



Delegated Report

Planning Application

Application no: 20221091

Location: Ascot Arms Central Avenue Gravesend Kent

Description: .*Revised Description.*
Application for approval of conditions 3 and 7(i) attached to planning permission reference number 20220207 relating to a comprehensive Code of Construction Practice/Construction Management Plan covering all environmental impacts of this development, and the implementation of archaeological field evaluation works.

Applicant: Mr Adrian Doyle, Avery Healthcare Group

Site Visit Date: Desktop only

Site Description 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 but prior to that it was run as a public house and at one time was the Central Pub and Hotel. More recently in the last month it has been made more secure by installation of metal shutters to windows and Heras fencing to the car park. The application site is shown by the red line in the site plan below.



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.

The site was the subject of a recent planning permission (ref 20220207) for demolition of the existing 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. Work is to shortly commence on the site to implement the care home permission.

Planning History

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	Withdrawn	23.09.1977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
20220207	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.	Permission	13.07.2022

Proposal

The application as originally submitted was for approval of condition 3, 7, 8 and 12 attached to planning permission reference number 20220207 relating to a comprehensive Code of Construction Practice/Construction Management Plan covering all environmental impacts of this development, the implementation of archaeological field evaluation works, a detailed sustainable surface water drainage scheme and full details of any proposed earthworks or changes to ground levels.

This has since been revised to an application for approval of just conditions 3 and 7.

Submitted Plans and Documents, as originally submitted

Application Form for Approval of Details Reserved by Condition

Drawing No 22 026 - ARC - XX - XX - DR - C - 0601 - T2: External Works - General Arrangement

Drawing No 22 026 - ARC - XX - XX - DR - C - 0651 - T2: External Works - Kerb Details

Proposed Logistics Plan by Jenner Contractors Ltd

Code of Construction Practice/Construction Management Plan by Jenner Contractors Ltd dated 26th September 2022

Scheme Of Investigation for an Archaeological Evaluation by Souterrain Archaeological Services Ltd,

Development Plan and other related Planning Policies and Guidance

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)*

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

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

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS11: Transport
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 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.

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.

Section 2, Paragraphs 7 - 14: Achieving sustainable development
Section 4, Paragraphs 38 - 59: Decision Making
Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport
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)

Consultations, Publicity and Representations

Consultations - Internal

GBC - Highways Officer

Drainage. The proposals seem acceptable, particularly if there is an overflow from the surface water system to the surface water sewer with the water utilities approval. Page 24 of the Drainage_Report states: -

To remove the possibility of runoff discharging offsite in an uncontrolled way during an exceedance or blockage event, it is possible to incorporate an overflow control within the permeable surfacing system. This could direct excess water into the public sewer system rather than allowing the sub-base surcharge and overflow.

The issue of foul drainage is a matter for Southern Water as the water utility to ensure there is adequate capacity in the system for the discharge from the development or the system can be upgraded to accommodate it.

Code of Construction Practice/Construction Management Plan

Condition 3 Code of Construction Practice/Construction Management Plan

I am pleased to note that the applicants have submitted a detailed Construction Management Plan, which includes a drawing to show the site layout during the construction phase. I am satisfied that the information submitted is satisfactory and I would have no objection to this condition being discharged from a highway perspective.

Condition 7 Archaeological Field Evaluation

I do not consider that this condition would be relevant to highway matters, so I will therefore offer no comments in respect to the details submitted.

Condition 8 Sustainable Surface Water Drainage Scheme

I do not consider that this condition would be relevant to highway matters, so I will therefore offer no comments in respect to the details submitted.

Condition 12 Submission of Details of Ground Levels and Floor Levels

Condition 12 includes external works which are subject to the signing of a Section 278 Agreement, in order that the developer can undertake these works. Until this has been assessed and approved by my colleagues in the Agreements Team at Kent County Council, I am unable to discharge this condition.

KCC - Heritage and Conservation

I would be happy for part (i) of the archaeological planning condition to be discharged on the approval of the submitted WSI for field evaluation.

KCC - Flood & Water Management

We have reviewed the Summary Drainage Report (prepared by Arc Engineers 04 October 2022). The drainage strategy proposes to discharge surface water via infiltration, using permeable paving and a geo-cellular soakaway.

Kent County Council as Lead Local Flood Authority have the following comments:

1. We have no objections to the proposed drainage in principle however additional ground investigation is required to support the use of infiltration. The infiltration rates calculated in the initial ground investigation report (4.22×10^{-6} m/s and 1.45×10^{-5} m/s) are within the typical infiltration rates provided in the CIRIA SuDS Manual (Table 25.1) for chalk (structureless), however the design infiltration rate of 9.36×10^{-6} m/s is outside of this range.

It is recommended that soakage tests be compliant with BRE 365, notably the requirement to fill the test pit several times. The design should utilise a modified infiltrate rate and demonstrate that any soakaway will have an appropriate half drain time.

2. The half drain time has not been calculated as the structure is too full. Whilst not a requirement for those in association with the 1:100-year event to achieve half drained within 24 hours, KCC would expect for the time to be as close to this as possible. If it is not possible to achieve a half drain time of under 24 hours, KCC requests a further 10-year event to be run consecutively to the 1:100 in order to demonstrate the operational functionality of the features and possible issues of exceedance.

3. The exceedance plans show some flows directed away from the development site boundary. All exceedances must be contained within the site boundary to ensure that there is no increase in flood risk elsewhere. We expect that optimisation could be made to the drainage networks to reduce exceedance volumes where it is necessary to do so.

Publicity and Representations

None required for the discharge of planning conditions

Planning Analysis and Appraisal

Introduction

Planning permission was granted by the Borough Council to application reference 20220207 for 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.

The permission was subject to 27 planning conditions and various informatives. The approved ground floor layout of the development and showing the existing building footprint superimposed as a red line, and an artistic impression are shown below.



The works to implement the planning permission have not yet commenced.

The Conditions

The application as originally submitted was for the approval of condition 3, 7, 8 and 12 relating to a comprehensive Code of Construction Practice/Construction Management Plan covering all environmental impacts of this development (condition 3), the implementation of archaeological field evaluation works (condition 7), a detailed sustainable surface water drainage scheme (condition 8) and full details of any proposed earthworks or changes to ground levels (condition 12).

In view of the delay in providing responses to consultee comments (as still set out in this report) in respect of conditions 8 and 12 and with the agreement of the applicants those conditions have now been withdrawn from this submission and will be the subject of a further separate application in due course.

The relevant conditions remaining in this application to be discharged are as follows:

Condition 3 - Code of Construction Practice/Construction Management Plan

This states:

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).

The following details have been submitted in relation to condition 3;

- Proposed Logistics Plan by Jenner Contractors Ltd
- Code of Construction Practice/Construction Management Plan by Jenner Contractors Ltd dated 26th September 2022

Analysis and Comments

In response to the planning consultation GBC Regulatory Services Environmental Protection have no objection to the Code of Conduct.

KCC Highways & Transportation consider the details are acceptable and the GBC Highways Development Management Officer also has no objection but makes some constructive comments.

It is considered that the submitted details are thorough and satisfactory.

Recommended: Discharge condition 3 subject to an informative setting out the GBC Highways Development Management Officer comments

Condition 7 - Archaeology

This states:

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.

The following details have been submitted in relation to condition 7;

- Scheme Of Investigation for an Archaeological Evaluation by Souterrain Archaeological Services Ltd, October 2022 (ref SOU22-826)

Analysis and Comments

KCC Heritage and Conservation consider that part (i) of the archaeological planning condition to be discharged and for archaeological evaluation to go-ahead on the basis of the WSI submitted. Safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording would follow after the evaluation has been undertaken in accordance with the Written Scheme of Investigation (WSI).

Recommended: Discharge condition 7 (i)

Conclusions and Balancing Exercise

The details submitted pursuant to these conditions accords generally with national and local policy and notably policies CS11 (Transport) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy Framework (NPPF) 2021, Section 9: Promoting Sustainable Transport, Section 12: Achieving well-designed places, and Section 15: Conserving and Enhancing the Natural Environment.

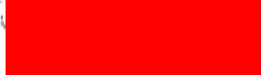
There are no adverse comments from the various consultees.

The comments of Natural England in relation to the requirements in respect of impact of recreational pressure on European sites were considered and addressed in the main report to planning application 20220207.

It is therefore recommended that approval be given to conditions 3 and 7(i) attached to planning permission reference number 20220207 and being for (3) the details of code of construction conduct, and (7(i)) archaeological field evaluation works in accordance with a Written Scheme of Investigation (WSI) and timetable.

Recommendation:

APPROVAL subject to informatives

Case Officer:	Mr Peter Price	Team Leader:	Faye Hobbs
Signed:		Signed:	

Dated:	1 st December 2022	Dated:	1 st December 2022
---------------	-------------------------------	---------------	-------------------------------

Gravesham Borough Council