



Appeal Decision

Site visit made on 11 July 2023

by R Catchpole BSc (hons) PhD MCIEEM IHBC

an Inspector appointed by the Secretary of State

Decision date: 7th August 2023

Appeal Ref: APP/K2230/W/22/3302467

Top Yard, Hardy's Corner, 2 Vale Road, Northfleet, Gravesend DA11 8BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by BRT Properties against the decision of Gravesham Borough Council.
 - The application (Ref: 20211582), dated 23 December 2021, was refused by notice dated 25 May 2022.
 - The development proposed is the erection of a three-storey building with rooms in the roof space to provide 14 x two-bedroom, self-contained flats with associated access, car parking, cycle parking, refuse stores and amenity space.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a three-storey building with rooms in the roof space to provide 14 x two-bedroom, self-contained flats with associated access, car parking, cycle parking, refuse stores and amenity space at Top Yard, Hardy's Corner, 2 Vale Road, Northfleet, Gravesend DA11 8BZ in accordance with the terms of the application, Ref: 20211582, dated 25 May 2022, subject to the conditions set out in the schedule at the end of this decision.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the local area, local service provision and whether there would be an adverse effect on the integrity of the Thames Estuary and Marshes Special Protection Area (SPA) or the Thames Estuary and Marshes Ramsar site.

Preliminary Matters

3. The proposal was amended after the application was determined, as reflected in the following plans: Proposed Site Layout (7985-PD01 Rev B), Proposed Ground and First Floor Plans (7985-PD02 Rev A) and Proposed Second and Third Floor Plans (7985-PD03 Rev A). The appeal process should not normally be used to evolve a scheme. However, as this did not lead to an increase in its scope, I am satisfied that no interested party would be prejudiced. Consequently, the appeal has been determined on the basis of the amended plans.
4. A Unilateral Undertaking (UU), dated 10 January 2023, was submitted which secures contributions for strategic mitigation measures relating to the conservation of protected areas and the provision of local services. These

obligations were consulted upon and the appeal has been determined on this basis.

Reasons

5. The appeal site fronts onto Vale Road and is part of a larger area of previously developed land (PDL) that is owned by the appellant which has mostly been cleared. Some commercial buildings remain to the north of the site which is situated in the south-eastern corner of the larger area. A railway curtilage abuts its southern boundary.
6. The development would lead to the creation of 14, two-bedroom flats in a three-storey building fronting onto Vale Road. A new vehicular and pedestrian access would be created in between the building and a shared amenity space with a dedicated children's play area. Parking for 18 cars would be adjacent to this area as well as to the rear of the building.
7. Planning permission (Ref: 20190727) was granted on 29 October 2019 for a similar scheme of 10 units with the same siting as the appeal scheme. The appellant points out that applications have been approved to discharge the pre-commencement conditions and that this development is consequently fully implementable. Whilst it maintains that this establishes a valid fallback position, no argument is advanced as to whether this would have a similar or worse effect in comparison with the current scheme.
8. The permission establishes the principle of development on the site and that a two-storey building with a lower height could be constructed if I were to dismiss this appeal. However, there needs to be a real prospect of such a development being implemented. The appellant maintains that the previously approved scheme is 'no longer a viable development prospect'¹ and I have no evidence before me to the contrary. Consequently, the fallback argument carries little weight in favour of the proposed development because it does not represent an alternative that has a realistic chance of implementation.

Character and Appearance

9. Although the buildings to the north of the appeal site and associated PDL gives rise to a mixed-use character, I observed that this effect is highly localised. This is due to the limited height of the remaining buildings and the partially screened eastern boundary of the appeal site. This rapidly gives way to a predominantly residential character that is typified by the diminutive, two-storey, residential terrace that faces the appeal site along the eastern side of Vale Road.
10. Whilst the surrounding area is characterised by low-rise development, there is a notable exception in the form of a 14-storey block of flats at Carl Ekman House. This is situated to the northwest of the appeal site and is visible from a number of viewpoints along Vale Road, as well as the site itself. I observed its massing and prominence to be uncharacteristic and significantly at odds with the predominant townscape of the surrounding area.
11. The Council maintains that the scale and height of the proposal would amount to an overdevelopment of the site, that the parking arrangement would infringe the quality of the shared amenity space and would have a negative impact on

¹ Statement of Case, paragraph 6.2.9

circulation. It also notes that the detailed articulation and architectural rhythm of the facing terrace is not reflected in the proposed façade which it finds distorted in relation to the established architectural context of Vale Road. As such, it finds that it relates poorly to its context and that it would be highly visible given the change in gradients along the road.

12. The appellant maintains that the massing of development schemes at Watercress Way, off Dover Road, and at the junction of Colyer Road and Vale Road provide a justification for this higher density development. I observed that neither of these locations were intervisible with the appeal site and that in both instances the design is stepped down to better integrate the 3-storey elements with adjacent 2-storey properties. There can be no such gradation in relation to the nearest properties along Vale Road given the narrow nature of the appeal site. This would consequently lead to a jarring visual contrast in relation to the massing of the proposed development.
13. I also observed that the 3-storey elements of the Watercress Way development, fronting onto Dover Road, are relatively limited in extent and the falling ground to the south is such that the visual impact of the other 3-storey buildings, which are set back from the road, is significantly reduced as a result. They are, in any event, not directly juxtaposed with the more diminutive scale of the properties along Dover Road other than through brief, kinetic views. The development at the Colyer Road junction is also stepped with the central 3-storey element facing onto a crossroads. I observed that this is sufficiently open to accommodate the additional massing without appearing cramped, incongruent or visually overbearing.
14. The appellant identifies a number of design benefits in terms of bringing better definition to the street scene through a domestic frontage which would improve the unkempt appearance of the site boundary, remove the potential for antisocial behaviour, create new green space and introduce a 'well considered form of architecture'. However, I do not find this to be the case given the generic design which responds poorly to its immediate context in terms of both its massing and its design. In terms of massing, I find that it would form an over-dominant feature when viewed from multiple viewpoints along Vale Road and that it would be unsympathetic to the prevailing scale of the immediate area.
15. Turning to design, I find the punctuation of the eaves by the full height bays, different sized dormers and roof lights would create a discordant roofscape lacking a well expressed and satisfying architectural rhythm. Whilst I note they were a feature of the approved scheme, I nevertheless find that the dormers on the roof slope of the main elevation would introduce a highly incongruent architectural feature that is not reflected in the facing residential dwellings. Although the design of the hipped-roof, ground floor bays would have some commonality, they would not be articulated or detailed in a similar manner and would appear as a contrived and tokenistic architectural response.
16. Turning to the parking and location of the shared amenity space, I find this less than ideal given that the latter would be bounded by the access to the larger commercial site to the north and the appeal site access to the south. Users would be subject to noise and air pollution arising from associated vehicle movements which would also disrupt circulation between this space and the main building. The location of the adjacent parking bays would further degrade

its quality for similar reasons. Overall, I find that the design would fail to create a high quality, well designed and beautiful environment for future occupants. As such, it falls short of the standards expected by paragraph 130 of the National Planning Policy Framework 2021 (the Framework).

17. I accept that the existing site has an unkempt appearance that detracts from the street scene but observed that the existing trees along part of the south-eastern boundary provide some containment which is consistent with the verdant character of the views to the south comprising the tree canopy associated with the railway embankment. The low stone wall further contributes to this containment but I accept that an active, domestic frontage would nevertheless provide a better definition to the street scene on the western side of Vale Road. In relation to anti-social behaviour prevention, I have no substantiated evidence before me that this is an issue nor that it could not be adequately controlled through the existing security arrangements.
18. Given the above, I conclude that the proposal would harm the character and appearance of the local area and that this would be contrary to policy CS19 of the Gravesham Local Plan Core Strategy 2014 (CS) that seeks, among other things, to ensure that all development integrates well with the surrounding local area. I also find that it would be contrary to the paragraph 130 of the Framework.

Strategic Mitigation Measures

19. One of the reasons for refusing planning permission was due to the lack of a contribution to strategic mitigation measures necessary to avoid an adverse effect on the integrity of the Thames Estuary and Marshes Special Protection Area (SPA) and the Thames Estuary and Marshes Ramsar Site.
20. The Council set out the required sum, on the advice of Natural England, in the Officer Report which led the appellant to submit a UU. This was consulted upon during the course of the appeal. The Council confirmed that the appellant resolved this matter through the submission of this obligation and that the associated reason for refusal (RfR) is now overcome.
21. I note that Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (as amended) requires me to make an Appropriate Assessment (AA) of the effect of the proposal on the conservation objectives of the SPA either alone or in combination with other plans or projects.
22. The Council has undertaken an, albeit limited, AA that concludes that all new housing development within 6 km of these sites and larger housing development beyond 6 km could have an adverse effect on integrity. This is because new housing development is likely to lead to further increases in recreational use of these sites which means that further declines in bird populations cannot be ruled out.
23. Bearing in mind the location of the appeal site, I agree with this conclusion and note that the population of each of the qualifying features, as well as their distribution within the site, could be subject to cumulative impacts that would lead to an adverse effect on integrity in the absence of any mitigation measures. This would compromise two conservation objectives for this site as well as two of the criteria for which the Ramsar site is designated.

24. Natural England (NE) has indicated a likely significant effect from recreational pressure on these sites could arise and that specific mitigation measures should be applied. It acknowledges that there is an agreed strategic solution that it considers to be ecologically sound. NE is satisfied that if appropriate contributions are secured, they would be effective and reliable in preventing an adverse effect on these sites.
25. Such advice carries great weight and as I have no evidence to the contrary before me, I therefore conclude that this mitigation would reduce the adverse effects of this development to a de minimis level which would protect the integrity of the SPA and the relevant conservation criteria of the Ramsar site.
26. Given the above, I conclude that the proposed development accords with policy CS12 of the CS which seeks, among other things, to ensure that sites designated for biodiversity are protected according to the established conservation hierarchy.

Local Service Provision

27. Another reason for refusing planning permission was due to a failure to address issues relating to the provision of educational services, community learning, youth services and library resources.
28. The Officer Report detailed the various sums that were required which were addressed in the UU that was consulted upon during the course of the appeal. The Council confirmed that the appellant resolved this matter through the submission of this obligation and that the associated RfR is now overcome.
29. Given the evidence before me in relation to both of the above matters, I consider that the measures in the UU are necessary, related directly to the development and fairly related in scale and kind. As such, they would accord with the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) as well as the tests for planning obligations set out in the Framework.
30. Accordingly, I conclude that the proposed development accords with policy CS01 of the CS which seeks, among other things, to ensure that all development improves the economic, social and environmental conditions in the area. I also find it accords with paragraph 57 of the Framework.

Other Matters

31. The first reason for refusal refers to substandard accommodation that the Officer Report identifies as being related to units 11 and 13. It points out that they would fall short of the Nationally Described Space Standards by 1.3 m² of the required 70 m² set by the standards. The appellant has submitted amended plans in order to clarify this matter which have not been disputed. Bearing in mind this evidence, I am satisfied that the necessary standards would now be met.
32. Given these circumstances, the appellant maintains that the scheme gains significant support from paragraph 69 of the Framework because it has already been found to be 'a suitable site', benefits from an extant planning permission and it is situated in a sustainable location. It maintains that 'great weight' should consequently be given to the viable delivery of fourteen residential

- apartments on the site which would go towards meeting an 'acute housing need'.
33. I note that the site has good public transport links. The Council states that the nearest bus route is situated to the south, on Thames Way, which is approximately 350 m from the appeal site (4 to 5 minute walk) with another bus route lying approximately 560 m to the north, on London Road (7 to 8 minute walk).
34. No representations concerning the scheme were received at appeal stage and the Council only had one neutral representation raising concerns over the loss of on-road parking due to the location of the access and the effect of the scheme on living conditions, with regard to daylight and noise.
35. I note that, subject to conditions, the Highway Authority does not object to the scheme. Furthermore, the proposed access would only be slightly larger than the length of one car which means that the loss of on-street parking would be minimal. Whilst the Council takes issue with the extent of hardstanding associated with the onsite parking, it does not highlight any failure to provide sufficient spaces for the number of planned units in relation to established standards.
36. Turning to the effect on daylight, the Council observes that the residential properties to the east of the site are approximately 21 m away and that this is the minimum distance required between habitable room windows according to the Residential Layout Guidelines². It concludes there would be no detrimental impact on any neighbouring property in this respect. Bearing in mind my own observations and the absence of any substantiated, technical evidence to the contrary, I concur.
37. Turning to noise, no comments were received from the Gravesham Environmental Protection Team and the Officer Report does not highlight this as a potential issue for nearby properties. Although a noise assessment accompanied the original application, I note that this investigated the potential intensification of industrial activity in the adjacent commercial site rather than the impact of the development itself on nearby properties. Bearing in mind the limited number of units and the background noise associated with Vale Road and the railway, I find it unlikely that there would be any material change in noise levels. Furthermore, any noise arising from the construction phase, as well as any air conditioning equipment could be controlled through conditions.

Planning Balance

38. The Council accepts that it is unable to demonstrate a 5-year housing land supply (HLS) and that the latest published housing land review concludes that it is only able to demonstrate a 3.27-year HLS. As the delivery of housing is substantially below (less than 75%) what is required by the Housing Delivery Test, any restrictive housing supply policies of the development plan must be regarded as out-of-date. This is common ground between the parties.
39. In these circumstances, the 'tilted balance', as set out in paragraph 11(d) of the Framework is engaged unless specific policies indicate that permission should be restricted. No such Framework policies remain applicable to the appeal site, bearing in mind the outcome of my AA. However, adverse effects

² Gravesham Supplementary Planning Guidance 2, adopted February 1996 and amended June 2020

on the character and appearance of the local area clearly places the scheme in conflict with policy CS19 of the CS.

40. As this is a relevant development management policy that is not specific to the supply of housing, which was adopted after the first publication of the Framework, I find that the conflict carries full weight and that the normal balance applies. This requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise, in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).

41. Benefits capable of weighing in favour of the proposal:

- Provision of 14 new housing units. Although not a large contribution to local housing need, I am satisfied that this windfall site meets the criteria set out in paragraph 69 of the Framework and I consequently give this benefit great weight.
- Introduction of an active street frontage. I acknowledge that this would contribute to appropriate place-making and strengthen the residential character of the wider area. Consequently, I give this benefit moderate weight.
- Sustainable location. Considering the proximity of local bus services it is clear that alternative modes of transport would be accessible to future occupants. I consequently give this benefit moderate weight.
- Improvement of unkempt appearance. The partial screening of the site by trees attenuates its derelict appearance which could be easily improved by the removal of *ad hoc* piles of debris I observed. Consequently, I give this benefit limited weight.
- Creation of private green space. Noting the verdant character of the area to the south of the site as well as part of the eastern boundary, I consequently give this benefit negligible weight.
- Control of antisocial behaviour. I have no evidence before me that this is an issue and consequently give this benefit no weight.

42. Harms that weigh against the proposal:

- A scale and massing that fails to integrate with its surroundings. This would lead to a jarring contrast with the domestic scale of Vale Road. I consequently give this harm significant weight.
- Use of incongruent and jarring architectural features. These would unacceptably contrast with the facing architectural motifs and the design lacks sympathy with its context. Consequently, I give this harm significant weight.
- Circulation and shared amenity space. Although the provision of a dedicated space and play area is to be welcome, I find it poorly situated and that the nearby movement of vehicles would cause pollution and disrupt circulation. Consequently, I give this harm moderate weight.

43. Given the above, I find that the adverse impacts of allowing the proposed development would not outweigh the significant benefits that would accrue. As

such, there is a clear and compelling reason to allow the scheme other than in strict compliance with the development plan.

Conditions

44. I have considered both the wording and grounds for the conditions suggested by the Council in accordance with the tests set out in paragraph 56 of the Framework, I am satisfied that they meet the necessary requirements. Furthermore, all pre-commencement conditions have been accepted by the appellant in writing thus ensuring compliance with the necessary legislation³.
45. The appellant has questioned the need for some of the conditions on the basis that they relate to matters that have been dealt with by the Council in discharging the conditions associated with the previously approved scheme. Be that as it may, this scheme is a wholly separate approval that must be subject to its own conditions in order to effectively control any harm that might otherwise arise.
46. The appellant has also questioned the need for condition 4 which requires further details concerning the installation of fixed telecommunication infrastructure and high-speed fibre optic connections to multipoint destinations. I note that this was not required for the approved scheme but nevertheless find it necessary given the criticality of such connections to modern living.
47. I have made minor changes to a number of the conditions to better reflect standard wording and improve compliance with paragraph 56 of the Framework. I have made more substantive changes as follows.
48. Condition 4 has been changed so that it is prior to first occupancy rather than a pre-commencement condition. This is because such conditions should only be used where there is a clear justification, which is likely to mean that the requirements of the condition (including the timing of compliance) are so fundamental to the development permitted that it would otherwise be necessary to refuse the whole permission. This does not apply in this instance because the units could still be occupied without broadband infrastructure.
49. I have removed condition 15 which required a ground contamination verification report because it duplicated the requirement of condition 6(iv) and is therefore unnecessary.

Conclusion

50. For the above reasons and having regard to all other matters raised I conclude that, subject to the attached schedule of conditions and the obligations in the planning agreement, that this appeal should be allowed.

Roger Catchpole

INSPECTOR

³ The Town and Country Planning (Pre-commencement Conditions) Regulations 2018

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

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.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents:

7985-PD-06 (proposed landscaping and exterior lighting)
7985-PD-05 (refuse and cycle stores)
7985-PD-04 (proposed elevations and sections)
7985-PD-03 Rev A (proposed 2nd floor, 3rd floor and roof plans)
7985-PD-02 Rev A (proposed ground and 1st floor plans)
7985-PD-01 Rev B (proposed site layout)
1530 Rev P03 (typical drainage details)
1540 Rev P03 (typical construction details)
1510 Rev P03 (drainage layout 1 of 2)
1511 Rev P03 (drainage layout 2 of 2)
1510 Rev P01 (manhole schedule)
1500 Rev P03 (engineering layout 1 of 2)
1501 Rev P03 (engineering layout 2 of 2)

Supporting Documents

External Surfaces Materials Schedule
Vibration Assessment
Piling Risk Assessment
Noise Impact Assessment
Phase 1 Habitat Survey
Sustainability Statement for Planning
Remediation Strategy Rev B
Supplementary Phase 2 Site Investigation
Desk Study Assessment Report - Phase 1 Desktop Study
Geo-Environmental Assessment Report
Drainage Operations and Maintenance Manual
Storm Sewer Design
100 Year Storm Calculations
Drainage Strategy Appraisal Technical Note

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

- 3) No development shall commence until a comprehensive Code of Construction Practice (CoCP), covering all environmental impacts, is submitted to and approved, in writing, by the local planning authority. The CoCP shall include details of the hours of work, delivery times for materials, parking for site personnel and visitors, loading and unloading of plant and materials, storage of materials and wheel washing facilities. The development hereby permitted shall be carried out in full accordance with the approved details.

Reason: To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with policy CS19 of the CS.

- 4) Details of fixed telecommunication infrastructure and high-speed fibre optic cables (minimal internal speed of 1000 mbps) capable of connection to commercial broadband providers shall be submitted to and approved, in writing, by the local planning authority. The approved infrastructure shall be installed prior to the first occupation of the permitted scheme in accordance with the approved details and maintained for the lifetime of the development.

Reason: To provide high quality digital infrastructure in new developments as required by paragraph 114 Framework.

- 5) Following site clearance works, no further works shall commence until a scheme for sustainable surface water drainage has been submitted to and approved, in writing, by the local planning authority. The detailed drainage scheme shall:
- i) demonstrate that both the rate and volume of run-off leaving the site post-development will be restricted to that of the existing site during any rainfall event up to and including a climate change adjusted, 100-year critical storm event;
 - ii) demonstrate that the existing on-site surface water flow routes and accumulation points will not be altered in such a way that the development places property at risk from flooding during any rainfall event, up to and including a climate change adjusted, 100-year critical storm event;
 - iii) demonstrate that infiltration features are not located on parts of the site where contamination might be present;
 - iv) include a timetable for its implementation; and
 - v) include a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the ongoing operation of the system.

The surface water drainage scheme shall be implemented in full according to the approved details prior to first occupation and thereafter maintained and managed for the lifetime of the development.

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 170 of the Framework.

- 6) Following site clearance works, no further works shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to and approved, in writing, by the local planning authority. This strategy shall include the following details:
- i) A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and

receptors; and potentially unacceptable risks arising from contamination of the site.

- ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme 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 in line with paragraph 170 of the Framework.

- 7) If, during development, contamination not previously identified is found to be present at the site then no further development 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 170 of the Framework.

- 8) No infiltration of the surface water drainage system into the ground is permitted. The development shall be carried out in accordance with the approved drainage details, as secured by condition 5.

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 caused by mobilised contaminants in line with paragraph 170 of the Framework.

- 9) Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority. This may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

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 caused by mobilised contaminants in line with paragraph 170 Framework.

- 10) Prior to the commencement of above ground works, additional details (including samples where necessary) of all the external facing materials to be used in the construction of the development hereby permitted 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.

Reason: To maintain the character and appearance of the building and to ensure a satisfactory visual relationship between the existing and new development in accordance with policy CS19 of the CS.

- 11) Prior to the commencement of above ground works, a detailed scheme for an air handling system and noise mitigation of associated plant shall be submitted and approved, in writing, by the local planning authority. A written commissioning report, from a competent ventilation engineer, shall be submitted after it has been installed to demonstrate that the approved system has been fully implemented and access shall also be granted to an officer of the Council to ensure the system is in a suitable working order. It shall be implemented as approved and maintained in full working order for the lifetime of the development. Full installation, submission of the commissioning report and the Council inspection shall occur prior to the first occupation of the approved scheme.

Reason: To ensure a satisfactory environment for future residents in accordance with policy CS19 of the CS.

- 12) A detailed scheme of hard landscaping shall be submitted to and approved, in writing, by the local planning authority. The scheme shall include boundary treatments, finished levels/contours, details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures as well as details of the levels and kerbing immediately outside the bin storage area. All works shall be completed in accordance with the approved details prior to the first occupation of the approved scheme and maintained for the lifetime of the development.

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 CS.

- 13) Prior to the first occupation of the approved scheme, details of all external lighting shall be submitted to and approved, in writing, by the local planning authority. All lighting shall be implemented as approved and maintained for the lifetime of the development. No additional external lighting shall be provided on the site thereafter.

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 of the CS.

- 14) Details of the cycle storage facilities shall be submitted to and approved, in writing, by the local planning authority. This shall include details of secure bike storage lockers. The approved cycle store shall be provided prior to first occupation according to the approved details and maintained for such purposes for the lifetime of the development.

Reason: In order to encourage sustainable travel in accordance with policy CS19 of the CS and saved policy P3 of Gravesham Local Plan First Review 1994 (LP).

- 15) Details of the refuse arrangements shall be submitted to and approved, in writing, by the local planning authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste as well as security arrangements for the refuse stores. The approved refuse arrangements shall be provided prior to the first occupation of the approved scheme and maintained for this purpose for the lifetime of the development.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interests of amenity and in accordance with adopted policy CS19 of the CS.

- 16) Prior to the first occupation of the approved scheme, the vehicle parking areas shown on the approved plans shall be formed, surfaced and drained. Thereafter, notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, no development shall be carried out on the site in such a manner or in such a position as to preclude the use or access to the approved vehicle parking areas.

Reason: To ensure sufficient on-site car parking provision to serve the development, in accordance with policy CS11 of the CS.

- 17) Prior to the first occupation of the approved scheme, visibility splays of 2 m by 2 m shall be provided on both sides of the vehicular access point and no obstruction of sight more than 0.6 m above the carriageway level shall be permitted within the splays thereafter for the lifetime of the development.

Reason: To preserve highway safety in accordance with policy CS11 of the CS.

- 18) A detailed soft landscaping scheme shall be submitted to and approved, in writing, by the local planning authority. The scheme shall include the type of planting to be carried out, the species concerned, their quantity and size as well as arrangements for aftercare. The scheme shall be carried out according to the approved details during the first available planting season following the first occupation of the approved scheme. 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 the same species of a similar size during the next available planting season.

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 of the CS.