



Delegated Report

Application No:	20240821
Location:	Bowling Green, Church Walk, Gravesend DA12 2QU
Description:	Application for the approval of conditions 12, 17, 19, 21 and 22 attached to planning permission reference number 20221328 relating to details of (12) Boundary Treatments, (17) Travel Plan, (19) Soft Landscaping, (21) External Lighting and (22) Hard Landscaping.
Applicant:	Mr Amit Rabheru, McCarthy & Stone Retirement Lifestyles Ltd

Submitted Documents/Plans

Application form
Specification for Planting and Soft Landscaping Works by New Leaf Studio
Workplace Travel Plan by DHA Planning
External lighting plan
Drawing no. LSE-2821-04-LA-MCS781-Drg 06 rev P2 (landscape general arrangement)
Drawing no. LSE-2821-04-AC-366 (boundary treatment)
Drawing no. LSE-2821-04-LA-MCS781-Drg 12 P2 (detailed planting sheet 1 of 3)
Drawing no. LSE-2821-04-LA-MCS781-Drg 13 rev P2 (detailed planting sheet 2 of 3)
Drawing no. LSE-2821-04-LA-MCS781-Drg 14 rev P2 (detailed planting sheet 3 of 3)

Relevant Planning History

20221328 Demolition of existing bowls pavilion and erection of a 4-storey building to provide a 62-unit Use Class C2 retirement living complex, with a new access from Ellerslie, a new emergency access off Ellerslie, parking, landscaping and associated works.

Approved 12 January 2024

Consultations, Publicity and Representations

KCC Highways Officer

Based on the information provided we are satisfied that this application meets the requirements as outlined in Condition 17 and would raise no objection on behalf of the highway authority.

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

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a

given because LPA planning permission has been granted.

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

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

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

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

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

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

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

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

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

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

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

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

KCC Biodiversity

We have reviewed the submitted documents in relation to conditions 12, 17, 19, 21 and 22 attached to planning permission reference number 20221328 and advise that sufficient information has been provided to discharge conditions 19 and 21. We have not considered conditions 12, 17

or 22 as they do not appear to relate to ecology.

Condition 19: Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied, full details of soft landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare.

Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following 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 type during the next available planting season. The development shall be carried out in accordance with the approved details before the first occupation of the development and be maintained thereafter.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

The submitted landscaping specifications/plans contain full planting details for the site; the subcontractor responsible for planting is bound to a maintenance/defects liability period of 12 months, but full management measures for a five-year period are not included. This is expected to be submitted under condition 20, which requires submission of a full Landscape and Ecological Management Plan within three months of works commencing; this will need to contain details of ecological enhancements and more detailed management measures for onsite landscaping/biodiversity features. As such, we recommend condition 19 is discharged.

Condition 21: Prior to the installation of any external lighting, a lighting design plan for biodiversity shall be submitted to, and approved in writing by, the local planning authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not adversely impact biodiversity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Reason: To ensure the impact on bats and other nocturnal wildlife is limited in accordance with policy CS12 of the Gravesham Core Strategy 2014 and Section 15 of the National Planning Policy Framework 2023.

The submitted lighting plans appear to limit light spill with primary use of <2700k LED luminaires, use of recessed/downward-facing fixtures where possible and zero upward tilt. As such, we advise that the condition wording is satisfied and condition 21 can be discharged.

Analysis

Condition 12 states:

Notwithstanding the details shown on the approved plans, submitted documents and application form, and prior to the occupation of the building herein approved, full details of all boundary treatments, including their design, height and materials, and the access thereto including similar details of any vehicular or pedestrian gates to the access and communal areas of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the dwellings hereby permitted are first occupied and thereafter maintained.

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 (2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2023.

The applicant has provided drawing no. LSE-2821-04-LA-MCS781-Drg 06 in support of discharging this condition. This drawing shows a 1.8m high palisade fence with matching gates to join the ball-stop fence at the Church Walk corner and Ellerslie corner; a 3m high welded mesh type 'ball stop fence' with 5m high heavy duty sports net above in dark green along the southern boundary; a 1.9m high close boarded fence to surround the substation (in its new location fronting Church Walk; and 1.5m high vertical bar railings painted grey to surround the remainder of the site. There will also be a low level retaining wall at the entrance and handrails to the footpaths. Drawing no. P2 and LSE-2821-04-AC-366 also shows the proposed boundary treatment but lists the front as being finished in black rather than slate grey and has some discrepancies in height (1.4m v. 1.5m). Overall the details are similar and all are considered acceptable for the site (with regards to the substation the details are acceptable in the originally proposed location and acceptable in the newly proposed location at Church Walk 20240970). This condition can be discharged.

Condition 17 states:

Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied, 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. The development shall be carried out in accordance with the approved details before the first occupation of the development and be maintained thereafter.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policy CS11 of the Gravesham Local Plan: Core Strategy (2014) and Section 9: Promoting Sustainable Transport of the National Planning Policy Framework (NPPF).

The applicant has submitted a Workplace Travel Plan by DHA Planning in support of this application to discharge condition 17. The details provided are acceptable and this condition can be discharged.

Condition 19 states:

Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied, full details of soft landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare.

Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following 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 type during the next available planting season. The development shall be carried out in accordance with the approved details before the first occupation of the development and be maintained

thereafter.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

The applicant has submitted plan no. LSE-2821-04-LA-MCS781-Drg 06 P2 in support of discharging this condition together with plan nos. LSE-2821-04-LA-MCS781-Drg 14 P2, LSE-2821-04-LA-MCS781-Drg 13 P2 and LSE-2821-04-LA-MCS781-Drg 12 P2 which show more detail and a planting schedule. The Specification for Planting and Soft Landscape Works contains details of the planting and its ongoing maintenance. The submitted details are acceptable and this condition can be discharged.

Condition 21 states:

Prior to the installation of any external lighting, a lighting design plan for biodiversity shall be submitted to, and approved in writing by, the local planning authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not adversely impact biodiversity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Reason: To ensure the impact on bats and other nocturnal wildlife is limited in accordance with policy CS12 of the Gravesham Core Strategy 2014 and Section 15 of the National Planning Policy Framework 2023.

The applicant has submitted plan no. LSE-2821-04-LA-MCS781-Drg 06 P2 and a lighting plan in support of discharging this condition. The proposed lighting limits light spill and uses recessed/downward-facing fixtures where possible and therefore the condition wording is satisfied and condition 21 can be discharged.

Condition 22 states:

Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied, a scheme of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the details shall include the following:

- *delivery /drop off areas;*
- *hard surface finishes to the vehicle parking area,*
- *pedestrian accesses, footpaths and amenity areas;*
- *communal garden and;*
- *any private garden areas*

The development shall be carried out in accordance with the approved details before the first occupation of the development and be maintained thereafter.

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 and CS20 of the Gravesham Local Plan: Core Strategy (2014).

The applicant has submitted plan no. LSE-2821-04-LA-MCS781-Drg 06 P2 in support of discharging this condition. The plan shows the majority of the hard surfaced areas to be used for vehicles to be 'brindle' permeable concrete black pavers. The remainder will be 'oat' paving slabs used for shared surfaces and patios. Concrete block paving in a 'bracken' colour will serve the middle section of the pergola outside the bistro/lounge. The path through the site will be finished

in an asphalt concrete surface. All the proposed hard surfaces are acceptable and this condition can be discharged.

Recommendation:

Discharge conditions 12, 17, 19, 21 and 22 of 20221328.

See draft Decision

Case Officer: Alison Webster	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 12 November 2024	Dated: 12 th November 2024