

Delegated Report

Approval of Conditions Application

Planning Application No: 20260603

Location: Land At St Albans Close Gravesend Kent

Description: Application for the approval of condition 17 (Refuse Collection Strategy) attached to planning reference number 20250479.

Applicant: The Hill Group

Submitted Documents/Plans

Application Form
Email with bin details
076-HILL-00-0015 A – Bin Store Plan

Superseded Plan:
~~076-HILL-00-0015 – Refuse Strategy Plan~~

Relevant Planning History

Reference	Description	Decision	Decision Date
20250479	Erection of 8x Solohaus self contained modular homes for temporary homeless accommodation, with associated plant, bin and bike stores and landscaping.	Permitted	16.10.2025

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 15 – Conserving and Enhancing the Natural Environment

Supplementary Planning Guidance

- SPG 2 – Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Technical Housing Standards – Nationally Described Space Standard (2015)
- SPG 4 – KCC Parking Standards (2006)
- Gravesham Householder Extensions/Alterations Design Guide (2021)
- Design for Gravesham – Design Code (2024)
- Gravesham Landscape Character Assessment (2009)

Emerging Local Plan as a Material Consideration

Paragraph 48 of the Framework makes it clear that planning applications can only be determined in accordance with the development plan, unless material considerations indicate otherwise. An emerging Local Plan, does not form part of the Development. The Framework, at Paragraph 49 allows local planning authorities to give weight to relevant policies in emerging Local Plans, according to:

- The stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the Framework, the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given to those policies.

West Oxfordshire District Council v Secretary of State for Housing, Communities and Local Government & Rosconn Strategic Land Ltd [2018] EWHC 3065 (Admin) is a High Court judgement that deals with the weight to be given to a Regulation 19 Local Plan. In this judgement the Court found that the weight to be given to an emerging Local Plan, was a matter of planning judgement, which had to be reached having fully considered the relevant part (Paragraph 49) of the Framework.

The Council's emerging Local Plan, is in the process of being consulted upon (it has reached Regulation 19 stage), the Council is not yet aware of whether third parties will support or object to specific policies within the Plan, or whether they will consider the policies with the emerging Local Plan to be broadly sound and consistent with the NPPF (2024). Taking this into consideration, one can only conclude that at this stage of the process, **limited (i.e. minimal) weight should be afforded to the emerging Regulation 19 Local Plan**. This position would only change once the emerging Local Plan has progressed towards submission and examination, with the Council being fully aware of policies that are subject to unresolved objections and with knowledge of policies that have had their soundness and conformity against the Framework challenged.

This approach accords with the approach taken in a separate High Court case, Gladman Developments Ltd v SSHCLG & Corby Borough Council; & Uttlesford DC [2020] EWHC 518 (Admin) and Court of Appeal [2021] EWCA Civ 104, which was also the subject of a Court of Appeal Ruling [2021] EWCA Civ 104.

Consultations, Publicity and Representations

Consultees



GBC Waste and Refuse Team

I have reviewed the planning application and there is limited information on refuse and recycling storage.

The plans do not state how many and what type of bins will be provided. This is information I requested in May 2025 when I commented on the original planning application.

I also have concerns about the bin store on the Winchester Crescent side. The bins would either need to be pulled up/down stairs or the drag distance of over 168metres.



I would suggest that the bin store is located closer to St Albans Close, also I need to understand the bin capacity being provided.

To meet the Simpler Recycling regulations, the development requires residual, recycling and food waste bins. I would recommend that the bin stores have locks and roof on them.

Bin collections will be on a fortnightly basis for residual/recycling on alternate weeks with food waste collected weekly.

Looking at previous data, there is a higher than average amount of flytipping in this area, so measures need to be put in place to ensure the bins stores and area around them does not become a dumping ground.

Collections will not start from the site until these matters are resolved. If the buildings are occupied before these matters are resolved then it will be the developers responsibility to pay for waste collection.

It is also the responsibility of the developer to pay for the bins required, this can be done by speaking the Council's Waste Management Team.

Officer Note: Following these comments verbal clarity was provided by the GBC waste and Refuse Team confirming that each pod would need:

1 x 180 residual, 1xrecycling 240 and 23l food caddy and that someone would need to take responsibility for the movement of bins for collection, on St Albans Close.

Officer's Analysis

Condition 17 of 20250479 is as follows:

17. Prior to the first of occupation of the development hereby approved, a refuse collection strategy shall be submitted to an approved in writing by the Local Planning Authority. The strategy shall be implemented and followed as approved.

Reason: In the interests of satisfactory refuse collection and in the interests of the amenities of the occupiers of the development and of the neighbouring and surrounding properties, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014)

The submitted bin store plan shows the location and positioning of the bin stores along with the location for collection from St Albans Place only, following comments from the Waste and Refuse Manager.

The planning agents have also confirmed via email that:

'the bins will be taken from the units to St Albans close for collection, a designated person will be responsible for taking them from the units to the collection point and returning them to the bin store following the bin collection.'

Each unit will have the following:

- 23 litre food caddy
- 240 litre recycling bin
- 180 litre residual waste bin

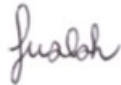
This now complies with GBC Waste and Refuse Teams requirements, and the details are considered to appropriate meet the aims of the condition; to ensure satisfactory refuse collection, in the interests of amenities of occupiers of the development and of the neighbouring and surrounding properties.

Conclusion & Recommendation

The recommendation is to discharge condition 17 of 20250479.

(See draft Decision)



Case Officer:	Mrs Lisa Fisher	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	17th July 2026	Dated:	17 July 2026