
SUMMARY REPORT

Application Ref:	20221179
Site Address:	Land At St Columbas Close Gravesend Kent
Application Description:	Demolition of Nos. 1-12 St Patricks Gardens. Nos. 36-41 St Patricks Gardens and Nos. 28-42 even nos. only St Columbas Close, and the caretakers facility. Erection of 2no. 2 storey buildings, 1no. 3 storey building and 1no. part 3 and part 4 storey building; to provide 46 residential dwellings (Class C3) residential use, with associated vehicle and pedestrian access, amenity space with hard and soft landscaping, car and cycle parking, refuse and recycling storage provision, and other associated works.
Applicant:	Sarah Holmes, Gravesham Borough Council
Agent:	Mr Will Philps, BPTW
Ward:	Westcourt
Parish:	Non-Parish Area
Decision due date:	1 February 2023
Publicity expiry date:	13 December 2022
Decision Level:	Planning Committee
Reason for referral:	Local Planning Authority is the applicant
Recommendation:	DELEGATED to the Service Manager (Planning) for PERMISSION subject to planning conditions and the completion of a unilateral agreement

Summary of Reasons for Recommendations

This is a major planning application for the demolition of 26 units, comprising Nos. 1-12 St Patricks Gardens, Nos. 36-41 St Patricks Gardens and Nos. 28-42 even nos. only St Columba's Close, and the caretakers facility. With the construction of 2no. 2 storey buildings, 1no. 3 storey building and 1no. part 3 and part 4 storey building to provide 46 residential dwellings, a net increase of 20 units.

The proposed development is deemed to be a sustainable form of development that accords with the development plan and material considerations. The applicant has confirmed they will provide all of the financial contributions which meet the relevant tests set out as statutory tests in [regulation 122](#) of The Community Infrastructure Levy Regulations 2010 (as amended by the 2011 and 2019 Regulations) and as policy tests in the NPPF (2021).

All representations received from both 3rd parties and statutory consultees have been taken into account when considering this proposal and no amendments to the proposal are required.

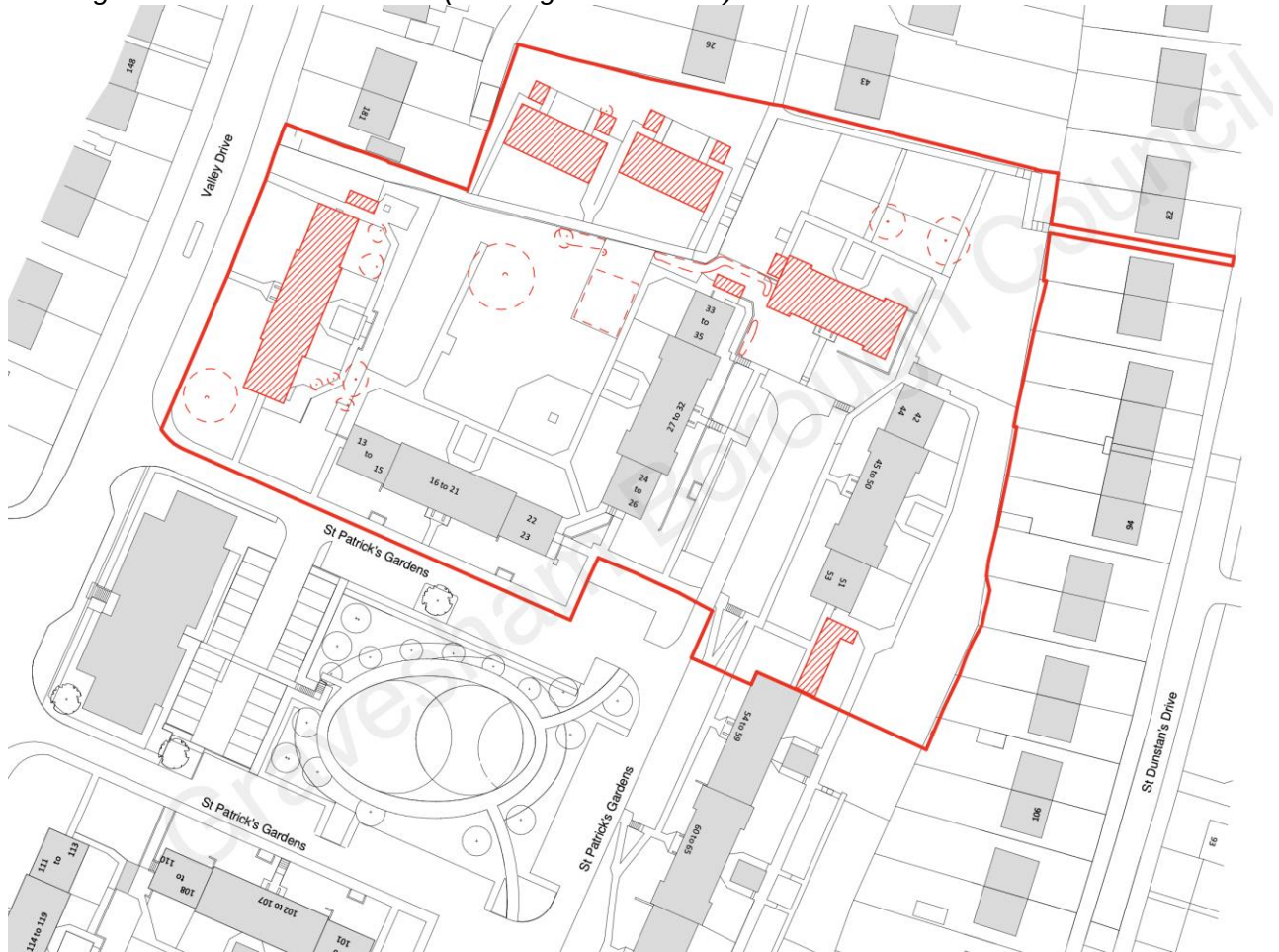
Subject to the conditions set out at the end of this report, it should be delegated to the Service Manager (Planning) for permission subject to the completion of a unilateral agreement.

MAIN REPORT

1. Proposal

- 1.1 The proposal is for the demolition of 26 units, comprising Nos. 1-12 St Patricks Gardens, Nos. 36-41 St Patricks Gardens and Nos. 28-42 (even nos. only) St Columbas Close, and the caretakers facility, with the erection of 2no. 2 storey buildings, 1no. 3 storey building and 1no. part 3 / part 4 storey building to provide 46 residential dwellings (Class C3), with associated vehicle and pedestrian access, amenity space with hard and soft landscaping, car and cycle parking, refuse and recycling storage provision, and other associated works.

Existing Site and Demolition Plan (Buildings shaded red)



- 1.2 The proposal will include a total of 34 parking spaces, which would be an additional 26 parking spaces, and 3no. detached secure weatherproofed cycle stores providing a total of 58 cycle spaces.

Proposed Site Plan





- 1.5 Block B would consist of a 3 storey building located to the north-east of the site, providing 14 units in total, including 8no. 1bed 2 person units and 6no. 2 bed 3 person units.

Block B – Proposed Elevations



- 1.6 Terrace T01 would consist of a row of 6no. 2 storey terrace single residential dwellings, with roofspace accommodation, located to the north-west of the site, providing 4no. 3 bed 5 person and 2no. 4 bed 6 person dwellings.

Terrace T01 – Proposed Elevations



- 1.7 Maisonette M01 is a 2 storey building, located to the south of Terrace T01, consisting of 6no. maisonettes, providing 2no. 1 bed 2 person and 4no. 2 bed 3 person units.

Maisonette M01 – Proposed Elevations



- 1.8 The proposal would provide 46 affordable units. The overall schedule of accommodation for the proposed development is as follows:

Accommodation Mix	1b/2p flat	1b/2p maisonette	2b/3p flat	2b/3p maisonette	2b/4p flat	3b/5p flat	3b/5p house	4b/6p house	Total Units	% units overall
Rent	13	2	11	4	4	6	4	2	46	100%
Intermediate									0	0%
Privat Sale									0	0%
Total Units	13								46	100%

- 1.9 A communal space would be located to the rear of Maisonette M01, a communal garden to the rear of Block B, together with an outdoor gym and grow your own area located to the south-east of the site.

Proposed Landscaping Plan



- 1.10 Entrance to the site would be via a new vehicular access from Valley Drive, located to the north of Block A, with the access road running to the east towards the parking bays located to the west and south of Block B.

2. Relevant Planning History

- 2.1 Since the construction of the bedsit/flats in the late 1950's/early 1960's there is no relevant planning history.

3. Planning Policies

Development Plan

Gravesham Local Plan Core Strategy (LPCS) (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS13 – Green Space, Sport and Recreation
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- CS18 – Climate Change
- CS19 – Design & Development Principles

- 3.1 Paragraph 33 of the NPPF (2021) 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.
- 3.2 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) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these saved policies via the emerging Local Plan.

Saved Policies in the Gravesham Local Plan First Review (LPFR) (November 1994):

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- T5 – New Access onto Highway Network
- LT6 – Additional Open Space in New Housing Developments

Other material considerations

National Planning Policy Framework (2021)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities

- Section 9 – Promoting Sustainable Transport
- Section 10 – Supporting high quality communications
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

Including the National Design Guide (January 2021)

Supplementary Planning Guidance

- SPG2 - Residential Layout Guidelines (1996)
- SPG 4 - KCC Parking Standards (2006)
- Housing Standards Policy Statement, 1st October, 2015
- Technical Housing Standards: Nationally Described Space Standards
- KCC Guide to Development Contributions and the Provision of Community Infrastructure (2007)
- Kent Design Guide
- Planning Guidance on Waste Collection Requirements (2019)

4. Consultations, Publicity and Representations

Internal

GBC – Highways Officer

09.11.22

In general, I have no issues with the application, it has been subject to extensive consultation prior to submission, various issues have been resolved with during this process, and the application now reflects the requirements to meet the property uplift in numbers and tenures.

The one issue outstanding is the visibility for vehicles emerging from the two parking spaces to the rear of Block A. Visibility splays should either be provided to reflect the speed limit or if appropriate, the design speed if suitable measures are included within the proposal. The Kent Design Guide suggests that there should be 40m between speed restraint features to achieve a 15mph target speed, and this would permit a visibility splay of 17m x 2.4m x 17m on level ground, but a gradient will change this. A 10% gradient increasing the visibility to the right to 19 metres whilst leaving that to the left unchanged. Other options may be available and depending on the status of the road, they should be discussed with Kent County Council or Gravesham Borough Council as appropriate. The most obvious measure would be to include a chicane adjacent to the maisonette to the right of the parking spaces, providing suitable signage is provided and it does not adversely affect vehicles parking at the first house on the north side of the road or using the parking spaces.

15.12.22

The proposal seems to be borderline, but as I cannot carry out any measurements, I cannot be certain. For a design speed of 15mph the sight line requirement would be 18 metres in both directions on level ground. However, gradients can change this, and we do not know the final gradient of the road. A gradient of 10% would require 19 metres, whilst 15% would be 20 metres to the right, neither of which appear achievable.

Looking at the formula for sight lines and the guidance for gradients and speed restraints in the Kent Design Guide, the following would be acceptable. Gradient of the road does not

exceed 6% within the sight line distance and speed restraint features are at 40metre intervals, the requirement for 15mph.

04.10.23

The drawings attached to your original email dated 30/12/2022 are fit for purpose. I have no objections.

Revised plans showing amended car parking spaces and swept path analysis drawings were submitted on 09.01.23 to address Highway concerns.

11.01.23

No objections to the revised plans.

GBC – Environmental Protection

After reviewing the application we have the following comments;

Contaminated Land

The applicant has provided a Phase 1 and 2 contaminated land report produced by RPS Group on August 2022.

The report identifies Polycyclic Aromatic Hydrocarbons (PAH) present in made ground at the site, at levels that may pose an unacceptable risk to residents within the proposed private garden areas.

The report goes on to recommend the following measures are taken to protect future occupiers as well as contractors working on the development;

- The private gardens of the development should prior to occupiers should either have the made ground removed, or alternatively a suitable clean cover system installed.
- It is recommended that a site specific Remediation Strategy incorporating Validation Plan and protocols for managing any contamination encountered during redevelopment is produced. The Remediation Strategy should include details of the covers systems required in areas of soft landscaping
- Any soil imported for soft landscaping to be incorporated as part of the redevelopment should be analysed to confirm suitability for use.
- Given their age, it is possible that asbestos containing material is present within the buildings on site. A formal Asbestos Refurbishment / Demolition Survey should be carried out prior to any demolition work commencing.

We advise that the applicant follows all recommendations provided within the aforementioned report.

They must also confirm whether they will be removing the made ground that poses a risk to the private gardens, or if they will be implementing a clean cover system. If it is the later then the applicant must provide details of the clean cover system prior to determination by the LPA.

Noise Control

The applicant has provided a noise impact assessment produced by Nova Acoustics dated 24 October 2022.

The report considers compliance with BS8233:2014 and BS4142:2014 and recommends the following measures to protect the amenity of future residents;

- If the development has rooms within the roof space the roof system will require additional sound insulation to achieve appropriate internal noise levels. Where the roof, is being utilized as a voided loft space with thermal insulation the following detailing is not required. Where rooms are within the roof, the ceilings should consist of standard roofing slates, 100mm 45kg/m² fitted tightly between the 200mm roof joists and 1no. 15mm SoundBloc plasterboard fixed to British Gypsum RB1 resilient bars to achieve a minimum sound reduction of 50dB Rw. Any other configuration of roof that would achieve at least 50dB Rw will be suitable for the development. For concrete base roof construction, where rooms are within the roof, the ceilings should achieve a minimum sound reduction of 50dB Rw. Concrete base constructions typically should achieve the minimum sound reduction. Any other configuration of roof that would achieve at least 50dB Rw will be suitable for the development.
- The glazing suppliers are required to demonstrate the acoustic performance of their proposed system either by providing an acoustic test report in accordance with BS EN ISO 10140-2:2010 or an evidence-based calculation.
- The ventilation suppliers are required to demonstrate the acoustic performance of their proposed system either by providing an acoustic test report in accordance with BS EN ISO 10140-2:2010 or an evidence-based calculation.
- All mechanical plant associated with the development should not exceed the cumulative plant noise limit level of 26.0 dBA at the closest NSR.

Prior to determination by the LPA we advise that the report's recommendations are implemented and suitable evidence of this provided.

Code of Practice on Construction and Demolition

Due to the scale of the development and potential for nuisance from the demolition and construction phases we recommend that the Code of Practice on Construction & Demolition is conditioned.

Foul Water Drainage

The applicant has provided a drainage report produced by Ridge & Partners LLP on October 2022.

In the report they advise;

- A capacity check/analysis will need to be progressed with Southern Water to ensure that the existing foul sewer network has sufficient capacity to accommodate the proposed foul water discharge from the proposed development.

We advise that prior to determination by the LPA that the applicant provides sufficient evidence that they have contacted Southern Water and have their approval to connect to the existing foul sewer network.

Smoke Control Area Informative

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 air.quality@gravesham.gov.uk

GBC – Leisure & Resilience Manager

01.12.22

The areas of green space for proposed development for this particular pre-application do not register within the 2016 Open Space Assessment, undertaken by consultants Knight, Kavanagh & Page (KKP), due primarily to their size. However, as mentioned previously at the pre-application stage, these small areas of amenity greenspace especially once added together, can still be recognised as providing some visual amenity to their locality.

The preferred policy approach to a space in this category should generally be to enhance its value in terms of its present primary purpose. Therefore, comments made at the Pre-application stage are still relevant in that it would be prudent to check with Horticultural Services (if not done already) regarding the details provided within the Landscaping Plan so that they are comfortable as to how the area has been reconfigured, how it will then be managed and maintained.

It had been mentioned at the pre-application stage that there should be an early agreement on an additional small, commuted sum for off-site leisure/play development improvements again in consultation with Horticultural Services. I assume that this has now been superseded by the proposed plans for enhancements to the area alongside the proposal for regeneration at St. Columbas Close, in that the remaining St. Patrick's area is also proposed to be improved? It mentions within the Design & Access statement that this area 'will deliver a sympathetic design of the communal open space and garden areas to provide residents with a place to meet, to exercise and to enjoy.' Details on the delivery timeline of this area should be agreed with Horticultural Services and agreement as well as whether these additional enhancements mitigate the need for an off-site commuted sum for similar improvements to existing sites close by (e.g. The Warren, St Dunstan's Drive, or somewhere similar).

30.12.22

Using the Sport England Facilities Calculator based on 2.5 residents x 26 dwellings provides a figure of £58,301. This contribution is to be used at nearby general play and multi-use games area enhancements within 1 mile of the development, for example; The Warren, Kings Fam, St Gregory's, Central Open Space etc.

GBC – Private Sector Housing

We can confirm Private Sector Housing have no comments to relay in relation to our housing legislations and regulations. We believe the proposed scheme is currently out of our remit with Planning requirements and Building Regulations taking precedence.

GBC – Waste Management

I have reviewed this planning application and have the following comments on refuse collection arrangements.

I have taken a look at the plans you have attached and the location of bin stores/number of bins appear to meet with our expectations.

With regard to block B, will the bin store be at car park level or is there an incline, I know that the St Patrick's site is not flat so helpful to know.

We would require drop kerbs to move the larger bins around.

One thing, we will be blocking the entrance road when we collect these bins especially block A but this should only be for a short period.

Gravesham Borough Council operates a fortnightly collection of refuse and recycling and a weekly collection of food waste.

It is the responsibility of the developer to ensure that all the relevant bins and sufficient storage space is provided for each property.

The immediate area outside the bin store should be level with the road, should not include an incline and the installation of a drop kerb where necessary is mandatory. Car parking spaces should not be allocated immediately in front of the access to the bin store.

It is recommended that bin stores are fitted with a lock which is accessed via a key or a key code pad.

Developers are welcome to purchase their own 1100ltr bins however the bins must be metal and comply with European Standard EN840.

Collections from sites will not occur until containers are in place. It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints in regard to non-collection due to the fault of the developer will be passed onto to the developer for response.

The Council should be informed at least two weeks prior to collections taking place.

Finally I have concerns about the access to the site for the refuse collection vehicle. I require more detailed information on the tracking information provided by DHA Transport. Generally where appropriate we will not enter private land to collect refuse bins, if we are required to then we will not be responsible for any damage the collection vehicle may cause to the road surface.

For information the Council's refuse collection vehicle information is below.

The Council uses three axle, rear steer 26 tonne collection vehicles.

Width – 2.5m

Overall length – 10.5m

Height – 3.8m

Kerb Turning Circle – 18m

Wall to Wall Turing Circle – 19m

External

KCC – Developer Contributions

We refer to the above planning application which concerns proposed residential development at **Land at St Columba's Close, Gravesend** and comprising: **46** new households (applicable for contributions on sites of 0.5ha or more).

The County Council has assessed the implications of this proposal in terms of the delivery of

its community services and is of the opinion that it will have an additional impact on the delivery of its services. These impacts will require mitigation, either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

KCC Preliminary Assessment March 2021

32 proposed new homes (10 x 1 bed flats + 20 applicable flats + 2 applicable houses),
replacing 10 existing homes (2 applicable houses + 8 applicable flats)
= net gain 22 new homes (10 x 1 bed flats + 12 applicable flats)

KCC Current Assessment January 2023

46 Proposed new homes (15 x 1 bed flats + 25 applicable flats + 6 applicable houses),
replacing 10 existing homes (2 applicable houses + 8 applicable flats)
= net gain of 21 new homes (17 applicable flats and 4 applicable houses)

'Applicable' excludes: 1 bed units of less than 56 sqm GIA, and any sheltered accommodation. Please confirm the 15 x1 bed units proposed are below this threshold?

The Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) require that requests for development contributions of various kinds must comply with three specific legal tests:

1. Necessary,
2. Related to the development, and
3. Reasonably related in scale and kind

These tests have been duly applied in the context of this planning application and give rise to the following specific requirements (the evidence supporting these requirements is set out in the attached Appendices).

Request Summary

	Per Applicable House (x 4 applicable houses)	Per applicable flat (x 17 applicable flats)	Total	Project
Primary Education	£4,642.00 per house	£1,160.50 per flat	£38,386.50	Towards expansion of a school locally within the KCC North Kent Education Area
Secondary Education	£4,540.00 per house	£1,135.00 per flat	£37,863	Towards Thamesview expansion

	Per Dwelling (x 21)	Total	Project
Community Learning	£16.42	£344.82	Towards additional resources for Adult Education "Victoria Centre", Darnley Rd, Gravesend DA11 0RX
Youth Service	£65.50	£1,375.50	Towards additional resources for Northfleet Youth Centre, Hall Road, Northfleet, Gravesend, DA11 8AJ
Library Service	£55.45	£1,164.45	Towards additional services, resources and stock required to mitigate the impact of the new borrowers from this development at Kings Farm and Riverview Libraries, Gravesend, Kent
Social Care	£146.88	£3084.48	Towards Age UK Fleming Resource Centre, Clarence Row,

			Gravesend DA12 1HJ
	All Homes built as Wheelchair Accessible & Adaptable Dwellings in accordance with Building Regs Part M 4 (2)		
Waste	£129.20	£2,713.20	Towards Ebbsfleet WTS
Broadband:	Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and gigabit-capable (minimal internal speed of 1000mbps) connections to multi-point destinations and all buildings including residential, commercial and community. The infrastructure shall be installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details. The development should comply with any statutory or non-statutory guidance extant at the time a decision on the application for planning permission is made. Reason: To provide future-proof digital infrastructure in new developments as required by National Planning Policy Framework (NPPF) paragraph 114.		
<i>Highways</i>	<i>Kent Highway Services will respond separately</i>		

Please note that these figures:

- are to be **index linked by the BCIS General Building Cost Index from April 2020 to the date of payment** (Apr-20 Index 360.3)
- are valid for 3 months from the date of this letter after which they may need to be recalculated due to changes in district council housing trajectories, on-going planning applications, changes in capacities and forecast rolls, projects and build costs.

Justification for infrastructure provision/development contributions requested

The County Council has modelled the impact of this proposal on the provision of its existing services and the outcomes of this process are set out below and in the attached appendices.

Education

Kent County Council is the Statutory Authority for education and is the Strategic Commissioner of Education Provision.

Primary Education

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 1.

The proposal gives rise to additional primary school pupils during occupation of the development. This need, cumulatively with other new developments in the vicinity, can only be met through the Primary School Project.

This proposal has been assessed in accordance with the KCC Development Contributions

Guide methodology of 'first come, first served' assessment; having regard to the indigenous pupils, overlain by the pupil generation impact of this and other new residential developments in the locality.

Secondary School Provision

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 1.

A contribution is sought based upon the additional need required, where the forecast secondary pupil product from new developments in the locality results in the maximum capacity of local secondary schools being exceeded.

The proposal is projected to give rise to additional secondary school pupils from the date of occupation of this development. This need can only be met through the provision of new accommodation at the Secondary school Project and will be provided and delivered in accordance with the Local Planning Authority's Infrastructure Delivery Plan (where available); timetable and phasing.

Please note this process will be kept under review and may be subject to change as the Local Education Authority will need to ensure provision of the additional pupil spaces within the appropriate time and at an appropriate location.

Community Learning

KCC provides community learning facilities and services for further education in line with KCC policies as set out in its Strategic Statement Increasing Opportunities, Improving Outcomes (adopted Spring 2015). Community Learning and Skills (CLS) helps people moving to a new development overcome social isolation and encourages community cohesion, as well as improving skills in a wide range of areas.

There is an assessed shortfall in provision for this service: the current adult participation in both District Centres and Outreach facilities is in excess of current service capacity, as shown in Appendix 2, along with the cost of mitigation.

To accommodate the increased demand on KCC Community Learning, the County Council requests £16.42 per dwelling towards the cost of providing Community learning Project, local to the development.

Youth Service

KCC has a statutory duty to provide Youth Services under section 507B of the Education Act 1996. This requires KCC, so far as reasonably practicable, to secure sufficient educational leisure-time activities and facilities to improve the well-being of young people aged 13 to 19 and certain persons aged 20 to 24.

To accommodate the increased demand on the Kent Youth Service, the County Council requests £65.50 per dwelling towards additional resources for the Youth service locally.

Library Service

KCC is the statutory Library Authority. Under the Public Libraries and Museums Act 1964, KCC has a statutory duty to provide 'a comprehensive and efficient service'. The Local Government Act 1972 also requires KCC to take proper care of its libraries and archives.

To mitigate the impact of this development, the County Council will need to provide additional services, equipment, and stock to meet the additional demand generated by the people residing in these Dwellings.

The County Council, therefore, requests £55.45 per household to address the direct impact of this development, and the additional services, equipment and stock will be made available locally at the named Library, as and when the monies are received.

Adult Social Care

The impact of this proposal on the delivery of the County Council's services is assessed in Appendix 3.

Kent County Council is the Statutory Authority for Adult Social Care. The proposed development will result in additional demand upon Adult Social Care Services (ASC), including older persons and adults with Learning/Neurodevelopmental/Physical Disabilities and Mental Health Conditions. Existing care capacity is fully allocated, with no spare capacity to meet additional demand arising from this and other new developments.

To mitigate the impact of this development, KCC Adult Social Care requires:

- a proportionate monetary contribution of £146.88 per household (as set out in Appendix 3) towards specialist care accommodation, assistive technology systems and equipment to adapt homes, adapting Community facilities, sensory facilities, and Changing Places locally in the Borough.
- The Department for Levelling Up, Housing and Communities identified in June 2019 guidance Housing for older and disabled people, that the need to provide housing for older & disabled people is critical. Accessible and adaptable housing enables people to live more independently and safely, providing safe and convenient homes with suitable circulation space, bathrooms, and kitchens. Kent Adult Social Care requests these dwellings are built to Building Reg Part M4(2) standard (as a minimum) to ensure that they remain accessible throughout the lifetime of the occupants, meeting any changes in the occupant's requirements.

Waste

Kent County Council is the statutory 'Waste Disposal Authority' for Kent, responsible for the safe disposal of all household waste, providing Household Waste Recycling Centres (HWRC) and Waste Transfer Stations (WTS). Each household produces an average of a quarter of a tonne of waste per year to be processed at HWRC's and half a tonne per year to be processed at WTS's. Existing HWRC's and WTS's are running at capacity and additional housing will create a significant burden on the manageability of waste in Kent.

A contribution of £129.20 per household is required towards the extension and/or upgrading of the existing Waste facilities, to mitigate the impact arising from this development, and accommodate the increased waste throughput within the Borough.

Broadband: Fibre to the premise/gigabit capable

The NPPF (para 114) and The Department for Digital, Culture, Media and Sport requires full fibre connection to new developments being gigabit capable (minimum internal speed of 1000mbps) fibre optic to the premise connection for all.

Please include a Planning Condition to provide 'fibre to the premise' (FTTP) broadband connections to all premises of gigabit capacity.

KCC recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning to decide on the appropriate solution and the availability of the nearest connection point to high-speed broadband. Most major telecommunication providers are now offering next-generation access broadband connections free of charge to developers. Further details are available on their websites.

Implementation

The County Council is of the view that the above contributions comply with the provisions of CIL Regulation 122 and are necessary to mitigate the impacts of the proposal on the provision of those services for which the County Council has a statutory responsibility. Accordingly, it is requested that the Local Planning Authority seek a section 106 obligation with the developer/interested parties prior to the grant of planning permission. The obligation should also include provision for the reimbursement of the County Council's legal costs, surveyors' fees and expenses incurred in completing the Agreement, and County monitoring fee of £500 for each trigger within the Agreement. We would be grateful if you could share at your earliest convenience a draft copy of any section 106 agreement or UU prior to its finalisation.

Would you please confirm when this application will be considered and provide us with a draft copy of the Committee report prior to it being made publicly available? If you do not consider the contributions requested to be fair, reasonable, and compliant with CIL Regulation 122, it is requested that you notify us immediately and allow at least 10 working days to provide such additional supplementary information as may be necessary to assist your decision-making process in advance of the Committee report being prepared and the application being determined.

KCC – Biodiversity

We have reviewed the ecological information submitted by the applicant and advise that sufficient ecological information has been provided. However, it should be noted that the correct ecological document to submit with the planning application is an Ecological Impact Assessment (EcIA). Appendix 1 provides further detail regarding this, and the applicant is strongly recommended to supply this information for future applications.

If planning permission is granted, we advise that the condition/informative below are included.

Breeding Birds – suggested informative wording

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), 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.

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 main bird breeding season¹ (1st March to 31st August inclusive) 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. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work and if any nesting birds are found, works must cease until after the birds have finished nesting.

Ecological Enhancements

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 and paragraph 174 of the National Planning Policy Framework (NPPF) 2021, biodiversity must be maintained and enhanced through the planning system. Additionally, in alignment with paragraph 180 of the NPPF (2021), the implementation of measurable net gains for biodiversity (integrated as part of design) should be encouraged.

The inclusion of native species planting along with habitat features such as log piles, reptile/amphibian hibernacula, hedgehog highways, bird and bat boxes can help mitigate for biodiversity losses on-site, and where sufficient habitats and features are included within designs, can be used to demonstrate biodiversity net gains.

Ecological Enhancements – Suggested condition wording:

“Prior to the completion of the development hereby approved, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with provision of generous native species planting. The approved details will be implemented and thereafter retained.”

NORTH KENT SITES

The development includes proposals for new dwellings within the zone of influence (6km) of The Thames Estuary and Marshes Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site). Gravesham Borough Council will need to ensure that the proposals fully adhere to the agreed approach within the North Kent Strategic Access Management and Monitoring Strategy (SAMMS). This is 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 still a need for an appropriate assessment to be carried out as part of this application.

KCC – Highways and Transportation

This proposal was the subject of a pre-app enquiry earlier in the year when any highway issues were discussed and resolved.

The road layout meets with KCC's Kent Design requirements and the level of parking provided meets with Kent Residential Parking Standards (IGN3). Cycle parking is provided. Visibility splays of 2.4m x 43m at the junction of the access road and Valley Drive is considered adequate and should be conditioned. There are no highway issues of concern with this application.

I can therefore 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 maintenance of 43 metres x 2.4 metres x 43 metres visibility splays at the access with no obstructions over 1.05 metres above carriageway level within the splays, prior to use of the site commencing.
2. Provision and permanent retention of the vehicle parking spaces and/or garages shown on the submitted plans prior to the use of the site commencing.
3. Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.

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

Informative: 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

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION FOR RECREATIONAL PRESSURE IMPACTS ON HABITAT SITES (EUROPEAN SITES).

Natural England considers that this advice may be used for all applications that fall within the parameters detailed below.

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as the North Kent Special Protection Area (SPA). It is anticipated that new residential development within this zone is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts through a strategic solution which we have advised will in our view be reliable and effective in preventing adverse effects on the integrity of the relevant European Site(s) from such impacts associated with such development. The strategic solution may or may not have been adopted within the local plan but must be agreed to by Natural England.

Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing adverse effects on the integrity of the relevant European Site(s) from recreational impacts for the duration of the development proposed within the relevant ZOI.

However, the application of these measures to avoid adverse effects on site integrity from recreational impacts associated with development proposed within the relevant ZOI should 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). In this regard, Natural England notes the People Over Wind Ruling by the Court of Justice of the European Union that mitigation may not be taken into account at screening stage when considering 'likely significant effects', but can be considered at appropriate assessment.

Providing that the appropriate assessment concludes that the measures are secured as planning conditions or obligations by your authority to ensure their strict implementation for the full duration of the development, and providing that there are no other likely significant effects identified (on this or other protected sites) as requiring to be considered by your authority's appropriate assessment, Natural England indicates that it is likely to be satisfied that your appropriate assessments will be able to ascertain that there will be no adverse effect on the integrity of the European Site (from recreational pressure in view of its conservation objectives). Natural England will likely have no further comment regarding the Appropriate Assessment, in relation to recreational disturbance.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications where the outline permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

Southern Water

Southern Water have reviewed this planning application and the drainage strategy does not consider the hydrocarbon impacts to our sensitive public groundwater supply founded in the principal Chalk aquifer. Given there is likely a shallow unsaturated zone below the site during the winter, Southern Water request oil interceptors be installed on the surface water network prior entering each soakaway feature to prevent hydrocarbon discharge to the principal Chalk aquifer.

It appears that the applicant is proposing to abandon/divert a public foul sewer. Any public sewer diversion proposals shall be approved by Southern Water under Section 185 of the Water Industry Act. An application should be made using Southern Water's Get Connected Service at developerservices.southernwater.co.uk

The attached plan shows that the proposed development will lie over an existing public foul sewer, which will not be acceptable to Southern Water. The exact position of the public apparatus must be determined on site by the applicant before the layout of the proposed development is finalised.

It might be possible to divert the 100 mm, 150 mm and 300 mm public foul sewers, so long as this would result in no unacceptable loss of hydraulic capacity, and the work was carried out at the developer's expense to the satisfaction of Southern Water under the relevant statutory provisions.

- The 100 mm, 150 mm, 300 mm and 375 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future access for maintenance.
- The 1.5 inches and 3 inches water distribution mains requires a clearance of 6 metres on either side of the water distribution mains to protect it from construction works and to allow for future access for maintenance.
- No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water distribution mains without consent from Southern Water.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a sewer and public water distribution mains.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment of the site layout. If the applicant would prefer to advance these options, items above also apply.

Furthermore, 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.

In order to protect drainage apparatus, Southern Water requests that if consent is granted, a condition is attached to the planning permission; for example, the developer must advise the local authority (in consultation with Southern Water) of the measures which will be undertaken to divert the public sewers, prior to the commencement of the development.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

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 Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents/

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.

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.

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.

Environment Agency

Due to the scale, nature and residential setting of this proposal and the supporting information submitted, **we do not object to the proposal in principle providing the following conditions are placed on any permitted development.**

Condition

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.

Reasons

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.

NOTE: any waste materials should be removed to suitable permitted sites as part of any site clearance/preparation works. Particular care should be taken with regards to any asbestos containing building materials that may be present to avoid cross contamination of waste materials.

Further clarification should be sought from the Local Authority Environmental Health Officer with respect to issues related to harm to human health.

Condition

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons

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 174 of the National Planning Policy Framework.

Condition

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, which 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 174 of the National Planning Policy Framework.

Informative

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with the Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

Informative

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice: excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to the Position statement on the Definition of Waste: Development Industry Code of Practice and the Environmental regulations page on gov.uk.

KCC – Heritage

The site has general background archaeological potential, but as this area was developed before modern planning-led archaeology, we have no clear understanding of the precise potential of this site. The development of the site will have had some impact on any below-ground archaeological remains, reducing potential significance, and therefore I consider it would be appropriate to secure a programme of archaeological work by use of a planning condition on any forthcoming consent. I recommend the following condition to allow for the field evaluation of the site, ideally before demolition of the buildings:

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.

KCC – Flood and Water Management

Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk

Assessment prepared by Ridge and Partners LLP dated 13th October 2022 and the Below Ground Drainage Strategy prepared by Ridge and Partners LLP dated 17th October 2022 and have the following comments:

1. It is understood from the report that the surface water will be managed using infiltration via two soakaways.

We note that the western soakaway fails to meet the 24 hour half drain time requirement. This is acceptable for the 100 year return event and as per the Ciria Susdrain guidance for larger return periods, the system has enough capacity after 24 hours to accommodate a 1 in 10 year return period event. However, for the lower return periods we would ask for network alterations (such as additional attenuation or soakaways) to be undertaken in order to meet the requirement if necessary.

2. The accompanying Phase 1 Preliminary Risk Assessment and Phase 2 Geo-Environmental and Geotechnical site investigation Report dated August 2022 prepared by RPS Consulting Services Ltd also highlights that the chalk stratum is highly variable and that any soakaways should be sited at least 5 to 10m from any structures. As part of the detailed design stage, we would seek for additional ground investigations to be undertaken that would include both infiltration testing (adhering to BRE:365 guidance) and further analysis within the areas proposed for infiltration. It is also advised that a geotechnical specialist confirms the required separation distance between the infiltrating feature and any foundations. We would also recommend groundwater monitoring, as mentioned in section 5.5 of the Below Ground Drainage Strategy, is undertaken to support any use of soakaways. Monitoring for groundwater should be undertaken during the winter months, when groundwater is likely to be at its highest. This is to ensure an adequate separation distance between the base of the soakaway and any groundwater can be maintained.

3. Further to this, the site is located in a groundwater Source Protection Zone 2. Consultation with the Environment Agency early in the planning process is recommended to identify any constraints or specific requirements in this area that may impact the proposed SuDs methods.

4. We note that not all the buildings within the red line boundary are proposed to be connected to the new drainage system. Therefore, it is anticipated that the existing drainage regime will continue for those perspective areas. Whilst we would expect a continuation of the existing drainage regime, a CCTV survey should ideally be undertaken to confirm how these areas drain and whether any alterations are needed to reduce any potential flood risks.

5. We note that the Microdrainage calculations in the report use rainfall model FSR data rather than FEH data. As part of the detailed design stage, we would expect to see the drainage system modelled using 2013 FeH rainfall data in any appropriate modelling or simulation software. Where 2013 FeH data is not available, 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June 2019).

6. As part of the hydraulic analysis we would also seek for the latest Environment Agency climate change analysis to be used (10th May 2022). As part of this update, revisions have been made to the 'Peak Rainfall Intensity Allowances' that are used in applying climate change percentages to new drainage schemes. The LLFA would now seek the 'upper end' allowance is designed for both the 30 (3.3%) and 100 (1%) year storm scenarios. The latest information on the allowances and map can be found at the following link:
<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

Should the Local Planning Authority be minded to grant planning permission for this development, the LLFA would advise the following conditions are attached:

Condition:

Development shall not begin in any phase 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 Below Ground Drainage Strategy prepared by Ridge and Partners LLP dated 17th October 2022 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 accordance with the approved details.

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.

Condition:

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 165 of the National Planning Policy Framework.

Condition:

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.

KCC – Public Rights of Way

24.11.22

Public Rights of Way NGX30 crosses the application area and affects the development and I therefore enclose a copy of the Public Rights of Way network map showing the definitive line of the path for your information.

Unfortunately the footpath route has been diverted and as such I have to object to the application. The path will need to be diverted under TCPA if they wish to keep the modified route. We would also need to discuss the surface finish of the route and its long term maintenance. Additionally a diverted route would be sort whilst the works are carried out and this will require an application to temporarily divert the route. This requires 8 weeks for the application process.

It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

In response to the above comments, existing and proposed alignments of the PROW were submitted on 03.01.23.

05.01.23

To confirm post our teams meeting that I am happy that you are applying to move the path a few metres to the west via the TCPA. I can also confirm that 2 metres width is satisfactory in this instance as the surface will be tarmac.

NHS Kent & Medway

NHS Kent and Medway has delegated commissioning responsibility for general practice services in Dartford, Gravesham and Swanley and reviews planning applications to assess the direct impact on general practice.

I refer to the above outline planning application which concerns the proposed residential development comprising up to 46 dwellings.

NHS Kent and Medway has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution.

In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests:

1. Necessary

2. Related to the development
3. Reasonably related in scale and kind

We have applied these tests in relation to this planning application and can confirm the following specific requirements. **The calculations supporting this requirement are set out in Appendix 1.** We have only included the net increase in dwellings within the contribution.

	Total Chargeable units	Total (See Appendix 1)	Project
General Practice	20	£17,280	Towards refurbishment, reconfiguration and/or extension of Rochester Road Surgery and/or Pelham Medical Practice and/or The Shrubbery Surgery and/or Swanscombe Health Centre and/or towards new general practice premises development in the area

The obligation should also include the provision for the re-imburement of any legal costs incurred in completing the agreement.

Justification for infrastructure development contributions request

This proposal will generate approximately 48 new patient registrations when using an average occupancy of 2.4 people per dwelling. The proposed development falls within the current practice boundaries of Rochester Road Surgery, Oakfield Health Centre, Pelham Medical Practice, The Shrubbery Surgery and Swanscombe Health Centre.

There is currently limited capacity within existing general practice premises to accommodate growth in this area. The need from this development, along with other new developments, will therefore need to be met through the creation of additional capacity in general practice premises. Whilst it is not possible at this time to set out a specific premises project for this contribution we can confirm that based on the current practice boundaries we would expect the contribution to be utilised as set out above. Any premises plans will include the pooling of S106 contributions where appropriate.

In addition to the above we request that any S106 agreement regarding a financial contribution recognises the following:

- Supports the proactive development of premises capacity with the trigger of any healthcare contribution being available linked to commencement or at an early stage of development.
- Allows the contribution to be used towards new general practice premises in the area serving this population (should GP Estates Strategy identify future requirement) and not just limited to the practices detailed above.
- Allows the contribution to be used towards professional fees associated with feasibility or development work for existing or new premises.

General practice premises plans are kept under regular review as part of the strategy for the area and priorities are subject to change as NHS Kent and Medway must ensure appropriate primary medical care service capacity is available as part of our commissioning

responsibilities. Planning for growth in general practice is complex; physical infrastructure is one element but alongside this care models and workforce key considerations. Any plans developed need to support delivery of sustainable services for the future.

NHS Kent and Medway is of the view that the above complies with the CIL regulations and is necessary in order to mitigate the impacts of the proposal on the provision of general practice services.

Please note that for any s106 contributions secured by NHS Kent and Medway, the legal agreement should detail NHS England and Improvement (NHSE/I) as the recipient of the funding.

Appendix 1

NHS Kent and Medway uses a formula for calculating s106 contributions which has been used for some time and is calculated as fair and reasonable. This calculation is based the number of proposed units multiplied by the assumed occupancy multiplied by £360.

Where the application identifies unit sizes the following predicted occupancy rates will be used.

1 bed unit @ 1.4 persons
2 bed unit @ 2 persons
3 bed unit @ 2.8 persons
4 bed unit @ 3.5 persons
5 bed unit @ 4.8 persons

Where the unit sizes are not identified then an average occupancy of 2.4 persons will be used until the dwelling mix is confirmed.

The calculations for this development are:

The application does not detail unit sizes; the calculation below should be updated once the dwelling mix is confirmed at a later date. The above table should be included in a S106 agreement to calculate the contribution based on actual unit sizes and predicted occupancy using the table above.

20 units X 2.4 average occupancy = 48 people
48 people X £360 = £17,280

Publicity

- 4.1 This application was advertised as a major development proposal by display of site notices and by neighbour notification letters sent to addresses in the vicinity of the site.

As a result of the consultation process 3 responses have been received (as of 11 January 2023).

Objections (2 responses)

- Block B proximity to rear boundary of properties in St Dunstons Drive
- Loss of views (non-material)
- Loss of daylight and sunlight
- Overlooking

- Loss of Privacy
- Overbearing over rear garden
- Noise and dust from construction for months will impact health and well-being

Other Comments

1 comment neither objecting or supporting querying what will happen to the other flats.

- 4.2 A number of non-material planning considerations such as the development negatively impacting the value of homes were also raised by neighbour representation letters but as they are non-material considerations they are not summarised.
- 4.3 The comments above received are all of those received up until 4pm on Thursday 11th January 2023. Any additional 3rd party comments received up to midday on 23rd January 2023 will be summarised in the supplementary report. Any further comments received will be verbally updated to the Planning Committee.

5. Planning Analysis and Service Manager (Planning) Comments

Site History and Context

- 5.1 The site (1.07 hectare in area) consists of an existing residential estate.
- 5.2 The application site comprises the four blocks providing 26 units with communal space around the blocks, together with the caretakers building. There are number of mature trees within the site.
- 5.3 The design of the estate is a central green area surrounded by either two or three storey blocks arranged in courtyard form. The site slopes down towards Valley Drive.
- 5.4 To the north and east of the site on Valley Drive are a mix of post war two storey semi-detached single residential dwellings of similar design. To the north east and east is St Columba's Close and St Dunstan's Close which are two storey semi-detached residential dwellings of similar design, most with off road parking.
- 5.5 Directly south of the site is St Patrick's Gardens, which is a site similar to the application site which has recently been redeveloped following planning permission in 2019 (planning application reference 20190503).
- 5.6 Further South of the site is the shopping parade of Livingstone Road with flats above and parking to the side of shops. The rear of the shops previously was parking and a garage block, with further residential and community space, which is now under redevelopment to residential units following planning permission in 2019 (planning application reference 20190155).

Aerial Photo of Application Site



- 5.7 The Borough has a need for affordable housing and Policy CS16 Local Plan Core Strategy (LPCS) seeks to meet this need in the main as a proportion of new private housing development sites. This application will deliver 46 new affordable residential units for general needs rent.
- 5.8 The proposal forms the next phase of the Council's wider regeneration strategy to redevelop existing Council owned substandard accommodation and other brownfield/underused sites to deliver new "energy efficient and fit for purpose" affordable homes for social rent for residents of the Borough.

Housing Need and the Principle of Development

- 5.9 Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period, with the Objectively Assessed Housing Need figure set via the NPPF and PPG being significantly higher. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 7 of the NPPF (2021) and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the NPPF (2021) Para 11(d) unless:
 - i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

5.10 In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF (2021) at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 180)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 67); and
- Areas at risk of flooding or coastal change.

5.11 In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 125(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development

5.12 The proposed development for a net increase of '20' dwellings would offer a modest contribution towards meeting this local need and, accordingly, officers considers that this should be accorded moderate weight in support of the application. This has to be balanced against other requirements 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.

5.13 However, as part of this balancing exercise it should be noted that paragraphs 130 and 134 of the NPPF (2021) requires development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

5.14 Notwithstanding the Council's shortages in housing delivery and the consequent weight to be given in favour of the proposed 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.

5.15 The application site whilst within the urban area, is partly grassed amenity green space. However due to the quality of amenities and actual topography, it is labelled as low quality.

5.16 These types of sites can still be recognised as providing visual amenity to their locality and it is important to note that the main role of certain sites is to simply provide natural breaks in the urban built form.

5.17 Paragraph 99 of the NPPF (2021) states 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.

- 5.18 The national approach is reflected in Policy CS13 (LPCS) which states the Council will seek to make adequate provision for and to protect and enhance the quantity, quality and accessibility of green space, playing pitches and other sports facilities, in accordance with an adequate, up to date and relevant evidence base.
- 5.19 It is considered that under this proposal (explored further in paragraph 5.97 - 5.102) whilst there is a reduction in the overall amount amenity green space, the enhancements to the remaining amenity green space results in bullet point b) of paragraph 99 of the NPPF (2021) being met. This requires proposed development to be replaced by equivalent or better provision in terms of quantity and quality, with Policy CS13 (LPCS) requiring an enhancement to existing open space.
- 5.20 In conclusion it is considered that the principle of residential development is acceptable subject to the residential redevelopment of the site complying with the relevant policies relating to design, amenity, parking provision and any other material planning considerations.
- 5.21 The key issues to be considered are as follows:
- Design, Character and Appearance
 - Sustainability
 - Amenity (Future Occupiers)
 - Amenity (Neighbours)
 - Open Space
 - Refuse Storage and Collection Arrangements
 - Surface Water Drainage
 - Archaeology
 - Contaminated Land
 - Ecology and Biodiversity
 - Planning Obligations/Affordable Housing
 - Highway
 - Public Rights of Way (PROW)

Design, character and appearance

- 5.22 When considering the design of this proposal, it needs to be considered against the relevant local and national planning policy. Policy CS15 (LPCS) states that sites will be developed at a variety of densities depending on the sites location and accessibility to public transport. Furthermore, development needs to be delivered at a density that achieves good design and does not compromise the character of the area.
- 5.23 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 NPPF (2021) 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.
- 5.24 At a national level, the NPPF (2021) Section 12 states development should create high quality buildings and places which will function well and add to the overall quality of the area for the lifetime of the development.

- 5.25 It is worth noting that the scheme that is before Members has been the subject to extensive pre-application discussion dating back to June 2021 (PRE20210086) and the applicant has had discussions with Kent Police in regard to ensuring the development meets the requirements of secure by design principles.
- 5.26 Policy CS15 (LPCS) seeks to achieve a minimum density of 40 dwellings per hectare for residential development in the urban area, subject to the overriding consideration that the scheme is well designed and does not compromise the distinctive character of the area. The site measures 1.07 hectares and the density of the development equates to 49.22 dwellings per hectare (Excluding the amenity greenspace to the rear of Block A but within the redline boundary). This complies with minimum density as out in Policy CS15 (LPCS), and is considered in keeping with the density and character of development in the surrounding area.

House size and type

- 5.27 Policy CS14 (LPCS) seeks to ensure that new housing development provides a range of dwelling types and sizes. The proposed scheme will deliver 46 (20 additional) dwellings consisting of the following:
- 15 one bedroom 2 person properties
 - 15 two bedroom 3 person properties
 - 4 two bedroom 4 person properties
 - 10 three bedroom 5 person properties
 - 2 four bedroom 6 person properties
- 5.28 The properties are a mixture of flats, maisonettes and houses.
- 5.29 The provision of the above units will address locally identified affordable housing need, from the Council's housing waiting list and enable people to either downsize or upsize depending on their accommodation need, thus releasing other properties to other households on the housing waiting list, allowing such households to move into homes that are the "right size" .

Character, appearance, scale and massing

- 5.30 The proposed development essentially consists of one block (Block A) fronting onto Valley Drive, which has been designed to reflect of the newly constructed Bishops Court to the south.
- 5.31 Block B, Terrace 01 and Maisonette M01 are located to the east of Block A and within the wider site. Wider views of these blocks (B, T01 and M01) would be obscured by the surrounding development.
- 5.32 When designing the development the architects have noted that local setting contains a wide range of features, materials and details that could inform the design of the proposal.
- 5.33 The architects have reviewed the design of the area and note that the character of the area is predominately suburban with stylistic motifs taken from the 'Arts & Crafts' movement.
- 5.34 With regard to the surrounding St. Patrick's Gardens estate there is a wide array of entrance opening styles throughout the area, however there are following repeating styles within St. Patrick's Gardens development and the wider area which are as follows:
- Private and communal entrances, often embellished with projected creased tiles or brick

- Low eaves levels resulting in cat slide dormers and windows up the soffit.
- Soldier course detailing above ground floor windows

- 5.35 When designing the scheme the constraints of the site such the potential overlooking from the existing surrounding flats and houses within St Columba's Close, St Dunstan's Drive and St. Patrick's Gardens have been taken into account along with the topography of the site.
- 5.36 As outlined in section 4.3 of the applicants Design & Access Statement, a number of design approaches were considered for the development and the chosen approach for Block A is for a part 3, part 4 storey building with a hipped roof and two gables on the front and rear elevations. In order to match the surrounding buildings a hipped roof is proposed with a mix of red, brown and white brick. This is demonstrated below:

Proposed Street Scene (Valley Drive)



- 5.37 Maisonette M01 and Terrace T01 would be located either side of the new access road, and have been designed to reflect the adjacent houses, being kept to two storey with rooms within the roofspace of Terrace T01. The buildings would be staggered in response to the change in land levels of the site and the use of brown, buff and white brick would reflect the existing materials and more contemporary materials within the wider area.

Proposed Setting (view from St Columba's Close)



- 5.38 Block B would be three storey to reflect the existing/retained blocks within St Patrick's Gardens, however it would be staggered to again reflect the change in land levels. The use of brown, buff and white brick with metal bronze balconies reflect the surrounding and wider area.
- 5.39 The scheme which has been submitted is a result of discussions between the architect and the local planning authority and the layout as proposed is considered to have an acceptable relationship with the surrounding built form and the constraints of the site.
- 5.40 Objectors have raised concern regarding the height and position of Block B in relation to the properties in St Dunstan's Drive. However with a distance of 18.43m at the closest point, which then tapers away, from the properties to the east, together with Block B replacing an existing three storey building, it is considered this replacement building would not adversely harm the wider character of the area which consists of buildings of three storeys in height. This is demonstrated below:

Existing Streetscene (St Patrick's Gardens)



Proposed Streetscene (St Patrick's Gardens)



- 5.41 The plans show an improvement to the amenity greenspace which is welcome improvement over the existing underused amenity green space (see below images).



- 5.42 Under this proposal consideration has been given to improving the remaining amenity green space. The supporting Design & Access Statement, along with the landscape plans indicate a new children's play area, new communal garden and rain garden located centrally to the rear of Maisonette M01, a 'grow your own' garden and outdoor gym trail to the south east corner where the existing caretaker building is, tother with communal gardens to serve Blocks A and B and a significant amount of tree planting is proposed.

- 5.43 The below image shows the proposed landscape plan:



5.44 Notwithstanding the details submitted with the proposal and to ensure that the amenity greenspace is fit for purpose and to ensure the best possible outcomes for existing and future occupiers of the area, the details of the proposed amenity greenspace layout will be conditioned. This condition will include seeking additional details of all planting, fencing, play equipment etc.

5.45 Overall, it is considered that the proposed development would be of good design, utilise the size and layout of the site together with the change in land levels. The proposed replacement and additional blocks, together with road layout, parking and both private and communal amenities spaces have been designed to reflect the existing streetscape and character of the wider area and would not result in an overdevelopment of the site or have a detrimental impact on the character, appearance or the quality of the area. The development would therefore accord with Policies CS19 (LPCS) and Section 12 of the NPPF (2021).

Sustainability

5.46 Policies CS01 (LPCS) requires the Council to take a positive approach that reflects the presumption in favour of Sustainable development contained within the Core Strategy and the NPPF (2021).

5.47 Policy CS02 (LPCS) requires development to prioritise the redevelopment and recycling of underused, derelict and previously developed land in the urban area. Due to the location, size and layout, together with the spatial character of the area, this application site meets these definitions.

- 5.48 Policy CS18 (LPCS) sets out that new development should aim to reduce the overall carbon footprint of on development.
- 5.49 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.
- 5.50 At a national level, the NPPF (2021) states in paragraph 8 that achieving sustainable development means improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. Paragraph 105 of the NPPF (2021) states the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 5.51 Gravesham Borough Council recognises the importance of sustainability and on 25 June 2019 at its full Council meeting declared a climate emergency and this includes the target to make the borough Carbon Neutral by 2030.
- 5.52 Accompanying this application to address sustainability is the Planning, Design & Access Statement, Transport Statement, Phase 1 Environmental Report and Ecology and Biodiversity Net Gain Report.
- 5.53 The site is an existing residential estate, located within a residential area that has good links to both public and private transport. Valley Drive is a main access road in and out of Gravesend and is served by a main bus route, together with local shops situated within walking distance. The main A2 is also within very close proximity providing direct links to London and the coast. The proposal includes both car and cycle parking for residents. As such, the proposed development would provide sustainable travel modes in accordance with policy.
- 5.54 The development will meet the sustainable design and construction requirements set out in Gravesham Borough Council's Local Plan Core Strategy, Draft Gravesham Borough Council Climate Change Strategy, Building Regulations (Part L, G, M, S, O and F) and National Planning Policy Framework. Further details can be found in the supporting Sustainability Statement included as part of the Planning Application.
- High quality, sustainable design of homes that promotes energy efficiency through passive measures such as; fabric first approach with low U-values to the external fabric (walls, roof, windows, etc).
 - Internal arrangement that maximises dual aspect units for cross ventilation and outlook
 - Careful consideration of openings (size, orientation and g-values) to minimise overheating whilst maximising daylight and sunlight.
 - Carbon reduction through use of on-site renewable energy; Ground Source Heat Pumps and Photovoltaic Panels for flat blocks and houses.
 - Electrical vehicle charging point to meet Building Regulations Approved Document S.

- Provision of cycle parking spaces, to promote sustainable means of travel. Dedicated external, secure and covered cycle stores are proposed for flats and maisonette blocks and individual cycle stores for the houses.

- 5.55 The proposal seeks to utilise a large previously developed site that has existing residential dwellings that require updating, with communal areas that are underused. The proposal would provide a mixed tenure of residential properties of good design that reflects the layout and character of the existing residential built form. The proposal seeks to incorporate a significant amount of landscaping and trees that would replace any lost through the proposed development and also incorporate both private and shared amenities spaces, creating a sense of community. The proposal also provides the opportunity to improve biodiversity by including native landscaping which would create natural habitats and provide landscape buffers to the existing residential areas on St Columba's Close and St Dunstan's Drive, thus resulting in a biodiversity net gain.
- 5.56 In summary, the proposed development is considered to be a sustainable form of development that is designed to minimise the impact on climate and result in a biodiversity net gain. As such there is no conflict with Policies CS01, CS02, CS18 and CS19 (LPCS) and Section 2 of the NPPF (2021).

Amenity (Future Occupiers)

- 5.57 Policy CS19 (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 adopted Residential Layout Guidelines'. On 25 March 2015, the Government issued a written ministerial statement which introduced new technical housing standards in England.

Block A

- 5.58 Block A would contain 20 apartments, providing 5no. 1bed 2 person units, 5no. 2 bed 3 person units, 4no. 2 bed 4 person units, and 6no. 3 bed 5 persons units.
- 5.59 All of the 1 bedroom 2 person units would range from 50.9m² to 52.5m² gross internal floor area, which exceeds the 50m² minimum, with the bedrooms exceeding the 11.5m² minimum and would each have a private 5.5m² inset terrace/balcony. These would exceed both the national standards and the Gravesham Residential Layout Guidelines.
- 5.60 The 2 bedroom 3 person units would each have a gross internal floor area of 61.4m² which exceeds the 61m² minimum, with the bedrooms exceeding the 11.5m² minimum for a double and the 7.5m² for a single, and would each have a private 8m² inset terrace/balcony. These would exceed both the national standards and the Gravesham Residential Layout Guidelines.
- 5.61 The 2 bedroom 4 person units would each have a gross internal floor area of 70.3m² which exceeds the 70m² minimum, with both bedrooms exceeding the 11.5m² minimum for a double, and would each have a private 8.1m² inset terrace/balcony. These would exceed both the national standards and the Gravesham Residential Layout Guidelines.
- 5.62 The 3 bedroom 5 person units would have a gross internal floor area between 100.5m² and 104.9m², spread over two floors, which exceeds the 93m² minimum, with the bedrooms exceeding the 11.5m² minimum for a double and the 7.5m² for a single, and would each have a private 8m² inset balcony. These would exceed both the national standards and the Gravesham Residential Layout Guidelines.

- 5.63 Overall, all of the proposed units within Block A exceed both the national and local standards and would provide a good level of accommodation to the residents.

Block B

- 5.64 Block B would provide a total of 14 apartments consisting of 8no. 1bed 2 person units and 6no. 2 bed 3 person units.
- 5.65 All of the 1 bedroom 2 person units would have gross internal floor area of 51.3m², which exceeds the 50m² minimum, with the bedrooms exceeding the 11.5m² minimum and would each have a private 5.0m² terrace/balcony. These would exceed both the national standards and the Gravesham Residential Layout Guidelines.
- 5.66 The 2 bedroom 3 person units would each have a gross internal floor area of 62.2m² which exceeds the 61m² minimum, with the bedrooms exceeding the 11.5m² minimum for a double and the 7.5m² for a single, and would each have a private 6m² terrace/balcony. These would exceed both the national standards and the Gravesham Residential Layout Guidelines.
- 5.67 Block B would also have its own communal garden area to the rear.

Maisonette M01

- 5.68 Maisonette M01 would contain a total of 6 maisonettes, providing 2no. 1 bed 2 person and 4no. 2 bed 3 person units.
- 5.69 The 1 bedroom 2 person units would have a gross internal floor areas of 52.9m² on the ground floor and 60m² on the first floor, which exceed the 50m² minimum, with the bedrooms exceeding the 11.5m² minimum and would each have a private 6m² inset terrace/balcony. These would exceed both the national standards and the Gravesham Residential Layout Guidelines.
- 5.70 The 2 bedroom 3 person units would have a gross internal floor area of 62.5m² on the ground floor and 70m² on the first floor which exceed the 61m² minimum, with the bedrooms exceeding the 11.5m² minimum for a double and the 7.5m² for a single, and would each have a private 6.1m² inset terrace/balcony. These would exceed both the national standards and the Gravesham Residential Layout Guidelines.
- 5.71 In terms of floor layouts, Blocks A, B and Maisonette M01 have been laid out similarly in order to avoid noise transfer from rooms between the floors.

Terrace T01

- 5.72 The proposed Terrace T01 consists of 6no. two storey single residential dwellings, with accommodation within the roofspace, providing 4no. 3 bed 5 person and 2no. 4 bed 6 person dwellings.
- 5.73 The national standard for properties of this size is 99m² and 112m² respectively. The 3 bed dwellings all have a gross internal floor area of 104.5m² and the 4 bed dwellings have an area of 115.6m², which would exceed the minimum.
- 5.74 All of the individual rooms would exceed the national standard and all habitable rooms have access to a good level of outlook and natural light.

- 5.75 Each property would have a private garden area ranging from 45.64m² to 48.04m² for the 3 bed dwellings and 60.27m² and 63.95m² for the 4 bed dwellings. Whilst these would fall short of the 60m² and 100m² size and 10m depth minimum laid out in the Residential Layout Guidelines, all residents would have access to the communal play area, gardens, grow your own garden and an outdoor gym within the development. It is considered that the shortfall in private garden space would be mitigated by the shared amenities spaces that would be provided.
- 5.76 Taking into consideration all of the above, it is considered that the development as a whole would provide a good level of residential accommodation that would be in line with the advice laid out in the National Space Standards and the Residential Layout Guidelines and would accord with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Amenity (Neighbours)

- 5.77 Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and paragraph 130 of the NPPF (2021) requires development to have a high standard of amenity for existing users (In this case surrounding properties).

Block A

- 5.78 Block A replaces the existing three storey building that sits along the Valley Drive frontage. Due to the location and the existing layout and orientation of the site, it is considered that the additional floor within the middle section of the building, would not give rise to any further detrimental impact in terms of outlook, overlooking or overshadowing.

Block B

- 5.79 Block B would be located to the north east of the site and replaces an existing three storey building. It is acknowledged its location is set further to the north and east than the existing building, bringing the built form closer to the properties in St Columba's Close and St Dunstan's Drive. There would be a 12.8m gap from the rear elevation of Block B and the side elevation of No. 43 St Columba's Close and an 18.24m gap from the side west facing side elevation of Block B and the rear elevation of No. 86 St Dunstan's Drive. This part of the site sits at a lower ground level than the properties on St Dunstan's Drive and the proposed building would be similar in height to the building to which it replaces.
- 5.80 Block B has been designed to face onto St Patrick's Gardens with all of the private terraces and balconies being located on the south elevation to the front into the site, with the main entrance located on the south facing elevation.
- 5.81 On the north facing elevation there would be the external covered access, recessed kitchen windows which would not directly overlook any habitable room windows of No. 43 St Columba's Close. The small window to serve bedroom 3 of the units furthest east, would be set more than 20m from the site boundary.
- 5.82 On the west facing elevation there would be secondary living room and small kitchen windows which would be set more than 19m from the rear elevations of the nearest properties of St Dunstan's Drive.
- 5.83 In addition to the distances between the proposed Block B and the surrounding properties, the landscaping scheme proposes the use of buffer planting along the north and west site boundaries, in response to resident consultation.

- 5.84 As such, it is considered that the proposed Block B has little impact in terms of overlooking and overshadowing over neighbouring properties and gardens, and as such there would be no detrimental loss of privacy or natural light from any habitable room windows.

Maisonette M01

- 5.85 Maisonette M01 would be centrally located and would sit to the south of the new access road.
- 5.86 The orientation of these properties are such that the frontage faces to the north onto the access road with the private inset terraces located to the rear which would face onto the communal play area and gardens.
- 5.87 There would be a gap of 16.23m between the front elevations of the Maisonette M01 and the Terrace T01, with the roadway and landscaping between. There would be gap of 25.45m from the rear elevations of Maisonette M01 and the existing residential block to the south, together with the communal garden and play area between. As such it is considered there is sufficient distance between habitable room windows and amenity areas to not result in a detrimental impact on the surrounding properties.
- 5.88 Furthermore, Maisonette M01 is only a two storey building and as such is lower than the existing and proposed buildings.
- 5.89 With regard to overshadowing, the orientation of the site is such that the proposed building would cast shadow over the access road only.
- 5.90 Overall, it is considered that the proposed Maisonette M01 has little impact in terms of overlooking and overshadowing over neighbouring properties and gardens, and as such there would be no detrimental loss of privacy or natural light from any habitable room windows.

Terrace T01

- 5.91 Terrace T01 replaces the existing two buildings No. 28-42 (even nos. only) St Columba's Close which already benefits from first floor windows to the front and rear.
- 5.92 In terms of siting height, orientation and scale and massing, it would not be disproportionate to the existing.
- 5.93 There would be only secondary first floor rear habitable room windows located to the far ends of the block for the 2no. 4 bedroom dwellings. There would be a distance of 10.16m from the rear bedroom window of the east end property to the side elevation of No. 26 St Columba's Close, and a distance 8.78m from the rear bedroom window of the west end property to the rear boundary which would be to the far end of the rear garden of No. 26 St Columba's Close. The central 4no. 3 bedroom units would only have first floor bathroom windows in the rear elevation.
- 5.94 In addition to the distances between the proposed Terrace T01 and the surrounding properties, the landscaping scheme proposes the use of buffer planting along the north site boundary, in response to resident consultation
- 5.95 As such, taking to consideration the existing dwellings, together with the window positioning and distances to the site boundary, together with the proposed landscaping buffering, it is considered that the proposed Terrace T01 would not result in a detrimental impact on the privacy of the residents of No. 26 St Columba's Close.

- 5.96 Overall and taking all of the above into consideration, the proposed development has been designed in such a way to address any issues of overlooking or overshadowing and subject to a condition securing a landscaping scheme and management plan, the development would accord with Policy CS19 (LPCS) and Section 12 of the NPPF (2021).

Open Space

- 5.97 As many of the dwellings proposed could be occupied by families' weight is attached to the need to provide open space to meet the needs of future residents as required through Policy CS13 (LPCS) and Saved Policy LT6 (LPTR). At a national level The NPPF (2021) recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
- 5.98 The nature of the site, being in a suburban location and the site layout being somewhat dictated by the shape of the site has required the architect to carefully consider how to provide amenity space for future occupiers to enhance their living conditions.
- 5.99 Within this proposal a variety of different spaces are being provided.
- 5.100 The single-family dwellings have their own private gardens, and the flats and maisonettes have a mixture of private amenity space in the form of terraces/balconies and communal gardens, play areas, 'grow your own' gardens and outdoor gym space.
- 5.101 The proposed landscaping scheme clearly defines both the private and shared amenity areas, providing a range of shared amenities such as 'grow your own', children's play area, rain garden, outdoor gym equipment, as well as a large amount of soft landscaping for residents to enjoy. The hard and soft landscaping proposed creates a connection with the proposed development and surrounding area which provides a sense of community and cohesion within the site and its connectivity to the surrounding development and the public right of way that is located to the north of the site from St Dunstan's Drive to the east to Valley Drive to the west.
- 5.102 Conditions stating that all soft and hard landscaping is implemented as shown, prior to any occupation of the new units will be imposed.
- 5.103 It is concluded that the overall development will provide acceptable open space for existing and future occupiers, improving the existing site which is currently underused. As such, there is no conflict with Policy CS13 (LPCS) and Saved Policy LT6 (LPTR).

Refuse Storage and Collection Arrangements

- 5.104 Policy CS19 (LPCS) requires new development to incorporate facilities for the storage and recycling of waste generated further clarification is provided in Planning Guidance on Waste Collection Requirements (2019). In order to ensure this proposal complies with Policy CS19 (LPCS) Gravesham Waste and Recycling department have been consulted.
- 5.105 The supporting transport statement confirms that communal refuse stores will be provided to serve the flats, communal bin stores to the front of the maisonettes and for each of the single-family dwellings the plans indicate bin storage area in the rear gardens. For the single-family dwellings there will need to be sufficient bin storage for waste, recycling and garden waste along with food waste. On collection days the owners would bring the bin stores to the front of the dwellings for collection by Gravesham refuse team.
- 5.106 In order to ensure each of the dwellings have acceptable bin store locations these will be conditioned (prior to first occupation).

- 5.107 Turning to the flats, the communal refuse store for the development is located at the ground floor at the front and has access directly from the front. Gravesham Waste Management has been consulted and states the bin stores appear to be in suitable locations with easy access for the collection vehicle, together with an adequate number of bins.
- 5.108 In order to ensure the bin stores are secured this would be achieved through ensuring all bin stores are fitted with a lock which is accessed via key or key code. To ensure this is delivered, details of securing refuse stores will be conditioned.
- 5.109 The additional improvements to the refuse storage area for the existing residents in the south east corner are welcomed and these details will be conditioned.
- 5.110 In summary with regard to refuse arrangements the development complies with Policy CS19 (LPCS).

Surface Water Drainage

- 5.111 Policy CS18 (LPCS) sets out the requirements for dealing with sustainable drainage and surface water run-off. Kent County Council (KCC) is the Lead Local Flood Authority. The application site lies within Ground Source Protection Zone 2 and is not within a flood zone. The Environment Agency advice for development in the nature of these sites is that no infiltration of surface water drainage shall not be permitted without the LPA consent. This will be controlled through a planning condition.
- 5.112 Policy CS18 (LPCS) sets out the requirements for dealing with sustainable drainage and surface water run-off. KCC is the Lead Local Flood Authority and have been consulted they have provided conditions on sustainable surface water drainage, verification report and management.
- 5.113 In summary subject to suitable conditions there is no conflict with Policy CS18 (LPCS).

Archaeology

- 5.114 Policy CS20 (LPCS) 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.
- 5.115 Saved Policy TC7 (LPFR) 1994 indicates that planning permission may be refused without adequate assessment of the archaeological implications in areas of archaeological potential.
- 5.116 At a national level paragraph 189 of the NPPF (2021) 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.

- 5.117 The site has general background archaeological potential, however this area was developed before modern planning-led archaeology and as such, there is no clear understanding of the precise potential of the site.
- 5.118 Considering the archaeological potential of the site and possible past impacts on archaeology, the inclusion of a planning condition relating to field evaluation for archaeology is recommended.
- 5.119 Subject to the inclusion of the relevant archaeological condition, it is considered the proposal complies with Policy CS20 (LPCS), Saved Policy TC7 (LPFR) and Paragraph 189 of the NPPF (2021).

Contaminated Land

- 5.120 Policy CS19 (LPCS) 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.
- 5.121 Paragraph 174 of the NPPF (2021) 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.
- 5.122 The application is accompanied by a Phase 1 Preliminary Risk Assessment and Phase 2 Geo-Environmental and Geotechnical Site Investigation Report. The report concludes that there is relatively low level of contamination encountered within the shallow soils and therefore it is unlikely that any significant risk to ground water is present.
- 5.123 In order to account for any potential contamination issues a watching brief condition will be included.
- 5.124 No objection to the proposal subject to the above suggested condition and the proposal complies with Policy CS19 (LPCS) and Paragraph 174 of the NPPF (2021).

Ecology and Biodiversity

- 5.125 Paragraph 174 and 177 of the NPPF (2021) requires planning decisions to ensure that the natural and local environment is enhanced by minimising impacts on and providing net gains for biodiversity and this is reflected in Section 40 of the Natural England Commission Rural Communities (NERC) Act (2006) and the Environmental Act (2021).
- 5.126 Policy CS12 (LPCS) indicates that sites designated for their biodiversity value will be protected, with the highest level of protection given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites, and that there will be no net loss of biodiversity in the Borough.

Appropriate Assessment

- 5.127 The Habitats Directive protects certain species of plants and animals that are particularly vulnerable and requires a Habitats Regulations Assessment (HRA) to be undertaken by a competent public body, such as a local planning authority where any development has the

potential to have an impact on a protected site. The process of HRA involves an initial 'Screening' stage followed by an Appropriate Assessment (AA) if proposals are likely to have a significant (adverse) impact on a protected site - in this case the Thames Estuary and Marshes Special Protection Area of SPA (termed Natura 2000 site).

- 5.128 In the light of any such assessment, the Borough Council may only grant planning permission if it has been ascertained that the proposed development will not, either on its own or in-combination with other plans and projects, have an Adverse Effect on the Integrity (AEOI) of such a site, unless there is no feasible alternative or imperative reasons of overriding public interest apply.

Recreational Pressures on the Thames Estuary and Marshes Special Protection Area (SPA) and SAMMS

- 5.129 The Thames Estuary and Marshes Special Protection Area (SPA) is 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.

- 5.130 The Local Planning Authority has mitigated out the impacts of this on each and every planning application for a new residential development of one or more units within the 6km zone since September 2015 by accepting a Strategic Access Mitigation and Monitoring Strategy (SAMMS) (tariff) payment (currently £275.88 per additional dwelling). This approach is approved by Natural England for all new residential developments. For every planning application for a new dwelling (including new flats), the tariff contributions are secured through a Section 106 legal agreement or unilateral undertaking or if there are no other financial contributions this is secured through a contribution agreement. Where a developer is unwilling to make the SAMMS payment, sufficient evidence is required to be supplied to enable the Council to undertake an Appropriate Assessment to determine that it is unnecessary to mitigate any potential Likely Significant Effect.

- 5.131 The tariff has previously been accepted effectively in lieu of an Appropriate Assessment (AA). However, in a recent Court of Justice European Union (CJEU) ruling this approach was not considered to be valid, as the CJEU considered the first stage to 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. In this respect, the CJEU judgement made 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 Appropriate Assessment and that mitigation measures cannot be taken into account at the screening stage.

- 5.132 The applicants accept in their submitted Preliminary Ecological Appraisal that a Strategic Access Management and Monitoring Strategy (SAMMS) mitigation contribution would be required to offset any potential recreational impacts, and that with the adoption of this

payment then the scheme will prevent any likely significant impact occurring, but that further adverse impacts from the proposed development on designated sites are not anticipated. The Local Planning Authority is therefore satisfied that the proposals would put in place adequate measures to mitigate potential significant adverse impacts on the Thames Estuary and Marshes SPA/Ramsar sites and to protect their integrity in accordance with their conservation objectives. On this basis, the proposal is considered to comply with Paragraphs 180 and 181 of the NPPF and policy CS12 (LPCS), and the requirements of the Conservation of Habitats and Species Regulations 2017. Potential impacts on the European Sites do not therefore impose an impediment on the grant of planning permission in this instance.

Biodiversity Net Gains

5.133 The application is accompanied by a Preliminary Ecological Appraisal which concluded that there are no known overriding ecological constraints that would prevent the proposed works going ahead, subject to the recommendations made in the report being implemented.

5.134 KCC Biodiversity have been consulted and concluded that sufficient information was provided and raised no objections subject to suggested conditions and informatives relating to the use of native species planting, together with bird and bat boxes to mitigate for biodiversity losses on-site.

5.135 In regard to biodiversity and ecology there is no conflict with local and national planning policy subject to the relevant planning conditions and the SAMMS payment being secured.

Planning Obligations and Affordable Housing

Procedural issue

5.136 Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism that we as a Council, often use to secure financial contributions or other forms of mitigation such as affordable housing from developers, make a development proposal acceptable in planning terms. As the Council is the applicant in this case, the use of s106 Agreement to secure financial contributions from ourselves towards Strategic Access and Mitigation Measures Strategy (SAMMS), Kent County Council contributions, Dartford and Swanley Commissioning Group and to secure affordable housing is not an appropriate way forward and alternative legal mechanisms need to be used.

5.137 Officers consider that the same outcomes can be achieved via alternative appropriate mechanisms, as follows:

1. Gravesham Council would enter into a unilateral undertaking (under s106) with KCC agreeing to pay the financial contributions (There request is outstanding) and Dartford and Swanley Commissioning Group for their financial request.
2. GBC would sign a SAMMS Contribution Agreement letter agreeing to the above financial contributions towards the cost of measures to mitigate the impact of the development on the over-wintering bird interest on the North Kent Marshes.
3. It is proposed to include a recital to ensure that the proposed housing remained affordable for both first and subsequent occupants. Given the need to move away from a s106 Agreement, it is considered that this can now be secured via a planning condition.

5.138 In order for the Local Planning Authority to request financial contributions on behalf of third parties any contributions will need to meet all of the tests listed below:

- (A) necessary to make the development acceptable in planning terms;

(B) directly related to the development; and

(C) fairly and reasonably related in scale and kind to the development.

Developer Contributions

5.139 It is important to ensure that sufficient infrastructure is provided to meet the needs of new residents, employees and businesses in the Borough. As recognised in the NPPF (2021), the provision of new infrastructure is an important part of new development and the Council has worked with local service providers to identify their infrastructure needs over the plan period. Policy CS10 (LPCS) states that where new development generates a need for new infrastructure, developers will have to provide or contribute towards such provision, subject to viability consideration.

5.140 KCC have requested the following contributions

Contribution	Amount Per Unit		Total Amount
Primary Education	£4,642.00 per house	£1,160.50 per flat	£38,386.50 *
Secondary School	£4,540 per house	£1,135.00 per flat	£37,863*
Community Learning	£16.42		£344.82*
Youth Service	£65.50		£1,375.50*
Library Service	£55.45		£1,164.45*
Social Care	£146.88		£3,084.48*
KCC Waste	£129.20		£2,713.20*
Total amount			£84,931.95*
Total amount payable			£84,931.95*
Trigger Point			Prior to Commencement

*Final figures to be agreed.

5.141 KCC's Commissioning Plan for Education Provision in Kent is clear that the proposal gives rise to additional primary school pupils during occupation and have requested the contribution go towards expansion of school locally within the KCC North Kent Education Area.

5.142 The proposal is also projected to give rise to additional secondary school pupils from the date of occupation and KCC's Commissioning Plan for Education Provision in Kent have requested a contribution towards Thamesview expansion.

5.143 In regard to Libraries, Adulation Education, Youth and Social Services KCC have confirmed acceptable site specific schemes and no further clarification is required.

5.144 With regard the Waste request Policy CS06 (LPCS) states 'facilities will be provided to support development of the Springhead Quarter and Northfleet Rise Quarter Key Sites and will be accessible to both existing and future communities. These will include the provision of educational, health, social care, sports and community facilities, open space to meet a variety of needs and recycling and waste transfer facilities. These will be provided in accordance with the phasing schedule set out in the Infrastructure Delivery Schedule.

5.145 KCC is the statutory Waste Disposal Authority for Kent and have stated that the existing household waste recycling centres (HWRC) and waste transfer stations (WTS) are running

at capacity and additional housing will create significant burden on the manageability of waste in Kent, and have identified a contribution towards Ebbsfleet Waste Transfer Station.

Gravesham Leisure Services

5.146 Policy CS13 (LPCS) and the NPPF (2021) recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. As also outlined by Sport England, consideration should be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities.

5.147 Taking into consideration the additional units and development's location within the borough and real time need/deficiencies on the ground, the development needs to make a financial contribution of £58,301 towards general play and multi-use games area enhancements within 1 mile of the development. This figure has been accepted by the applicant and complies with local and national planning policy.

NHS Requests

5.148 NHS Kent and Medway Strategic Planning and Primary Care Estates have requested £17,280 towards refurbishment, reconfiguration and/or extension of local medical facilities and is deemed to be acceptable and meets the relevant tests. The applicant has agreed to this request.

Total Requests

5.149 The applicant has agreed to all of the above requests and the heads of terms for financial contributions are as follows:

Obligation	Sum
Kent County Council	£84,931.95
Gravesham Leisure Services	£58,301
Bird Wise North Kent SAMMS	£5,517.60
NHS Kent and Medway	£17,280
Total Figure:	£166,030.55*

*Final figures to be agreed.

Affordable Housing

5.150 The Borough Council's position on affordable housing, as set out in Policy CS16 (LPCS) is that affordable housing will be required at a provision of 30% on sites in the urban area proposing 15 or more dwellings or on sites of 0.5 hectares or more. Policy CS16 (LPCS) seeks a broad mix of 70% rented and 30% shared ownership (negotiable), although the tenure mix should meet local needs and achieve a viable, sustainable and socially inclusive development.

5.151 Under this proposal the applicant would need to provide 15 affordable dwellings based on the split as set out in LPCS Policy CS16. However, the applicant has applied for a 100% affordable scheme and to achieve this the following condition will be included:

The residential units hereby permitted shall not be occupied until a scheme for the provision

of affordable housing has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and the provision shall meet the definition of affordable housing set out in Annex 2 of the National Planning Policy Framework 2021 or any future guidance that replaces it. The scheme shall include:

- (i) the numbers, type and tenure of the affordable housing provision to be made,*
- (ii) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.*

Reason In the interests of securing affordable housing in accordance with policy CS16 (Affordable Housing) of the Gravesham Local Plan Core Strategy (September 2014).

5.152 With the scheme being 100% affordable housing this will help local people on the housing list awaiting a social housing to meet their needs. For example as of 16th January 2023 there are 296 people requiring 1 bed; 329 for a 2 bed; 201 requiring 3 bed and 124 households requiring 4 bedroom or more properties. This proposed development will provide 46 properties for social housing which will help reduce the waiting list. In addition a further benefit is that the smaller properties may help people who wish to downsize, thus freeing up larger properties for other people on the housing register.

Highways

5.153 The proposed development needs to be considered against Policy CS11 (LPCS) 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 is also reflected by Saved Policy T1 (LPFR) which requires proposed development to be adequately served by the highway network and Saved Policy P3 (LPFR) which sets out highways parking standards for development.

5.154 At a national level the NPPF (2021) states at paragraph 105, significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF (2021) goes on to state development should only be prevented or refused on transport grounds where the cumulative impact of development is severe.

Proposed Highway Layout & Arrangements

5.155 Vehicular access for the development would be provided by a new access road and would form a new priority controlled junction on Valley Drive. Any changes to the adopted highway would need to be subject to Section 278 / Section 38 Agreements to be approved by KCC Highways.

5.156 Pedestrian access would also be included with the new access, in addition to the use of existing and additional pedestrian accesses through and around the site. The existing footpaths would be improved and resurfaced and lighting as part of the development.

5.157 Visibility splays of 2.4 x 43m at the junction of the access road and Valley Drive would be provided which was accepted by both KCC Highways and GBC Highways Officer, and therefore would provide adequate visibility of the footpath and highway when using the access, subject to being conditioned.

Traffic Generation

- 5.158 With a net increase of 20 residential properties, there would be an increase in vehicle movements to the site and from the site. However given the site location, with direct access onto Valley Drive, it is not considered that the development is likely to create any significant issues on the local highway network.

Parking Provision

- 5.159 The proposed development seeks to provide 26 no. new parking spaces, with each of the houses on Terrace 01 provided with an individual on plot car parking space.
- 5.160 The existing parking provision within the redline boundary would be retained.
- 5.161 Electrical vehicle charging spaces will be provided for each of the on plot car parking spaces for the house and 20% of the remaining 20 spaces would have active electric charging infrastructure at the outset and 80% would have passive provision to enable conversion to active provision at a later date.
- 5.162 The supporting information has indicated that the parking bays would measure 2.5m by 5m which would accord with KCC Highways standards.
- 5.163 Electric Vehicle charging would be provided as part of the proposal and this would be secured via condition prior to occupation.
- 5.164 Three secure communal cycle stores are also proposed to serve the flat blocks and maisonettes with two being located to the rear of Block A and one to the rear of Block B. Two cycle spaces would also be provided for each house in the front garden. Charging infrastructure for electrical cycles would also be provided for 5% of the total number of cycle spaces.
- 5.165 The development does not provide any dedicated visitor parking. However with the parking for the flats and maisonettes being unallocated giving a level of flexibility, together with the sustainable location of the site to public transport, this is not deemed to be unacceptable.
- 5.166 In terms of layout and provision, the proposed parking and cycle plan would provide adequate on-site parking to serve the proposed units and the layout is such that it would not be parking dominant.

Impact on surrounding properties

- 5.167 The proposal would result in an increase in traffic movements to and from the site, however due to the location of the site having direct access onto Valley Drive and the A2, The KCC Highways Officer has confirmed the proposal would have no adverse impact on highway safety.
- 5.168 There is no on-street parking facility to the front of the site and all parking provision is within the site. The majority of the immediately surrounding properties on Valley Drive, St Columba's Close and St Dunstan's Drive benefit from private access, driveways and off-road parking, with Bishop's Court have their own parking provision, and as such there would be no impact on neighbouring properties in terms of parking provision.
- 5.169 National Highways raised no objection to the proposed development subject to a condition of a Construction Management Plan.

5.170 Taking all of the above into account, the parking provision for the site and the impact on the strategic and local highway network during the schemes' full occupation, will not have an adverse highways impact which has been confirmed in the supporting transport statement and in the formal comments from Kent Highways and Transportation Services, National Highways and Gravesham Highway Development Management Officer.

5.171 There is no conflict with local or national planning policy.

Public Right of Way (PROW)

5.172 Policy CS11 (LPCS) states that multifunctional linked network of green spaces, footpaths, cycle route and wildlife stepping stones and corridors will be created, protected, enhanced and maintained.

5.173 To the north of the site is an existing public footpath NGX-30 which connects Valley Drive, St Columba's Close and St Dunstan's Drive, and sits within the site boundary.

5.174 As part of the proposal, a small central section of the PROW would be rerouted to run parallel to the new terrace houses and would be moved a few metres to the west of the existing path and would measure between 2.3 and 2.5m wide. This shown in the below diagram.

Proposed PROW Overlay



5.175 It is also proposed to make improvements to the retained PROW.

5.176 KCC PROW were consulted on the proposals and subject to a separate application to divert the path being submitted to KCC through the Town and Country Planning Act, there are no objections to the proposal.

6. Conclusion

- 6.1 The proposal is a sustainable form of development that accords with national and local policy planning policy and will provide a 100% affordable scheme for social rent within the urban area of Gravesend.
 - 6.2 All representations received from both 3rd parties and statutory consultees have been taken into account when considering this proposal and no amendments to the proposal are required.
 - 6.3 Subject to the conditions set out below, it should be delegated to the Planning Manager (Development Management) for permission subject to the unilateral agreement being signed.
-

Recommendation

Delegated to the Service Manager (Planning) to grant PERMISSION subject to planning conditions and the unilateral agreement being signed.

Suggested Conditions

Time Limit

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

2. The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans:

Drawings/Plans

Drawing No. SCC-BPTW-04-05-DR-A-0171 Rev P04 – Proposed roof Plan PROW Overlay;
Drawing No. SCC-BPTW-04-00-DR-A-0201 Rev C02 – Site Location Plan;
Drawing No. SCC-BPTW-04-00-DR-A-0202 Rev C01 – Existing Site Plan;
Drawing No. SCC-BPTW-04-00-DR-A-0203 Rev C01 – Demolition Plan;
Drawing No. SCC-BPTW-04-00-DR-A-0205 Rev C02 – Proposed Block Plan;
Drawing No. SCC-BPTW-04-00-DR-A-0210 Rev C02 – Proposed Ground Floor Site Plan;
Drawing No. SCC-BPTW-04-01-DR-A-0211 Rev C02 – Proposed First Floor Site Plan;
Drawing No. SCC-BPTW-04-02-DR-A-0212 Rev C02 – Proposed Second Floor Site Plan;
Drawing No. SCC-BPTW-04-03-DR-A-0213 Rev C02 – Proposed Third Floor Site Plan;
Drawing No. SCC-BPTW-04-04-DR-A-0214 Rev C02 – Proposed Fourth Floor Site Plan;
Drawing No. SCC-BPTW-04-05-DR-A-0215 Rev C02 – Proposed Roof Site Plan;
Drawing No. SCC-BPTW-19-00-DR-A-1010 Rev C01 – Terrace T01 - Proposed Ground Floor Plan;
Drawing No. SCC-BPTW-19-ZZ-DR-A-1011 Rev C01 – Terrace T01 – Proposed Floor Plans – Sheet 1;
Drawing No. SCC-BPTW-19-03-DR-A-1012 Rev C01 – Terrace T01 – Proposed Roof Plan;
Drawing No. SCC-BPTW-20-00-DR-A-1020 Rev C01 – Maisonette M01 – Proposed Ground Floor Plan;
Drawing No. SCC-BPTW-20-ZZ-DR-A-1021 Rev C01 – Maisonette M01 – Proposed Floor Plans – Sheet 1;
Drawing No. SCC-BPTW-21-00-DR-A-1030 Rev C01 – Block A – Proposed Ground Floor Plan;
Drawing No. SCC-BPTW-21-01-DR-A-1031 Rev C01 – Block A – Proposed First Floor Plan;
Drawing No. SCC-BPTW-21-02-DR-A-1032 Rev C01 – Block A - Proposed Second Floor Plan;
Drawing No. SCC-BPTW-21-03-DR-A-1033 Rev C01 – Block A – Proposed Third Floor Plan;
Drawing No. SCC-BPTW-21-04-DR-A-1034 Rev C01 – Block A – Proposed Fourth Floor Plan;
Drawing No. SCC-BPTW-21-05-DR-A-1035 Rev C01 – Block A - Proposed Roof Plan;
Drawing No. SCC-BPTW-22-00-DR-A-1040 Rev C01 – Block B - Proposed Ground Floor Plan;
Drawing No. SCC-BPTW-22-01-DR-A-1041 Rev C01 – Block B – Proposed First Floor Plan;
Drawing No. SCC-BPTW-22-02-DR-A-1042 Rev C01 – Block B – Proposed Second Floor

Plan;

Drawing No. SCC-BPTW-22-03-DR-A-1043 Rev C01 – Block B - Proposed Roof Plan;

Drawing No. SCC-BPTW-23-ZZ-DR-A-1051 Rev C01 – Cycle Store 01 & 02 - Proposed Plans (Block A);

Drawing No. SCC-BPTW-24-ZZ-DR-A-1061 Rev C01 – Cycle Store 03 - Proposed Plans (Block B);

Drawing No. SCC-BPTW-19-ZZ-DR-A-2011 Rev C01 – Terrace T01 – Proposes Elevations – Sheet 1;

Drawing No. SCC-BPTW-19-ZZ-DR-A-2012 Rev C01 – Terrace T01 – Proposed Elevations – Sheet 2;

Drawing No. SCC-BPTW-20-ZZ-DR-A-2021 Rev C01 – Maisonette M01 – Proposed Elevations – Sheet 1;

Drawing No. SCC-BPTW-20-ZZ-DR-A-2022 Rev C01 – Maisonette M01 - Proposed Elevations – Sheet 2;

Drawing No. SCC-BPTW-21-ZZ-DR-A-2031 Rev C01 – Block A - Proposed Elevations – Sheet 1;

Drawing No. SCC-BPTW-21-ZZ-DR-A-2032 Rev C01 – Block A – Proposed Elevations – Sheet 2;

Drawing No. SCC-BPTW-22-ZZ-DR-A-2041 Rev C01 – Block B - Proposed Elevations – Sheet 1;

Drawing No. SCC-BPTW-22-ZZ-DR-A-2042 Rev C01 – Block B – Proposed Elevations – Sheet 2;

Drawing No. SCC-BPTW-23-ZZ-DR-A-2051 Rev C01 – Cycle Store 01 & 02 – Proposed Elevations (Block A);

Drawing No. SCC-BPTW-24-ZZ-DR-A-2061 Rev C01 – Cycle Store 03 - Proposed Elevations (Block B);

Drawing No. SCC-BPTW-04-ZZ-DR-A-2071 Rev C01 – Existing and Proposed Street Elevations – Sheet 1;

Drawing No. SCC-BPTW-04-ZZ-DR-A-2072 Rev C01 – Existing and Proposed Street Elevations – Sheet 2;

Drawing No. SCC-BPTW-04-ZZ-DR-A-2073 Rev C01 – Existing & Proposed Street Elevations – Sheet 3;

Drawing No. SCC-BPTW-04-ZZ-DR-A-2074 Rev C01 – Existing and Proposed Street Elevations – Sheet 4;

Drawing No. SCC-BPTW-19-ZZ-DR-A-2211 Rev C01 – Terrace T01 – Proposed Section;

Drawing No. SCC-BPTW-20-ZZ-DR-A-2221 Rev C01 – Maisonette M01 - Proposed Section;

Drawing No. SCC-BPTW-21-ZZ-DR-A-2231 Rev C01 – Block A – Proposed Section;

Drawing No. SCC-BPTW-22-ZZ-DR-A-2241 Rev C01 – Block B – Proposed Section

Drawing No. SCC-BPTW-04-ZZ-DR-A-2251 Rev C01 – Existing & Proposed Site Sections – Section AA;

Drawing No. SCC-BPTW-04-ZZ-DR-A-2252 Rev C01 – Existing & Proposed Site Sections – Section BB;

Drawing No. SCC-BPTW-04-ZZ-DR-A-2253 Rev C01 – Existing & Proposed Site Sections – Section CC;

Drawing No. 65203358-SWE-ZZ-XX-TP-SK-0001 Rev P06 – Public Right of Way Plan – Existing and Proposed;

Drawing No. 65203358-SWE-XX-XX-D-TP-0001 Rev P06 – Gravesham Borough Council Refuse Vehicle Swept Path Analysis;

Drawing No. 65203358-SWE-XX-XX-DR-TP-0004 Rev P01 – Parking Visibility Splays & Speed Control Measures;

Drawing No. 16204/E/01-06 – Elevation Survey;

Drawing No. 16204/E/02-06 – Elevation Survey;

Drawing No. 16204/E/03-06 – Elevation Survey;

Drawing No. 16204/E/04-06 – Elevation Survey;

Drawing No. 16204/E/05-06 – Elevation Survey; and

Drawing No. 16204/E/06-06 – Elevation Survey.

Documents

Planning Application Form;
Covering Letter;
Drawing Issue Sheet – Planning Issue: SCC-BPTW-XX-XX-SH-A-0100;
Planning Statement – October 2022;
Design & Access Statement – October 2022;
Landscape Design and Access Statement – October 2022;
Accommodation Schedule (SCC-BPTW-XX-XX-SA-A-0101 Rev C01) – October 2022;
Planning Obligations Statement – October 2022;
Sustainability & Energy Statement – October 2022_Rev01;
Transport Statement – October 2022;
Affordable Housing Statement – October 2022;
Below Ground Drainage Strategy – October 2022;
Phase 1 Preliminary Risk Assessment and Phase 2 Geo-Environmental and Geotechnical Site Investigation Report December 2022;
Contaminated Land Report (Windowless Borehole Log) – June 2022;
Environmental Noise Survey, Noise Break-In Assessment & Sound Insulation Scheme – October 2022;
Statement of Community Involvement – October 2022;
Existing Tree Map and Key;
Arboricultural Survey – July 2022;
Bat Survey Report – June 2022;
Flood Risk Assessment – October 2022;
Gross Internal Floor Area (GIA) Schedule (SCC-BPTW-04-XX-SH-A-0811 Rev C01) – October 2022;
Detailed UXO Risk Assessment – March 2022;
Daylight and Sunlight Report – October 2022; and
Preliminary Ecological Appraisal – April 2022.

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

Pre-commencement Conditions

Code of Construction Practice

3. No development approved by this permission shall be commenced until a comprehensive Code of Construction Practice covering all environmental impacts of this development is provided by the applicant and submitted for approval to the Local Planning Authority in consultation with the Local Highway Authority. The development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice. For the avoidance of doubt Code of Construction Practice shall include, but not exclusively cover the following:
 - a) Construction Logistics Plan (CLP)
 - b) Routing of construction and delivery vehicles to and from site
 - c) Parking and turning areas for construction and delivery vehicles and site personnel
 - d) Timing of deliveries
 - e) Provision of wheel washing facilities
 - f) Temporary traffic management/signage
 - g) Storage of plant and materials
 - h) Dust management controls;
 - i) Location and height of cranes and scaffolding;
 - j) Measures of minimising the impact of noise and, if appropriate, vibration arising from

- construction activities;
- k) Predicted noise and, if appropriate, vibration levels for construction using methodologies and at locations agreed with the Local Planning Authority;
 - l) Scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;
 - m) Scheme for location and appearance security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
 - n) Details of disposal of waste arising from the construction programme, including final disposal points (the burning of waste on the site at any time is specifically precluded);
 - o) Hours of operation;
 - p) Smoke management controls;
 - q) Odour controls; and
 - r) Any other matters relevant to this particular site.

Reason To ensure the free flow of traffic on the highway and to protect the amenity of local residents and businesses in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Contaminated Land Strategy

- 4. No development approved by this permission shall be commenced 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 will include the following components:
 - a) 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 at the site.
 - b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The results of the site investigation and the detailed risk assessment referred to in (2) 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.
 - d) 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 (3) are complete and identifying 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 174 of the National Planning Policy Framework (2021) and to accord with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Archaeology

- 5. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an 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. 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 shall be submitted to and approved in writing by the Local Planning Authority.

Reason To ensure that features of archaeological interest are properly examined and recorded in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy TC7 of the Gravesham Local Plan First Review (1994).

Biodiversity and Lighting

6. Prior to commencement of works, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will show the type and locations of external lighting, as well as expected light spill in lux levels, to demonstrate 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 In order to enhance the biodiversity of the site in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy (September 2014).

Sustainable Surface Water Drainage

7. No development approved by this permission shall be commenced 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 submitted 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 the climate change adjusted 100yr critical storm)
 - (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 the climate change adjusted critical 100yr storm,
 - (iii) demonstrate that infiltration features are not located on parts of the site where contamination might be present
 - (iii) include a timetable for its implementation, and
 - (iv) 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 operation of the sustainable drainage system throughout its lifetime.

The surface water drainage scheme shall thereafter be implemented in full prior to first residential occupation of the development and thereafter maintained and managed in accordance with the approved scheme.

Reason To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions, in accordance with policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Tree Protection

8. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatment works.
- e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing
- h) a specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- n) Reporting of inspection and supervision
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping

The development thereafter shall be implemented in strict accordance with the approved details.

Reason Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy

(September 2014) and pursuant to section 197 of the Town and Country Planning Act 1990.

Prior to Above Ground Works

Foul and Surface Water Sewerage Disposal

9. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence details of the proposed means of foul and surface water sewerage disposal shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved details.

Reason To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Biodiversity and Ecological Enhancement

10. Within six months of works commencing, details of how the development will offset biodiversity loss/enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. This will include a native species-only landscape scheme. The approved details will be implemented and thereafter retained.

Reason In order to enhance the biodiversity of the site in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy (September 2014).

External Facing Materials

11. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence details (and samples where requested by the Local Planning Authority) 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 thereafter be carried out in accordance with the approved details prior to any part of the development first being brought into use.

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 adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Crime Prevention Measures

12. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence, details of crime prevention measures according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to any of the residential units hereby permitted first being occupied and shall thereafter retained.

Reason To ensure the development protects the environment of the site and its locality generally, in the interest of security, crime prevention and community safety and is in accordance with

Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Prior to occupation

Details of Balconies and Balustrades

13. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the balconies and balustrades for the development shall be submitted to and approved in writing by the Local Planning Authority. The details of the balconies shall include information on how future occupiers will have sufficient privacy when using the balconies and to protect the privacy of surrounding properties. The approved details shall be provided prior to first occupation of any of the residential units hereby permitted first being occupied and thereafter be retained for such purposes at all times.

Reason In order to ensure an acceptable standard of development upon completion and protect the amenity of occupiers and neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Obscure Glazing

14. Prior to first occupation of any of the residential units hereby permitted and notwithstanding the details shown on the approved plans, submitted documents and application form, a schedule and details of all windows within the development to be obscure glazed (and where applicable fixed shut) shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be implemented as approved prior to any of the residential units hereby permitted first being occupied. For the avoidance of doubt any obscure windows shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall be permanently retained as such. All fixed shut windows shall be permanently retained as such.

Reason To protect the amenity and privacy of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Hard Surface and Boundary Treatments

15. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans 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:
 - proposed boundary treatments,
 - proposed finished levels and contours,
 - hard surface finishes to the vehicle parking areas, pedestrian accesses, private gardens and amenity areas;
 - details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures
 - details of the pedestrian access and circulation areas
 - minor structures such as play equipment, log piles, and any proposed seating.

The approved works shall be completed in accordance with the approved details prior to first occupation of any of the residential units hereby permitted.

Reason To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity and highway safety in accordance with Policies CS11 and Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 of the Gravesham Local Plan First Review (1994).

Soft Landscaping Scheme

16. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, a scheme detailing the proposed soft landscaping 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 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.

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 (September 2014).

Formation of Parking Spaces

17. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, the vehicle parking areas shown on the approved plans shall be formed, surfaced, drained and marked out in accordance with a scheme first to be submitted to and approved in writing by the Local Planning Authority. Thereafter, 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) and saved Policy P3 of the Gravesham Local Plan First Review (1994).

Allocation and Safeguarding of Parking Spaces

18. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, a strategy for the allocation and safeguarding of parking spaces for the occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy and measures to safeguard the use of the spaces shall be implemented prior to any of the residential units hereby permitted first being occupied and maintained thereafter.

Reason In order to ensure an acceptable standard of development upon completion, in accordance with adopted Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Visibility Splays

19. Notwithstanding the details shown on the approved plans, prior to any part of the development first coming into use full details of visibility splays for the vehicular access onto Valley Drive 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 prior to the vehicular access first being brought into use and retained as such thereafter.

Reason In the interests of highway safety in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014).

Cycle Storage

20. Prior to any part of the permitted development being occupied or used, the cycle storage facilities as shown on the approved plans, shall be provided prior to any of the residential units hereby permitted first being occupied and thereafter be retained for such purposes at all times.

Reason In order to encourage options for sustainable travel in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

Electric Charging Points

21. Prior to the first use of the car parking spaces hereby approved details for provision of cabling to enable charging facilities to be installed for electric vehicles for the future occupants and public of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first use of the car parking spaces hereby approved to which the cabling applies.

Reason To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policies CS11, CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

External Lighting

22. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of all proposed external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details prior to any of the residential units hereby permitted first being occupied and no additional external lighting shall be provided on the site.

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 Gravesham Local Plan of the Core Strategy (September 2014).

Refuse Arrangements

23. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the refuse arrangements along with a refuse collection management plan 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 and security arrangements for the refuse stores and the management plan shall include arrangements for how the bins shall be taken nearer to the public highway on collection days and then returned to the bin store after the refuse has been collected. The development shall be carried out in accordance with the approved details prior to first occupation of any of the residential units hereby permitted and shall thereafter be retained for such purposes at all times.

Reason In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Deliveries and Servicing the Proposed Development

24. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details and arrangements for deliveries and servicing the proposed development, shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be implemented as approved. The servicing strategy shall include the following:

- (a) Details for the servicing of the residential apartments and communal spaces to be provided as part of the development, to have regard to the phased delivery of the development and interim arrangements required until such time as the whole development is built out and operating;
- (b) Details as to how existing properties will be serviced during the construction of the development and once it has been built out (if this differs).

Reason To ensure acceptable delivery and servicing arrangements to enable the efficient operation of the development and to minimise any potential impacts on the road network and existing properties and businesses and in accordance with adopted Local Plan Core Strategy Policies CS11 and CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Broadband

25. Prior to any part of the permitted development being occupied or used a fibre to premises (FTTP) Statement shall have been submitted to and approved by the Local Planning Authority in writing for the installation of a high speed wholly FTTP connection to the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP). Thereafter, the infrastructure shall be laid out in accordance with the approved details and be available for use on the first occupation of any of the residential units hereby approved.

Reason To ensure that the new development in Gravesham is provided with high quality broadband services enhancing Gravesham as an attractive location in accordance with Policy CS19 and CS20 Gravesham Local Plan Core Strategy (September 2014).

Prior to Installation

Plant Equipment

26. Notwithstanding the details shown on the approved plans and application form prior to the installation of plant equipment, details of any services and plant systems, including roof top plant equipment shall be submitted to and approved, in writing, by the Local Planning Authority. The details shall include the siting, external appearance and any proposed screening. The works shall thereafter be carried out in accordance with the approved details prior to first occupation of any of the residential units hereby permitted.

Reason In the interest of the amenities of neighbouring properties and the area generally and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

On-going Conditions

Infiltration of Surface Water Drainage

27. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority.

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 174 of the National Planning Policy Framework (2021) and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

Watching Brief

28. 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 (2021).

Dishes/Telecommunication

29. No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roofs/walls of the development hereby approved.

Reason In the interests of the visual amenity of the development and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

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.

2 REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of conditions 3 - 8 (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.

Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing. The applicant has agreed in writing on 23rd January 2023 to all the pre-commencement conditions.

3 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority as proceeding without the necessary permissions could nullify this permission.

4 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. 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.

5 NAMING & NUMBERING

As a result of the proposal, 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. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

6 SOUTHERN WATER

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Please read their New Connections Services Charging Arrangements documents which has now been published and is available to read on their website via the following link
<https://beta.southernwater.co.uk/infrastructure-charges>.

7 KCC ECOLOGY ADVICE SERVICE – 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.

8 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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 road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at
<https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.