104 Rev C: Proposed Roof Plan
Drawing AL(1)140 Rev C: Proposed Elevations Sheet 1 (East and North)
Drawing AL(1)141 Rev C: Proposed Elevations Sheet 2 (West and South)
Drawing AL(1)160: Site Sections
Drawing AL(9)902: Proposed Site Plan Building - Sun Path Analysis (trees omitted)
Drawing AL(9)903: Proposed Boundary Treatments and Signage
Drawing AL(9)904: Proposed Cycle Stores - Visitors and Staff
Drawing AL(9)905: Proposed Refuse Store
Drawing AL(1)120: Proposed Materials Board

Documents

Planning Application and certificates by QED Planning
Covering Letter by QED Planning (ref 18118) dated 28 January 2022
Planning Policy Statement by QED Planning (ref 18118) January 2022
Statement of Community Involvement by becg, March 2021
Design and Access Statement by TDC Architects (ref A202043 Doc001), March 2021
Landscaping Design Plan by PDP Landscape and Urban Design Ltd (Drawing No CAG L1 Rev A), February 2021
Landscape Design Strategy by PDP Landscape and Urban Design Ltd, February 2021
Care Needs Assessment by Healthcare Property Consultants, February 2021
Operator Supporting Statement by TDC Architects (A202043 - Doc005)
Waste Management Plan by TDC Architects (ref A202043 - Doc003)
Crime Prevention Statement by TDC Architects (ref A202043 - Doc004)
Public House Viability Report by James A Baker Surveyors 10 February 2021
Arboricultural Report by Andrew Day Arboricultural Consultancy Ltd, 26 February 2021
Tree Protection Plan by Andrew Day Arboricultural Consultancy Ltd, 26 February 2021
Transport Statement by Bancroft Consulting (Revision D), June 2022
Transport Technical Note by Bancroft Consulting, May 2022
Framework for Green Travel Plan by TDC Architects, February 2021
Flood Risk Assessment and Drainage Strategy by Herrington Consulting Ltd January 2022
BREEAM Pre-Assessment by Scott White and Hookins (Project No. 503396 Revision: 01)
24 March 2021

Sustainability Report by Harniss Consulting, March 2021

Phase 1 Land Contamination Desk Study Report by ASL (ref 002-21-719-11) February 2021

Preliminary Ecological Appraisal by Andrew Day Arboricultural Consultancy, February 2021

Archaeological Heritage Asset Assessment by Souterrain Archaeological Services Ltd (ref SOU21-723) February 2021

Utility Services Report by Harniss Consulting, March 2021

and those approved pursuant to any conditions contained herein after and there shall be no deviation therefrom.

Reason: In order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Construction and Contamination

Code of Construction Practice/Construction Management Plan

3. No works shall commence on site until a comprehensive Code of Construction Practice/Construction Management Plan covering all environmental impacts of this development has been submitted to and approved in writing by the Local Planning Authority.

The Code of Construction Practice/Construction Management Plan shall include details, where relevant, of the following, including any other measures deemed reasonably necessary:

- (a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery
- (b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery
- (c) A Construction Traffic Management Plan covering:
 - Details of numbers and routing of construction and delivery vehicles to / from site
 - Timing of deliveries
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - Type and location of wheel washing and chassis cleaning facilities
 - Temporary traffic management / signage
- (d) Details of the location of the proposed construction compound
- (e) Details of security fencing and other site security measures
- (f) Details of stockpile areas for building materials or for fill or removed topsoil
- (g) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage
- (h) Ecological mitigation measures
- (i) Measures to be undertaken to protect any public sewers and water apparatus
- (j) Details of vibration monitoring and mitigation during any necessary piling works
- (k) Details of the location, form and visual appearance of any site hoardings along road frontages and footpaths
- (l) Details of temporary construction or security lighting; and
- (m) Monitoring and review provisions with the Local Planning Authority

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason: To ensure that construction of the development does not result in avoidable congestion on the local highway network, and to protect the amenity of local residents and businesses and protected species and to mitigate the risks to groundwater, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS11 (Transport), CS12 (Green Infrastructure) and CS19 (Development and Design Principles).

Hours of Construction

4. No construction activities in connection with the development of the site including any preparatory earthworks or demolition works shall take place on site except between the following times:

07.30 a.m. and 6.00 p.m. on Weekdays
08.00 a.m. and 1.00 p.m. on Saturdays

No construction activities shall take place at any other time including Sundays, Bank or Public Holidays, without the prior approval of the Local Planning Authority having first been obtained.

Reason: In the interests of residential amenity and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

Contaminated Land - Desk Study Report

5. The development of the site as hereby permitted shall be carried out in accordance with the findings and recommendations of the Phase 1 Land Contamination Desk Study Report by ASL (ref 002-21-719-11) February 2021, accompanying this application, including the recommendations for further work in terms of intrusive investigation, likely to comprise a series of boreholes and which should include the installation of gas monitoring standpipes, the requirement for specific precautions during the investigation and development of the site in relation to the potential for UXO to be present at the site, and the recommendation that an asbestos survey is completed ahead of the demolition and site clearance works.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework (2021) and to accord with Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

Unsuspected Contamination

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework (NPPF), 2021.

Archaeology

7. No development other than demolition to ground level only shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

- i. archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
- ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS19: Development and Design Principles and CS20 (Heritage and the Historic Environment), saved Gravesham Local Plan First Review Policy TC7 and section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (NPPF), 2021.

Drainage

Sustainable Surface Water Drainage Scheme

8. No development other than demolition works shall take place until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment (ref. 3085) and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in full accordance with the approved details before the first occupation of the development.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development and pursuant to the requirements of paragraph 169 of the National Planning Policy Framework (NPPF), 2021.

Verification Report

9. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 169 of the National Planning Policy Framework (NPPF), 2021.

Infiltration

10. Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework (NPPF), 2021.

Restrictions and Limitations on the Use of and Operation of the Development

Restrictions on Use as C2 - Residential Institutions

11. The use of the building as hereby permitted shall be for a residential care home for the elderly and for

no other purpose including any other purpose within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987, as amended.

For the avoidance of doubt, it is expected that the nature of the occupancy is to provide residential care needs for the frail, elderly with complex physical and care needs, such that residents will not be active and will, under the terms of the management of the scheme, not be allowed to have or keep pets on the site or have access to or the use of motor vehicles or vehicle parking spaces on the site.

Reason: In order that any other uses of the building hereby permitted may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to traffic generation and safety, parking demand, the amenity of the site and the prevailing planning policies and in particular pursuant to policies CS02 (Scale and Distribution of Development), CS11 (Transport, CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and saved policies T1 (Impact of Development on the Highway Network), P3 (Vehicle Parking Standards) and T5 (New Accesses onto Highway Network) of the Gravesham Local Plan First Review (1994).

Design and Detailed External Appearance

Submission of Details of Ground Levels and Floor Levels

12. Notwithstanding the details shown in the approved drawings or other supporting documents no works in connection with the development, other than demolition works, shall commence until full details of any proposed earthworks or changes to ground levels on the site including details of any earth retention measures have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of the development.

Reason: No such details have been submitted and to ensure the development contributes to local character and local visual amenity and protects the privacy and amenity of adjoining premises and pursuant to Policy CS19: Development and Design Principles of the Gravesham Local Core Strategy and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF).

Materials

13. The development hereby permitted shall be implemented fully in accordance with the details and finishes as set out in Drawing AL(1)120: Proposed Materials Board before it is first brought into use.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Details of Plant and Equipment

14. Notwithstanding the details in the approved detailed drawings, no development above ground level, shall take place until full details of the installation of any external plant and servicing equipment on the building including roof top plant, lift overruns, solar PV or solar thermal equipment and kitchen extraction equipment or other ventilation have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include the siting, external appearance and any proposed screening. Those works shall thereafter be carried out in accordance with the approved details, to be completed prior to first occupation of the building and retained thereafter.

Reason: In the interest of the amenities of residential properties and the area generally and in accordance with Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

Noise Control

15. Prior to the commencement of any above ground works, a comprehensive Noise Management Plan covering all potential noise from the new developments and its residents and how it will be controlled on an ongoing basis is provided by the applicant and submitted for approval to the Local Planning Authority. No above ground works shall commence until approval of this report has been given by the Local Planning Authority.

Reason: To protect the amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014) and paragraph 185 of the National Planning Policy Framework (NPPF), 2021.

External Lighting

16. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans full details of all proposed external lighting set out in a lighting management plan shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details and no additional external lighting shall thereafter be provided on the site without the prior written permission of the Local Planning Authority.

Reason: In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Highways Access and Parking

Parking Provision

17. Prior to the first occupation of the development hereby permitted the vehicle parking and turning areas, shall be formed, surfaced, drained and marked out in accordance with the details as shown in drawing no AL(9)901 Rev E: Proposed Site Layout Plan; thereafter, and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas.

Reason: To ensure sufficient off-street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014), saved Policy P3 of Gravesham Local Plan First Review (1994) and the adopted vehicle parking standards (SPG 4).

Car Parking Management Plan

18. A Car Parking Management Plan shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the building hereby permitted. The Car Park Management Plan should contain as a minimum, the number, location and allocation of bays (including electric vehicle charging allocation), management, including 'right to park' scheme, parking restrictions, visitor parking, accessibility and parking for delivery vehicles, minibuses and emergency services, monitoring and enforcement procedures, and on-street parking deterrents. The measures within the approved Car Park Management Plan shall be implemented and adhered to in perpetuity unless any variation is agreed in writing by the Local Planning Authority through any submission pursuant to this condition.

Reason: In the interests of highway safety and pedestrian safety and having regard to Policy CS11: Transport, of the Gravesham Local Plan Core Strategy (September 2014), saved Policy P3 of Gravesham Local Plan First Review (1994) and the adopted vehicle parking standards (SPG 4).

Cycle Parking Provision and Retention

19. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans full details of the cycle storage facilities shall be submitted to and approved in writing

by the Local Planning Authority. The storage facilities should be secure and weatherproof and well-lit, and the details shall show that there is adequate provision for staff to shower, change and suitably store wet clothes. The approved cycle facilities shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

Reason: To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS19: Development and Design Principles and the adopted vehicle parking standards (SPG 4).

Electric Vehicle (EV) Charging Points

20. The development hereby permitted shall ensure that at least 10% of the parking spaces are provided with Electric Vehicle (EV) charging points and a further 10% are provided with passive provision i.e., cabling / ducting. Each charging point should be able to accommodate a useable supply of 7kW. Such provision shall be implemented prior to the first occupation of the development hereby permitted, and thereafter permanently retained and maintained.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS18: Climate Change and Policy CS19: Development and Design Principles.

Travel Plan

21. Notwithstanding the details in the Framework for Green Travel Plan (February 2021) accompanying the application, no part of development shall be brought into use until a full and final workplace Travel Plan, detailing the measures designed to help and thereafter maintain a modal shift in favour of reduced reliance on private car usage for travel to and from the development, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, amongst other things, the appointment of a Travel Plan Co-ordinator, objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. All elements of the Travel Plan shall continue to be implemented at all times following its approval for as long as any part of the development is occupied or used.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport and Section 9: Promoting Sustainable Transport of the National Planning Policy Framework (NPPF).

Access and Visibility

22. Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to that Order in any statutory instrument replacing, revoking or re-enacting that Order with or without modification) the vehicle visibility splays to the reconfigured vehicular access to the site on to Ascot Road as shown in drawing no F20176/01 Rev B accompanying the revised Transport Statement by Bancroft Consulting (Revision D), June 2022, and also including 2m by 2m pedestrian visibility splays on either side of the access shall be cleared of all obstructions over 1.05m above the level of the adjoining highway, including the reduction in level of the land if necessary. Nothing over that height shall be permitted to remain, be placed, built, planted or grown within the approved vehicle and pedestrian visibility splays at any time.

For the avoidance of doubt the existing secondary access from Aintree Close shall be permanently closed to vehicular traffic before the care home hereby permitted is first brought into use with only refuse collections from the care home being undertaken from Aintree Close via a pedestrian gated access only.

Reason: To ensure the safety of pedestrian and highway users in accordance with Policy CS11: Transport, of Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network of the Gravesham Local Plan First Review (November 1994).

Prohibition on Gates

23. No gates shall be installed across the reconfigured vehicular access to the site on to Ascot Road or across the access drive serving the car parking area to the proposed care home, as hereby permitted, at any time.

Reason: In the interests of highway safety and to avoid vehicles waiting in the road while gates are opened or closed and pursuant to Policy CS11: Transport of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network of the Gravesham Local Plan First Review (November 1994).

Landscaping and Trees

Soft Landscaping

24. Prior to the first occupation of the development hereby approved the proposed soft landscaping for the site shall be carried out in accordance with the details as shown in the Landscaping Design Plan by PDP Landscape and Urban Design Ltd (Drawing No CAG L1 Rev A), February 2021. The developers shall ensure that proper arrangements are put in place for the maintenance and aftercare of the proposed soft landscaping and any retained and remediated trees through a site-wide arboricultural maintenance strategy that shall be submitted for approval of the Local Planning Authority before the first occupation of the development.

Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season.

For the avoidance of doubt any existing more recently planted trees within that part of the application site that has been managed and maintained by the Borough Council as part of the Central Avenue open space shall be incorporated into the applicants landscaping scheme, either in situ or in an alternative location, and afforded protection in accordance with the terms of condition 26 of this permission.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Hard Landscaping

25. Prior to the first occupation of the development hereby approved the proposed hard landscaping for the site shall be carried out in accordance with the details as shown in the Landscaping Design Plan by PDP Landscape and Urban Design Ltd (Drawing No CAG L1 Rev A), February 2021 and drawing no AL(9)901 Rev E: Proposed Site Layout Plan. The developers shall ensure that proper arrangements are put in place for the maintenance and aftercare of the hard landscaping.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Tree Protection and Tree Works/Removal

26. All retained trees on the site and other vegetation shall be protected during construction in accordance with the tree protection measures as detailed in the Arboricultural Report and Tree Protection Plan by Andrew Day Arboricultural Consultancy Ltd, 26 February 2021. No vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s). Upon completion of the construction works and before the first occupation of the development on the site the trees shall be inspected by a competent tree surgeon and any necessary works to tidy the trees and maintain their health shall be undertaken.

For the avoidance of doubt only those trees listed in the Arboricultural Report and Tree Protection Plan as G1, T1, T5, T6 - T10 and Part of G2 which is on site, shall be removed to facilitate the development. Only

remedial works as indicated in the Arboricultural Report by Andrew Day Arboricultural Consultancy Ltd, 26 February 2021 shall be undertaken to the retained trees.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Ecology/Biodiversity Provision

27. Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. This will include the recommendations in section 7.0 of the Preliminary Ecological Assessment (Andrew Day Arboricultural Consultancy February 2021). The approved details shall be implemented before the first occupation of the development and thereafter retained.

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES: -

1 STATUS OF SUBMITTED PLANS AND DOCUMENTS

Plans and Documents submitted for Approval

For the avoidance of doubt the following plans and documents were submitted in support of the application for approval and were taken into account in making the decision:

Existing Plans

Drawing AL(9)900: Site Location Plan
Drawing AL(9)906: Existing Site Plan

Proposed Plans

Drawing AL(9)901 Rev E: Proposed Site Layout Plan
Drawing AL(1)101 Rev C: Proposed Ground Floor Plan
Drawing AL(1)102 Rev C: Proposed First Floor Plan
Drawing AL(1)103 Rev C: Proposed Second Floor Plan
Drawing AL(1)104 Rev C: Proposed Roof Plan
Drawing AL(1)140 Rev C: Proposed Elevations Sheet 1 (East and North)
Drawing AL(1)141 Rev C: Proposed Elevations Sheet 2 (West and South)
Drawing AL(1)160: Site Sections
Drawing AL(9)902: Proposed Site Plan Building - Sun Path Analysis (trees omitted)
Drawing AL(9)903: Proposed Boundary Treatments and Signage
Drawing AL(9)904: Proposed Cycle Stores - Visitors and Staff
Drawing AL(9)905: Proposed Refuse Store
Drawing AL(1)120: Proposed Materials Board

Documents

Planning Application and certificates by QED Planning
Covering Letter by QED Planning (ref 18118) dated 28 January 2022
Planning Policy Statement by QED Planning (ref 18118) January 2022
Statement of Community Involvement by becg, March 2021
Design and Access Statement by TDC Architects (ref A202043 Doc001), March 2021
Landscaping Design Plan by PDP Landscape and Urban Design Ltd (Drawing No CAG L1 Rev A), February 2021
Landscape Design Strategy by PDP Landscape and Urban Design Ltd, February 2021
Care Needs Assessment by Healthcare Property Consultants, February 2021
Operator Supporting Statement by TDC Architects (A202043 - Doc005)

Waste Management Plan by TDC Architects (ref A202043 - Doc003)
Crime Prevention Statement by TDC Architects (ref A202043 - Doc004)
Public House Viability Report by James A Baker Surveyors 10 February 2021
Arboricultural Report by Andrew Day Arboricultural Consultancy Ltd, 26 February 2021
Tree Protection Plan by Andrew Day Arboricultural Consultancy Ltd, 26 February 2021
Transport Statement by Bancroft Consulting (Revision D), June 2022
Transport Technical Note by Bancroft Consulting, May 2022
Framework for Green Travel Plan by TDC Architects, February 2021
Flood Risk Assessment and Drainage Strategy by Herrington Consulting Ltd January 2022
BREEAM Pre-Assessment by Scott White and Hookins (Project No. 503396 Revision: 01)
24 March 2021
Sustainability Report by Harniss Consulting, March 2021
Phase 1 Land Contamination Desk Study Report by ASL (ref 002-21-719-11) February 2021
Preliminary Ecological Appraisal by Andrew Day Arboricultural Consultancy, February 2021
Archaeological Heritage Asset Assessment by Souterrain Archaeological Services Ltd (ref SOU21-723)
February 2021
Utility Services Report by Harniss Consulting, March 2021

Plans and Documents submitted for Information

For the avoidance of doubt the following plans and documents were submitted in support of the application for information and were taken into account in the determination of the application:

Drawing AL(1)150: Artists Impression Sheet 1
Drawing AL(1)151: Artists Impression Sheet 2
Drawing AL(1)152: Artists Impression Sheet 3
Drawing AL(1)153: Artists Impression Sheet 4

2 DEVIATION FROM THE APPROVED PLANS

Deviation from or amendment to the approved plans could require a further application and permission/consent. In the event that any change is proposed, applicants and builders are advised to seek advice from the Local Planning Authority. Proceeding without the necessary permissions or consents could result in enforcement action.

3 BUILDING REGULATIONS AND PARTY WALL ACT 1996

This decision **DOES NOT** imply any consent which may be required under the Building Regulations or under any enactment or provision other than Section 57 of the Town and Country Planning Act 1990. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996. This legislation is not taken into account when determining a planning application and independent advice should be taken in this regard.

4 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

This has involved extensive discussions and negotiations during the processing of the planning application in a collaborative manner in order to address the various consultation responses and neighbour concerns.

The original proposals were also the subject of a pre-application enquiry that enabled issues and concerns to be identified at an early stage prior to the submission of a planning application.

5 BREEDING BIRD INFORMATIVE

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.

6 LIGHTING ADVICE

The applicants are advised of the following advice from Gravesham Borough Council Environmental Protection:

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

7 KENT COUNTY COUNCIL (KCC) HIGHWAYS AND TRANSPORTATION

It is important to note that planning 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 planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, 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 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 formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. 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.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that 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.

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

8 UTILITIES

It should not be automatically assumed that permission will be given for utility services to be placed within the public highway, and early contact should be made with Kent County Council at roadworkswest@kent.gov.uk. This will enable a proper consideration of available options in order that the optimum solution can be determined.

9 KENT POLICE CRIME PREVENTION DESIGN ADVICE

The applicants are encouraged to incorporate or address all the matters and recommendations raised in the design advice from Kent Police (ref G/20220207/EH/G-260, dated 22 March 2022) with regard to Crime Prevention Through Environmental Design (CPTED) and are recommended to ensure the use of Secured by Design (SBD) Homes 2019 for Designing Out Crime, Crime Prevention and Community Safety and to meet the Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

Kent Police Designing out Crime Officer advise that site security is required for the construction phase. There is a duty for the principal 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.

Kent Police would welcome a discussion with the applicant/agent about site specific designing out crime. Please note that Kent Police no longer assist with BREEAM applications so it will be up to the applicant to find an independent assessor.

10 SOUTHERN WATER ADVICE

Southern Water advise:

Southern Water has undertaken a desktop study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water.

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>

https://www.ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The developer can discharge surface water flow no greater than existing levels if proven to already be connected and it is ensured that there is no overall increase in flows into the surface water system. The developer will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises.

It should be noted that under the Water Industry Act 1991 it is an offence to "throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer... any matter likely to injure the sewer or drain or to interfere with the free flow of its contents."

Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Please note that there is a private communication main crossing the development site.

Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: <https://www.southernwater.co.uk/> by email at: SouthernWaterPlanning@southernwater.co.uk

11 SUPERFAST FIBRE OPTIC BROADBAND

Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high-speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk

12 SMOKE CONTROL AREA

The proposed development is situated in a Smoke Control Area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without

emitting smoke. They must be fitted and used according to manufacturer's instructions, and they can only be used for the fuel for which they are designed.

When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services by emailing: air.quality@gravesham.gov.uk

13 KENT FIRE AND RESCUE SERVICE

Kent Fire & Rescue Service advise that although it appears access to the proposed building under the County of Kent Act 1981 can be achieved, you will need to ensure that once on site there is vehicle access for a pump appliance to within 45m of every point of the footprint of the building or 15% of the perimeter. If the above cannot be achieved, then fire mains will be required in accordance with paragraph 16.3 of ADB Vol 2.

In the event of planning permission being granted the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

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.

14 LOCAL EMPLOYMENT

The applicants shall use its best endeavours to ensure the implementation of local employment initiatives in both the construction stage and the operational stage of the care home as hereby permitted including:

- Appointment of a Local Employment Scheme Co-ordinator.
- Detail of targets and commitments for employing local workforce on construction of the development
- Indication of how jobs are to be marketed promoted and advertised and how the local workforce will be engaged
- Details of training opportunities
- Promotion of the local supply chain

15 COMMUNITY USE

The applicants shall use its best endeavours to ensure that there are opportunities for the local community to use the function areas of the care home building for future community use.

16 SIGNAGE

Notwithstanding the details as shown in Drawing AL(9)903: Proposed Boundary Treatments and Signage, the applicants are advised that this permission does not give consent for the display of any advertisements in connection with the development either on the site or the building for which separate consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, as amended, may be required.

17 PRE-COMMENCEMENT CONDITIONS

Pursuant to the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 introduced on 1 October 2018 the following planning conditions (conditions 3, 5, 7, 8 and 12) attached to this permission are pre-commencement conditions and have been agreed as such by the applicants.

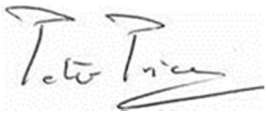
It is agreed that the requirements of those planning conditions (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site.

18 NAMING AND NUMBERING

As a result of the changes to this land/property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council, and the schedule of charges is enclosed, which should be used for your application. Please submit the application and the requisite fee in accordance with the guidance on the form. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.local.gravesham.gov.uk/>

Case Officer:	Mr Peter Price	Team Leader:	Faye Hobbs
Signed:		Signed:	
Dated:	11 July 2022	Dated:	13 July 2022