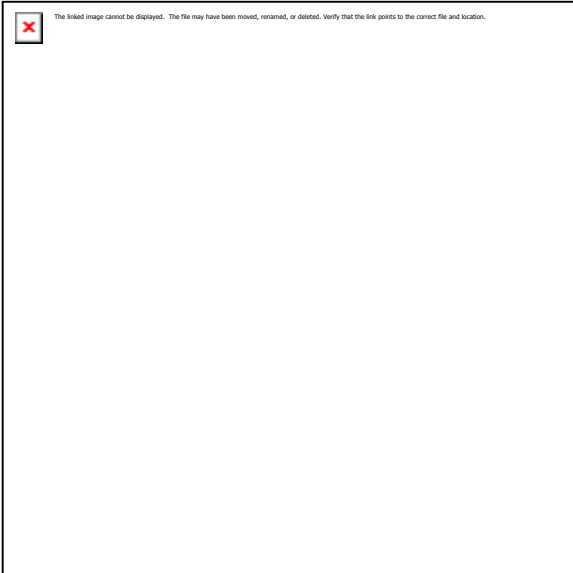




Delegated Report

Planning Application

Application no: 20220505

Location: 48 Pelham Road Gravesend Kent DA11 0HZ

Description: Application for approval of conditions 5, 6, 7 and 8 attached to planning permission reference number 20201336 relating to the cycle store (5), the refuse and recycling storage area (6), cabling to enable charging facilities to be installed for electric vehicles (7) and details of the refuse arrangements (8).

Applicant: Look Ahead Care and Support

Site Visit Date: Desk top

Planning permission was granted for 'Conversion to 5 x 1 bedroom flats to include erection of a rear extension, installation of new rooflights within roof slopes and extract vents through external walls, replacement and adaptation of first floor window opening to front elevation and reinstatement of external fire escape' on 17 May 2021 under ref 20201336. This was subject to a number of conditions including nos. 5, 6, 7 and 8 which this application seeks to discharge.

An application was previously submitted (ref. 20211589) for the approval of condition nos. 5, 6, 7 and 8 which was determined by way of refusal in February 2022 on the following grounds:

1. *Condition 5 cannot be discharged as no details have been submitted of the appearance of the cycle store and it cannot therefore be assessed against the objectives of Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.*

2. *Condition 6 cannot be discharged as no details of the appearance of the refuse and recycling storage area have been submitted. Furthermore, the proposal to remove a section of the remaining front boundary wall to allow vehicular access to the bins for collection would not preserve the character or appearance of the Pelham Road/The Avenue Conservation Area but be harmful to it. As such the proposal would be contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.*
3. *Condition 7 cannot be discharged as the proposal to remove a section of the remaining front boundary wall to allow access for charging would not preserve the character or appearance of the Pelham Road/The Avenue Conservation Area but be harmful to it. As such the proposal would be contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.*
4. *Condition 8 cannot be discharged as no details of the appearance of the refuse and recycling storage area have been submitted. Furthermore, the proposal to remove a section of the remaining front boundary wall to allow vehicular access to the bins for collection would not preserve the character or appearance of the Pelham Road/The Avenue Conservation Area but be harmful to it. As such the proposal would be contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.*

Consultations

GBC Highways Officer

I have no objections to the proposed cycle store or car charging point, although I would suggest the charging point is fixed to the front wall of the property as that would avoid the need to lay a cable under the drive.

The comments regarding the timing of providing the cycle store are noted, but the applicant cannot predict demand, nor can the Council. But, the provision of a cycle store provides options that will not exist if it is not there on day one of occupation.

The issue regarding the intended residents is noted, but I'm unaware of any limitations on who may occupy the flats and potentially they could be sold/rented on the open market and the demands/needs of the residents would change.

It is recognised that currently some materials and equipment may have long lead times which could potentially delay occupation so some flexibility may be possible, but a backstop date would have to be agreed and this then creates additional problems as if it is still not possible to comply the residents may need to be relocated, until the condition is complied with. The alternative, if possible, may be a unilateral undertaking from the applicant limiting the occupation of the flats to particular health related issues, which gives the Council the opportunity to review the matter if the flats are placed on the open market. The undertaking would lapse on the provision of the cycle shelter and electric charging point.

GBC Waste

I have reviewed the above planning application and I am happy that suitable provision has been provided for these properties.

Developers are required to pay for the provision of all bins required for a development and these can be purchased through the Council. Developers are welcome to purchase their own 1,100 litre bins however the bins must be metal and comply with European Standard EN840.

The Council should be informed at least two weeks prior to the waste collections by the council taking place.

Analysis

In response to this current application the assessment of condition nos. 5, 6, 7 & 8 is as follows:

Condition 5

Condition 5 is as follows:

5. *Prior to the first occupation details shall be submitted to and approved in writing by the Local Planning Authority of a secure, weather proof cycle store and its location within the site, which provides sufficient space for bicycles to be parked. The approved cycle store shall be implemented in full prior to the first use of the building as the house of multiple occupation hereby permitted and the structure shall thereafter be maintained and kept available for the parking of bicycles while the building remains in use as a house in multiple occupation.*

Reason *In order to provide for alternative modes of sustainable transport in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and the adopted Vehicle Parking Standards (SPG4).*

The information submitted in pursuance to this condition is as follows:

- Covering letter
- Drawing no. 4 Rev. D – Existing and Proposed Garden Layout
- Specification Sheet New Sheffield Cycle Shelter

The information submitted shows the location of the store which would be in the rear garden adjacent to the southern boundary and would be 2.1m in depth, 3.6m in length and 2.1m in height. It would consist of a curved room structure with open frontage and sides. No objections from the Highways Officer. The location and design of the cycle store are considered acceptable and it is considered sufficient details have been submitted to discharge condition 5.

Condition 6

Condition 6 is as follows:

6. *Prior to the first occupation details shall be submitted to and approved in writing by the Local Planning Authority of the location and appearance of the refuse and recycling storage area to serve the development and the waste management arrangements associated with the proposed use. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste. The approved bin store and waste management arrangements shall be implemented in full prior to the first use of the building as the house of multiple occupation hereby permitted and shall thereafter be maintained while the building remains in use as a house in multiple occupation.*

Reason *In order to ensure the development is served by a suitable refuse storage area, to preserve the residential and visual amenities of the locality in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014).*

The information submitted in pursuance to this condition is as follows:

- Covering letter
- Drawing no. 4 Rev. D – Existing and Proposed Garden Layout
- Drawing no. 13 – Proposed Bin Store

The information submitted shows that no bin store is proposed and it would be the case that the bins would simply be stored in the south west corner of the front drive. GBC Waste confirm that suitable provision is proposed in terms of refuse storage. However, in terms of design, character and appearance the location of the bins is not considered acceptable. There is no bin store proposed, the bins would simply be stored in the south west corner of the front drive and not concealed in a bin store in any way. Furthermore, a section of the front boundary wall has been demolished meaning the bins would be fully visible from the streetscene. There is an annotation on the drawing which states the removal of the section of the wall is 'to allow vehicular access to bins for collection'. Although modern, the removal of the front boundary wall is

considered to have caused harm to the character and appearance of the Pelham Road/ The Avenue Conservation Area. The frontage is now fully open and with the removal of the wall the bins would be fully visible in the streetscene which would not be acceptable in terms of general visual amenity and would also not preserve the character and appearance of the Pelham Road/The Avenue Conservation Area but cause harm to it; it is therefore considered condition 6 cannot be discharged.

Condition 7

Condition 7 is as follows:

7. *Prior to the first occupation of the development hereby approved details for provision of cabling to enable charging facilities to be installed for electric vehicles for the future occupants of the dwelling 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 occupation of any of the residential units 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 Policy CS11, CS18 and CS19 of the Gravesham Local Plan: Core Strategy (September 2014).*

The information submitted in pursuance to this condition is as follows:

- Covering letter
- Drawing no. 4 Rev. D – Existing and Proposed Garden Layout

The electric charging point has been installed already and is located on the northern boundary wall. A section of the front boundary wall has been demolished (a section in addition to that demolished for the bin storage) and which is annotated on the drawing to have been 'to allow access for car charging'. As discussed in the above section, although modern the removal of the front boundary wall is considered to have caused harm to the character and appearance of the Pelham Road/ The Avenue Conservation Area, the frontage is now fully open and with the removal of the wall the electric charging point is fully visible in the streetscene, none of which is acceptable in terms of general visual amenity and it would also not preserve the character and appearance of the Pelham Road/The Avenue Conservation Area but cause harm to it; it is therefore considered condition 7 cannot be discharged.

Condition 8

Condition 8 is as follows:

8. *Prior to the first occupation of the development hereby approved and notwithstanding details on the approved plans details of the refuse arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The approved refuse arrangements shall be provided prior to first occupation of the dwelling and 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 adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).*

The information submitted in pursuance to this condition is as follows:

- Covering letter
- Drawing no. 4 Rev. D – Existing and Proposed Garden Layout
- Drawing no. 13 – Proposed Bin Store

This condition essentially appears a repetition of condition 6 in terms of what it requires.

As set out in condition 6, the removal of the section of front boundary wall is considered to have caused harm to the Pelham Road/The Avenue Conservation Area and the resultant high visibility of the bins as a result of the removal of the wall would be harmful in respect of general visual amenity and to the character

and appearance of the Conservation Area; as such it is considered condition 8 cannot be discharged.

Conclusion

Condition 5 – sufficient information has now been submitted in pursuance of this condition.

However the application cannot be approved as sufficient information has still not been submitted for condition nos. 6, 7 & 8 as follows:

Condition 6 cannot be discharged as the submitted details show no bin store is proposed and with the demolition of the section of front boundary wall this has caused to the character and appearance of the Pelham Road/The Avenue Conservation Area and the bins would be fully visible from the streetscene. As such the proposed refuse storage details are considered harmful in respect of general visual amenity and also to the character and appearance of the Pelham Road/The Avenue Conservation Area which would not be preserved. The proposal is therefore contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.

Condition 7 cannot be discharged as the demolition of the section of front boundary wall has caused to the character and appearance of the Pelham Road/The Avenue Conservation Area and the electric charging point would be fully visible from the streetscene. As such the proposed electric charging point details are considered harmful in respect of general visual amenity and also to the character and appearance of the Pelham Road/The Avenue Conservation Area which would not be preserved. The proposal is therefore contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.

Condition 8 cannot be discharged as the submitted details show no bin store is proposed and with the demolition of the section of front boundary wall this has caused to the character and appearance of the Pelham Road/The Avenue Conservation Area and the bins would be fully visible from the streetscene. As such the proposed refuse storage details are considered harmful in respect of general visual amenity and also to the character and appearance of the Pelham Road/The Avenue Conservation Area which would not be preserved. The proposal is therefore contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.

Recommendation:

Refusal of details

Refusal

See draft Decision

Case Officer:	Ms Rebecca Harrison	Team Leader:	Miss Faye Hobbs
Signed:	<i>Rebecca Harrison</i>	Signed:	
Dated:	11th July 2022	Dated:	11 July 2022