



Delegated Report

Planning Application

Application no: 20211398

Location: Ellenor Coldharbour Road Northfleet Gravesend

Description: *Revised Description:*

Minor material amendment application for variation of conditions 2, 10, 13, 14 and 16 attached to planning permission reference no. 20190756 for expansion and refurbishment of the existing Ellenor Hospice; to allow for phasing of the project, amendment of the design to accommodate measures to improve ventilation including minor increase in height, amendment to plant enclosure, various external amendments to doors, fenestration, fencing and hard surfaces etc., and relocation of parking due to anomalies in ownership areas.

Applicant: Mr Tim Hammond

Site Visit Date: Desktop; previous visit 17 September 2019

The Site and Surroundings

The Ellenor Hospice is located on the north side of Coldharbour Road Northfleet opposite the Morrison's supermarket and its customer car park and associated petrol filling station and close to the junction with Packham Road. It occupies a site area of 0.7 hectares.

The Ellenor Hospice (formerly Lions Hospice) provides inpatient and outpatient hospice care and support to families and for people of all ages in Kent facing terminal illness and has been at this site for over 25 years. The hospice currently provides 15 bedded inpatient facilities for people from 14 years to adulthood. There are two adult teams: 'The Hospice at home' for people in their own homes and the 'Care Home Support team' for people in care and nursing homes. Children's services include a respite service for parents and carers; and cancer care for children so they can receive chemotherapy in their own homes and a range of clubs and activities.

The Hospice is located within a brick and tile building principally single storey but with some first floor roof accommodation and is set within well landscaped and enclosed gardens. The tarmac car park for the Hospice is situated on the west side of the building where the main entrance is located and provides car parking for 30 cars with access from Coldharbour Road. There is a rear entrance used as a service access in Marks Square. At the rear of the building is an existing mobile classroom. The site is screened at the rear by tree planting and timber fencing.

There is a wide open grassed amenity strip of land containing a number of attractive trees adjacent to Coldharbour Road which is all within the ownership of the hospice. There is a short path across the amenity area that connects the footway in Coldharbour Road to the enclosed garden area of the hospice.

There have been a number of additions to the main hospice building since it was first permitted in 1990, details of which are set in the planning history section of this report.

The Hospice adjoins an open field to the east now being developed by Vistry Group (Bovis) and Persimmon

Homes for the construction of 400 homes. To the north and at the rear of the site is Marks Square where there is a mix of terraced and semi-detached two storey, including Council owned dwellings. There is layby in Coldharbour Road opposite the entrance into the hospice car park. There is a bus service (service 306/308) that runs along Coldharbour Road and into Morrison's.

The Hospice is shown in the aerial image of the site below taken from Google Earth



The following photographs of the site were taken by the planning case officer in September 2019





Relevant Planning History

Planning Application History

Ref No	Description and Site	Decision	Date
19900081	Erection of part single storey part two storey building to form a 10-bed ward Hospice with ancillary day care facilities, associated parking for 25 cars and landscaping and formation of a vehicular access onto Coldharbour Road.	Permission	26.03.1990
20010073	Erection of single storey rear extension to form store, nurses rest room and enlarged mortuary and extension under the existing front entrance canopy to form enlarged reception area.	Permission	28.03.2001
20020932	Erection of single storey rear extension to form nurse's room, storage room and an enlarged refrigeration room.	Permission	30.12.2002

20030791	Erection of extension to canopy on main entrance and a conservatory on the south-eastern elevation.	Permission	05.11.2003
20040111	Erection of single storey extension to and conversion of existing stores to form two conference rooms, reception area and wc accommodation.	Permission	13.04.2004
20061060	Erection of a two-storey extension on western side elevation to form a lift shaft and construction of an open canopy at the main entrance.	Permission	22.01.2007
20070674	Erection of single storey extension on the eastern corner to provide three additional patient bedrooms.	Permission	18.09.2007
20100006	Erection of single storey extensions to form day therapy room, dining room and sacred space.	Permission	04.03.2010
20100657	Application for non-material amendment to planning permission reference number 20100006 relating to the erection of single storey extensions, for the amendment of the external materials from zinc cladding to render, omission of the grass roof and details of an amended landscaping scheme.	Permission	12.10.2010
20130761	Installation of externally mounted chiller unit at the rear.	Permission	23.09.2013
20170643	Retention of an existing portacabin and siting of 1no. Portacabin - both for a temporary three-year period.	Temporary Permission	29.08.2017
20190756	Expansion and refurbishment of the existing Ellenor Hospice to provide 12 en-suite rooms consisting of a single storey extension at the eastern end to provide 5 single en-suite rooms with amenity space and nurses space together with 7 refurbished rooms within the existing hospice layout; construction of two storey addition on south side for offices, meeting rooms for well-being centre and improved outpatient facilities; provision of ambulance access from Marks Square; alterations and extension to existing car parking layout and provision of external storage and sub-station	Permission	23.10.2019
20201363	Renewed temporary planning permission (limited to 5 years) for the continued siting of 2no. existing Portacabins to provide training, meeting and lecture facilities at Ellenor Hospice	Temporary Permission	28.04.2021
20211398	<i>This Application</i>		

Note: There have been a number of other temporary permissions and consents for signs and advertisements, which have not been listed above.

Relevant Pre-Application Enquiries

PRE20140526: Enlargement of hospice and additional parking spaces

PRE20170308: Phased extensions to hospice.

PRE20180646: Expansion and refurbishment of the existing Ellenor Hospice to provide 12 ensuite rooms consisting of a single storey extension at the eastern end to provide 5 single ensuite rooms with amenity space and nurses space and with 7 refurbished rooms within the existing hospice layout; construction of two storey addition on south side for offices, meeting rooms for well-being centre and additional outpatient facilities; provision of ambulance access from Marks Square; alterations and extension to existing car parking layout and provision of external storage and sub-station.

Proposal

This application, when originally submitted, was stated as being a minor material amendment type application (*section 73 of the Planning Act*) for the variation of planning conditions 2, 7, 8, 9, 10, 12, 13, 14 and 16 attached to planning permission reference 20190756 for expansion and refurbishment of the existing Ellenor Hospice.

This has since been revised (agents email 25.01.22) to only being for variation of **conditions 2, 10, 13, 14 and 16**. These relate to Approved Plans (Condition 2), Car Parking Provision (Condition 10), Electric Vehicle Provision (Condition 13), Ecology Mitigation (Condition 14) and Soft landscaping Scheme (Condition 16).

It is indicated that the amendments proposed are to allow for the phasing of the project, amendment of the design to accommodate measures to improve ventilation including minor increase in height, amendment to plant enclosure, various external amendments to doors, fenestration, fencing and hard surfaces etc., and the relocation of parking, due to anomalies in ownership areas.

Submitted Plans and Documents

Application Form;

Covering letter from David Hicken Associates dated 22 November 2021 (ref DHA/13537);

Drawing No P0299-RHP-ZZ-ZZ-DR-A-1000-S2-Location Plan-P4: Site Location Plan;

Existing Plans

Drawing No P0299-RHP-ZZ-ZZ-DR-A-1002 Rev P3: Existing Site Plan;

Drawing No P0299-RHP-ZZ-GF-DR-A-2000 Rev P3: Existing Ground Floor Plan;

Drawing No P0299-RHP-ZZ-01-DR-A-2001 Rev P3: Existing First Floor Plan;

Drawing No P0299-RHP-ZZ-XX-PL-A-2002 Rev P3: Existing Roof Plan;

Drawing No P0299-RHP-ZZ-XX-DR-A-2100 Rev P3: Existing Elevations;

Revised Proposed Plans

Drawing No P0299-RHP-ZZ-ZZ-DR-A-1000-S2-Location Plan-P4;

Drawing No P0299-RHP-ZZ-ZZ-DR-A-1001-S2-Block Plan-P3;

Drawing No P0299-RHP-ZZ-XX-DR-PL-A-1003-S2-Proposed_Site_Plan-P13;

Drawing No P0299-RHP-ZZ-XX-DR-PL-A-1005-S2-Proposed_Site_Plan-Phase 1- P3;

Drawing No P0299-RHP-ZZ-GF-DR-PL-A-2003-S2-Proposed_Ground_Floor_Plan-P9;

Drawing No P0299-RHP-ZZ-01-DR-PL-A-2004-S2-Proposed_First_Floor_Plan-P8;

Drawing No P0299-RHP-ZZ-XX-DR-PL-A-2005-S2-Proposed_Roof_Plan-P6;

Drawing No P0299-RHP-ZZ-XX-DR-PL-A-2006-S2-Service_Stores_and_Workshop-P5;

Drawing No P0299-RHP-ZZ-XX-DR-EL-A-2101-S2-Proposed_Elevations- P8;

Drawing No P0299-RHP-ZZ-XX-DR-SE-A-2201-S2-Proposed_Sections- P6;

Drawing No P0299-RHP-ZZ-XX-DR-A-2103-S2-Proposed_Street_Elevations-P3;

Drawing No P0299-RHP-ZZ-XX-MR-A-9200-S2-3D Views-P3;

Revised Documents

Planning Statement from David Hicken Associates dated November 2021 (ref JAC/DRB/13537);

Arboricultural Impact Assessment, Method Statement and Tree Protection Plan ref 8414 Rev 05 dated 11 November 2021 by Phlorum Limited;

Drainage Strategy - Drawing No FAH-00-XX-DR-C-0010 P3 by Fairhurst;
Landscape Masterplan - Phase 1 Drawing No LLD2470-LAN-DWG-010 Rev 04 by Lizard Landscape Design and Ecology;
Preliminary Ecological Appraisal 8414 Rev 01 dated 25 October 2021 by Phlorum Limited;
Transport Statement Ref 7110A Rev D, September 2021 by GTA Civils & Transport;

Original Retained Documents

Archaeological Desk-Based Assessment by SWAT Archaeology dated 18 June 2019;
Environmental Noise Survey by Cole Jarman (Report 18/0538/R1) November 2018;
Arboricultural Survey Report by Phlorum Limited February 2019;
Travel Plan Framework by GTA Civils (undated);

Detail of the Proposals

The current application seeks amendments to some of the planning conditions that were imposed in relation to application reference 20190756 and the submission of various revised plans and other documents, following the permission issued on 23 October 2019 for development comprising expansion and refurbishment of the existing Ellenor Hospice, all to allow the phasing of the project, together with various design amendments and the relocation of parking, the latter due to anomalies in ownership areas.

The amendments proposed in this scheme arise, as indicated by the applicants, in view of changes to ventilation arising from experience of the Covid situation, from Building Regulation requirements and further investigation regarding drainage and servicing requirements. In addition, further checks in respect of boundaries has resulted in minor amendments to parking. Phasing is also required due to financial considerations.

The supporting statement says:

The planning application remains for the redevelopment and refurbishment of Ellenor Hospice to provide enhanced facilities for its inpatient and outpatient facilities.

The amendments proposed largely arise due to a need to phase the project due to financial considerations, but also as a result of a need to amend the design to accommodate measures to improve ventilation as a consequence of new Guidance following the Covid pandemic. Further survey work has also identified anomalies in respect of precise ownership areas and as a result, parking has been moved. It is however important to note that no structures have been re-sited.

Therefore, there will now be two main phases of redevelopment to the hospice.

Phase one of the redevelopment proposal includes the refurbishment and extension of the wellbeing unit, amendments to the parking area including parking numbers and configuration. Associated landscaping will also be incorporated into this stage. During this phase, the 15-bedroom capacity will remain.

The remaining phase will include the refurbishment of the existing inpatient unit to provide 12 bedrooms instead of the previous 15-bed facility, now equipped with en-suite facilities.

The new larger bedrooms will improve patient wellbeing, privacy and dignity, providing larger living arrangements than the previously designed rooms.

It remains the case that there is no intention to increase the number of patients because of the expansion. The intention is to provide improved facilities for the existing patient capacity of the hospice by providing additional bedroom space and privacy via the introduction of en-suite bathrooms to the rooms.

The proposal also involves significant improvements to the site ventilation facilities as a result of experience related to the recent Covid pandemic.

The space needed for improved filters and mechanical equipment to ensure safe working and the safety of visitors and in-patients has resulted in a need for a small increase in the height of the roof and a small addition to the length of the front office extension. As a consequence, the precise internal layout has altered a little, albeit, the overall useable floorspace is practically identical to what was originally granted. For ease of reference, the increase in GEA/GIA is listed below:

The proposal is for an additional 954m² GIA made up of:

- Inpatient Unit Extension - 326m² (single storey);*
- Outpatient Extension (including plant area) - 531m² (two storey);*
- Services/Storage Outbuilding - 40m² (single storey);*
- Workshop/Storage Outbuilding - 57m² (single storey).*

In order to accommodate the phasing, an additional Plan is provided that shows the interim landscaping solution.

The planning statement indicates that the existing building(s) Gross Internal Area totals approximately 1722m² is made up of:

- The main building (combination of single and two storeys): 1560m²
- The portakabin outbuilding: 78m²
- The ancillary outbuildings to the rear (2no.): 68m²
- Sheds (2no.): 16m²

It indicates that the areas that will be demolished to make way for the new development, totals: 227m² and comprises:

- Parts of the main building - existing Coldharbour road end gable (lift) and conservatory (combination of single and two storeys): 65m²
- The portakabin outbuilding: 78m²
- The ancillary outbuildings to the rear (2no.): 68m²
- Sheds (2no.): 16m²

In comparison to the approved 2019 scheme, the amendment proposal includes an additional 44m² of floorspace.

The changes, in summary, are stated by the applicants in their planning statement as being:

- The extended building fronting Coldharbour Road has an amended design comprising a flared gable extension and fenestration to increase the ridge height and length of the services area to enable improved "Covid appropriate" ventilation systems. Other minor amendments to this building are set out within the drawings pack.

- Amendments to the parking layout and provision

- Plant enclosure has widened by approx. 1150mm. This allows space to accommodate the ventilation plant.

- Plant /fire escape door changed to a double leaf (large and slave leaf), providing approx. 1200mm clear opening when both leafs are open.

- Path width between plant enclosure and retaining wall is reduced to 1600mm clear.

- 'Ramp' lengthened and graded to approx. 1:21 so that it is no longer classed as a 'ramp' (building regs), but as a footpath. To avoid the need to remove any additional trees at the base of the ramp, we have needed to extend the path at the Coldharbour Road end, which requires the introduction of another landing.

- Services/storage outbuilding layout and door arrangement updated to accommodate new electric equipment.

- Substation detached from the stores and re-located to the north west corner of the car park as a GRP enclosure.

- External Tap and gully positions added; 1no. to the Workshop deck and 1no. to the end of the services/storage outbuilding (adjacent to Store S4). Workshop extended to accommodate ancillary functions.

- Plant area and refuse store floor gullies indicated.

- Workshop size/layout and position has changed.

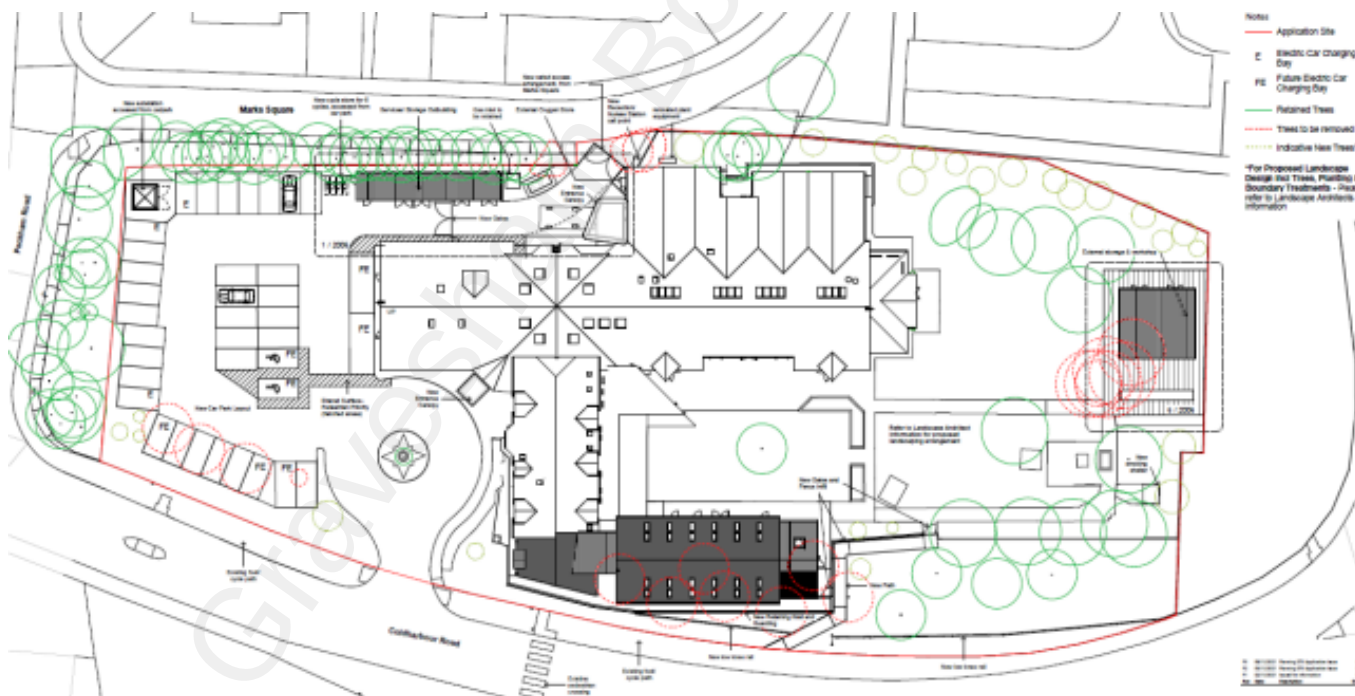
- Standalone covered cycle store (was originally in services outbuilding).
- New oxygen store and smoking shelter.
- Retained gas inlet cupboard (previously noted as relocated).
- Knee rail to denote Hospice ownership boundary on Coldharbour road added.
- New AOV rooflight added to plant.
- Part obscure glazing added to the Coldharbour Road first floor office windows.
- New enlarged window to an existing room fronting the car park.
- Number of new rooflights to the existing building reduced.
- Perimeter fence and ground levels updated to match recent survey information.

In addition, services and drainage requirements have led to a need to amend the landscaping of the scheme. Certain trees will need to be removed as identified on the submitted plans. In addition, an amended planting scheme that allows for the phasing of the development has been submitted, along with minor changes to reflect the amended layout.

The changes will be enacted during a two-phase development, which comprises:

- Phase 1: wellbeing extension, refurbishment and externals; and
- Phase 2: reconfiguration of bedrooms and related extension works.

The priority phase for the Hospice is Phase 1, specifically the Wellbeing refurbishment and extension, parking, access (new ambulance access to the rear from Mark's Square) and landscaping. The proposed Phase 1 works are as shown on the diagram below:



Development Plan and other related Planning Policies and Guidance

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The Courts have held that it is a matter of planning judgement as to whether a proposal is in accordance

with the development plan when 'read as a whole' and conflict with a particular policy or policies may not pass that threshold.¹

Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

The Development Plan for Gravesham currently comprises:

- *The Gravesham Local Plan Core Strategy and Policies Map (September 2014);*
- *Remaining Saved Policies in the Gravesham Local Plan First Review (November 1994); and*
- *The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020)*

There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and supplementary planning guidance and where they exist neighbourhood plans. There are currently no relevant neighbourhood plans.

Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

The application site lies within an **urban area** (Policy CS02) and adjoining a **key site** (Policy CS21) and Coldharbour Road is a **local distributor** in the highway network (Policies T1-T5) in the Gravesham Local Plan Core Strategy Policies Map

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

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS10: Physical and Social Infrastructure
Core Strategy Policy CS11: Transport
Core Strategy Policy CS12: Green Infrastructure
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles
Core Strategy Policy CS20: Heritage and the Historic Environment

Policy CS01 (Sustainable Development) sets out that support will be given to proposals that accord with the development plan. A positive approach to new development will be taken that reflects the presumption in favour of sustainable development set out in the NPPF and the Local Plan Core Strategy.

Policy CS02 (Scale and Distribution of Development) sets out the Council's development strategy which prioritises focussing new development in the urban area and rural settlements inset from the Green Belt. The strategy prioritises development in the urban area by promoting regeneration by:

- the redevelopment and recycling of underused, derelict and previously developed land;
- revitalising Gravesend Town Centre as a focal centre for small scale office development; and
- bringing forward a range of suitable sites for residential and employment development.

¹ See the Judgement in the Court of Appeal on R(on the application of William Corbett) and The Cornwall Council and others [2020] EWCA Civ 508 at <https://www.bailii.org/ew/cases/EWCA/Civ/2020/508.pdf>

Policy CS10: Physical and Social Infrastructure supports proposals and activities that protect, retain or enhance existing social infrastructure. Where new development leads to the need for new or improved physical or social infrastructure, developers will be required to provide or contribute towards this subject to viability considerations.

Policy CS11 (Transport) sets out the Council's approach when considering proposals that will have an impact on the public highway and the need to provide appropriate levels of car parking. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel.

Policy CS12 (Green Infrastructure) seeks to create, protect, enhance and maintain a multi-functional, linked network of green spaces, footpaths, cycle routes and wildlife stepping stones and corridors (effectively the Green Grid). Policy CS12 also protects sites designated for their biodiversity value, with the highest level of protection being given to internationally designated Special Protection Areas, Special Areas of Conservation and Ramsar sites.

Policy CS18 (Climate Change) seeks to ensure that Water Framework Directive objectives are secured and that the impact of development on waste water drainage systems is minimised. Surface water run-off from all new development should, as a minimum, have no greater adverse impact than the existing use. It requires the use of Sustainable Drainage Systems where technically and financially feasible. It requires the water efficiency measures to be installed to achieve the equivalent of level 3/4 of the Code for Sustainable Homes (105 litres per person per day)²

Policy CS19 (Development and Design Principles) sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. In particular, it requires new development to be visually attractive, fit for purpose and locally distinctive. It should conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards. The design, layout and form of new development will be derived from a robust analysis of local context and character and make a positive contribution to the street scene and to the character of the area.

It requires account to be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings and of the wider context including features of townscape and landscape value, which contribute to local character and sense of place.

It requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and avoid adverse environmental impacts from pollution.

Proposals should include details of appropriate hard and soft landscaping, protect and where opportunities arise enhance biodiversity and provide appropriate facilities for the storage and disposal of waste.

Policy CS20 (Heritage and the Historic Environment) 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.

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994.

A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

² Now equivalent to 110 litres per person per day as required by National Standard – see GBC Housing Standards Policy Statement (2015) at http://www.gravesham.gov.uk/__data/assets/pdf_file/0016/201625/Housing-Standards-Policy-Statement.pdf

Saved policies contained in the Gravesham Local Plan First Review should still be accorded significant weight, albeit that the weight accorded should be greater where policies are consistent with the National Planning Policy Framework (NPPF, paragraph 219).

Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

The following remaining saved policies are relevant to the consideration of this proposal:

Policy T1: Impact of Development on the Highway Network

Policy T5: New Accesses onto Highway Network

Policy P3: Policy for Vehicle Parking Standards

Policy TC7: Other Archaeological Sites

Saved Policy T1 requires all development to be served by the highway network and Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

Saved Policy P3 indicates that development will be expected to make provision for vehicle parking in accordance with the KCC Vehicle Parking Standards as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

Saved Policy TC7 requires a developer to provide additional information, in the form of an assessment of the archaeological or historic importance of the site in question and the likely impact of development.

Review of Local Plan

Paragraph 33 of the NPPF (2021) sets out those policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and the review found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02 due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020

The Council published in 2020 a Regulation 18 (stage 2) consultation on its proposed Development Management Policies Document, replacing the 2018 Stage 1 version, which will in due course form part of and update the Gravesham Local Plan. Under paragraph 48 of the NPPF 2021, policies in this document may be accorded weight in the decision making process with this varying according to its stage of preparation; the extent to which there are unresolved objections; and the degree of consistency of policy with those in the Framework. As the Development Management Policies Document is at an early stage and the fact that the consultation has only recently concluded, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant policies reflect those set out in the Framework and for the purposes of this pre-application these should be relied on instead.

The following draft policies from the Regulation 18 (Stage 2) Development Management Policies Document (2020) show the direction of travel the Council is going and are considered as being relevant to the consideration of this application, albeit the weight that these emerging policies may be accorded at this stage is very limited.

Proposed Policy INF 2: Transport Design Principles;
Proposed Policy INF 3: Understanding and Mitigating Transport Impacts;
Proposed Policy INF 4: New Accesses and Junctions;
Proposed Policy INF 5: Electric Vehicle Charging Points;
Proposed Policy FW 3: Managing Flood Risk;
Proposed Policy AM 1: Air Quality;
Proposed Policy AM 2: Contaminated Land;
Proposed Policy AM 4: Sunlight and Daylight within New Development;

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) July 2021 is a material consideration.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:

- an economic objective;
- a social objective; and
- an environmental objective.

The following paragraphs are specifically highlighted as being of importance to the consideration of the development proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered.

Section 2, Paragraphs 7 - 14: Achieving sustainable development
Section 4, Paragraphs 38 - 59: Decision Making
Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport
Section 12, Paragraphs 126 - 136: Achieving well-designed places
Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change
Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment
Section 16, Paragraphs 189 - 208: Conserving and Enhancing the Historic Environment

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF.

It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things.

The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95).

Supplementary Planning Guidance and other Documents

The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

In addition, the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

The following documents are relevant to the consideration of this pre-application enquiry:

- Kent Design Guide (SPG 5 published December 2005, adopted July 2006)
- Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)
- Vehicle Accesses on Classified Highways (SPG6 November 1992)

Consultations, Publicity and Representations

Internal Consultations

GBC Regulatory Services (Environmental Health)

The conditions relevant to this service are conditions 9 and 13, which state:

9. Lighting - Notwithstanding the details shown in the approved drawings full details of any new external lighting to the site, buildings and car park as amended, including details of the re-siting of any existing lighting, shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works in connection with the development hereby permitted; the lighting shall be implemented in accordance with the approved details prior to the first occupation of any part of the development hereby permitted.

13. Electric Vehicle Provision -The development hereby permitted shall include the provision of a minimum of 3 electric vehicle charging points within the altered and extended staff and visitor car park within the site and with cabling to enable future charging facilities to be installed for electric vehicles for a further 7 parking spaces; each charging point should be able to accommodate a useable supply of 7kW; such provision shall be implemented prior to the first occupation of any part of the development hereby permitted and therefore permanently retained and maintained.

This service has no objections in relation to the proposed amendments and would expect the conditions above to remain as they are.

GBC Highways Development Management Officer

These amendments raise one item of minor concern.

The new soakaway in the southeast corner of the site appears to be within 5 metres of the highway, which is not permitted under the building regulations, but can be easily rectified.

GBC Service Manager, Housing Operations

No comments received

Ward Councillors

No comments received

External Consultations

Kent County Council Highways and Transportation

No comments received

KCC Biodiversity Officer

We have reviewed the ecological information submitted with the current application and application 20190756. We are satisfied that no further ecological surveys or details of ecological mitigation are required prior to determination of the planning application. We are satisfied that any impact to protected/notable species can be avoided via a precautionary mitigation approach which is detailed within the Preliminary Ecological Appraisal. The submitted application has proposed to amend condition 14 to:

The development hereby permitted shall be carried out in strict accordance with the precautionary measures, conclusions, recommendations, and mitigation works and habitat enhancement as detailed in the submitted Preliminary Ecological Appraisal (Phlorum, October 2021) including the provision upon completion of the works for bird boxes to be installed to encourage breeding birds on site and landscaping and planting to comprise of a high proportion of native species and to be of local provenance where possible.'

We don't disagree with the principle of what is proposed but landscaping information is also required as part of C16. Therefore, we suggest the following condition wording:

C14

The development hereby permitted shall be carried out in strict accordance with the precautionary measures, conclusions, recommendations, and mitigation works ~~and habitat enhancement~~ as detailed in the submitted Preliminary Ecological Appraisal (Phlorum, October 2021). ~~including the provision upon completion of the works for bird boxes to be installed to encourage breeding birds on site and landscaping and planting to comprise of a high proportion of native species and to be of local provenance where possible.~~

C16

Notwithstanding the landscaping details accompanying the application as shown in the approved drawings or as set out in the Arboricultural Survey Report by Phlorum Limited February 2019 and Arboricultural Impact Assessment by Phlorum Limited November 2021 and prior to the first occupation of any part of the development hereby approved, full details of 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. The scheme shall demonstrate that native species and ecological enhancement features will be included within the site as detailed within Preliminary Ecological Appraisal (Phlorum, October 2021). Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of any part of the development hereby approved. 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 trees or plants of a similar size and species during the next available planting season.

KCC - Heritage

I note the submission of the archaeological desk-based assessment and the proposed variations. These will need to be taken into account by the applicant in delivering the required archaeological work under Condition 7 of 20190756. I would be happy to discuss with the applicant or their archaeological contractor how best to satisfy Condition 7.

Publicity and Representations

The application was advertised on site under Article 15. In addition, notification was sent to 19 neighbouring properties.

The expiry date for the receipt of representations was 24 December 2021. No representations have been received.

Planning Analysis and Appraisal

Introduction

Planning permission was granted by the Borough Council to application reference 20190756 on 23 October 2019 for expansion and refurbishment of the existing Ellenor Hospice to provide 12 en-suite rooms consisting of a single storey extension at the eastern end to provide 5 single en-suite rooms with amenity space and nurses space together with 7 refurbished rooms within the existing hospice layout; construction of two storey addition on south side for offices, meeting rooms for well-being centre and improved outpatient facilities; provision of ambulance access from Marks Square; alterations and extension to existing car parking layout and provision of external storage and sub-station

The proposal was for an additional 910m² made up of:

- (1) Inpatient Unit extension - 326m² (single storey);
- (2) Outpatient - 474m² (two storey);
- (3) Ancillary building (rear) - 60m² (single storey); and
- (4) External store and Workshop - 50m² (single storey).

It was indicated that the design vision was based on the following elements:

- Improved outpatient accommodation including both extension and refurbishment of the building
- New Inpatient accommodation to include a total of 12 single bedrooms with en-suite shower rooms (7 refurbished and 5 new build)
- Improvements to the Green including revised café arrangement and improved connection with garden areas
- An extended car park to accommodate additional parking bays
- New ambulance and hearse from St Mark's Square
- New ancillary building containing storage and sub-station
- New landscaping to include improved access and children's play area; and
- The ability to complete the proposals in two phases such that the IPU (Inpatient Unit) extension could be built out as a separate later phase

It was stated that the existing temporary portacabin on the site, which provides training, meeting and office space, will be removed as part of the scheme. The proposed two storey extension of the southern side of the existing building would provide replacement offices, training and meeting rooms for staff, allowing refurbishment of the existing building to provide improved outpatient facilities.

The application had been submitted following extensive pre-application discussions, where proposals for a very bulky and modern extension on the Coldharbour frontage were rejected following design advice provided by Design South East.

The following 3D image of the approved scheme as below shows the proposed massing of the development.



The principle of the development has therefore already been agreed and accepted and the original proposals were assessed in terms of impact on the Character of the Area/Visual Impact, Design and Layout, Impact on local Residential Amenity, Highway and Parking Impacts, Landscaping and Trees and other Material Planning Considerations.

Therefore, it is not necessary to reconsider the fundamental planning considerations and to only focus on whether the amendments are acceptable in terms of the submitted revised plans and the proposed consequential changes to planning conditions that are necessary if the development is to be brought to fruition through a phased approach and taking into account any new and relevant consultee responses. The application seeks the rewording to condition numbers 2, 10, 13, 14 and 16 only.

Design and Layout Changes

The 3D Images below show a comparison between the extant scheme and the proposed amended scheme in relation to Coldharbour Road.

Approved 2019 Scheme

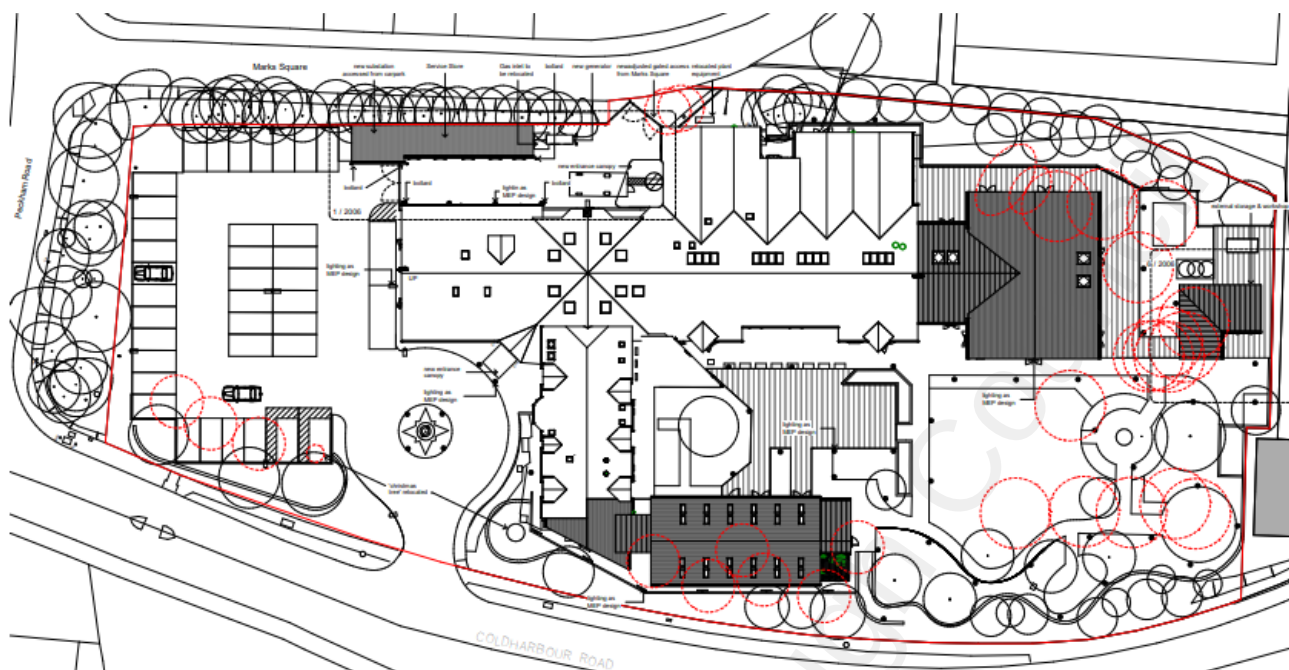
Proposed Amended Scheme



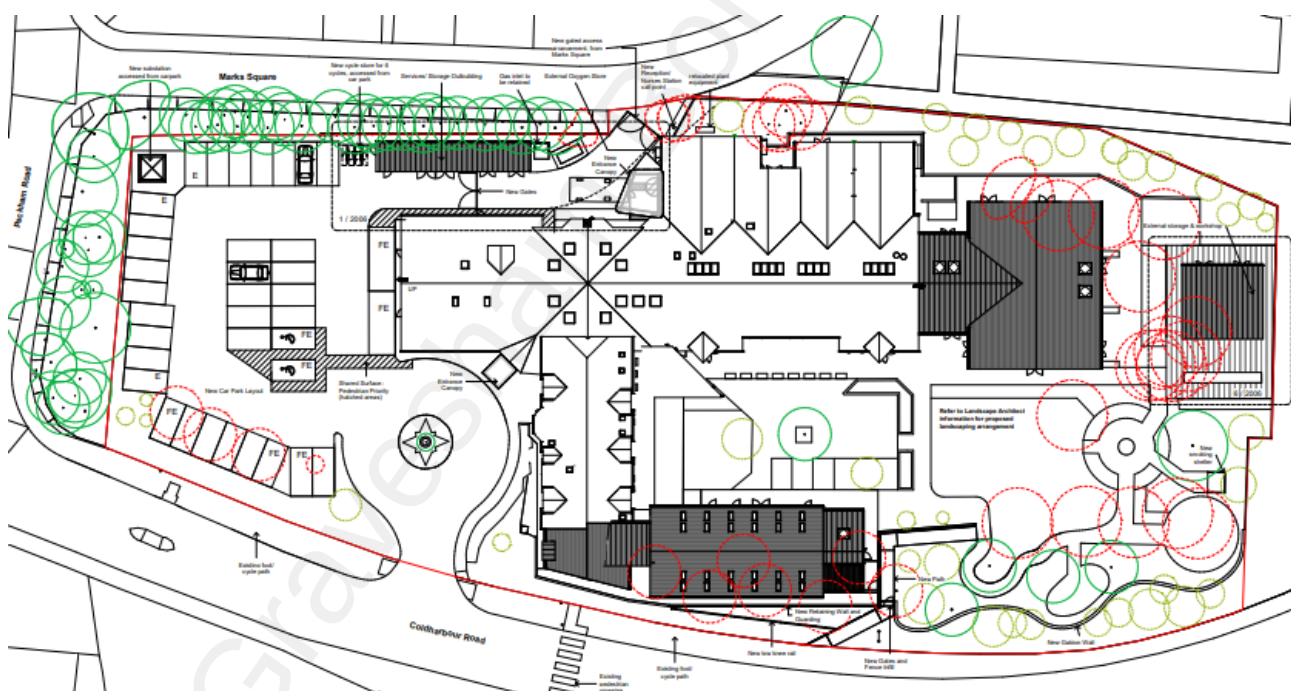
It should be noted that the revised scheme brings the two storey element closer to the Coldharbour Road frontage and loses the more pronounced flared design in the approved scheme albeit with a more pronounced dormer in the roof space although this could be an attractive feature in the street scene.

The revised ground floor/footprint layouts for the extant approved scheme and the proposed amended scheme are shown below.

Layout - Approved (Extant) Scheme



Layout - Proposed Amended Scheme



On balance there is no objection to the design amendments and the consequential amendment to condition 2 of the original planning permission.

Highways and Car Parking

In terms of car parking the original scheme increased car parking on the site from the currently 32 on-site parking spaces (including mini bus spaces) to 38 spaces. This met the adopted standard for such a type of development.

The revised scheme results in a marginal reduction by the loss of one parking space but this is considered acceptable by GBC Highways.

Planning condition 10 relating to car parking is only sought to be revised in that it would reference the amended site plan layout drawing showing the revised parking layout and there is no objection to the wording as requested.

The amendments retain the increase in the number of cycle spaces to 6, and the cycle parking facilities will be covered and secure.

The application seeks an amendment also to planning condition 13 relating to Electric Vehicle Provision to remove the requirement for installation of cabling but still retaining the provision of a minimum of 3 electric vehicle charging points within the altered and extended staff and visitor car park within the site. The applicant's agent comments:

Our concern with leaving long runs of copper cabling in the ground is that they may be susceptible to theft. From speaking with the facilities manager, a number of cars parked in the Hospice car park have had their catalytic converters removed. Therefore, if the client was to install 'future cabling' and leave it in the ground, it might not be there for very long.

GBC Regulatory Services have indicated that the original condition should remain although GBC Highways Development Management Officer has not objected to the amendment. The proposals still will provide electric charging on site where none exists at present. On balance there is no objection to this amendment.

Ecology, Trees and Landscaping

The application seeks an amendment to condition 14 (ecology) having regard to an updated Preliminary Ecological Appraisal (Phlorum, October 2021) and also condition 16 (Trees and Landscaping) having regard to an updated Arboricultural Impact Assessment by Phlorum Limited November 2021.

The conclusions of the updated Ecological Appraisal are:

- No protected species surveys are recommended at this stage.
- In addition, a precautionary approach to vegetation clearance in respect to breeding birds, reptiles, foraging badgers, stag beetles and hedgehogs is recommended to minimise any adverse impacts on this species group.
- It has been recommended that the site is enhanced by introducing some compensatory planting and installing bat and additional bird boxes.

Some additional revisions to the proposed amended wording have been suggested by the Council's ecology advisors (KCC Biodiversity) and those revisions have been accepted by the applicants.

Conclusions, Balancing Exercise and Recommendation

This application for minor material amendments to the permitted scheme for expansion and refurbishment of the existing Ellenor Hospice, to allow for phasing of the project, amendment of the design to accommodate measures to improve ventilation including minor increase in height, amendment to plant enclosure, various external amendments to doors, fenestration, fencing and hard surfaces etc., and relocation of parking due to anomalies in ownership areas, has been fully considered and assessed and subject to full consultation and publicity. There have been no material adverse comments from consultees and no neighbour/publicity responses.

On balance the design amendments can be supported which whilst also bringing the two storey element of the proposed extension closer to the Coldharbour Road frontage is acceptable in design terms.

There is no objection to the other changes to the layout in respect of car parking etc. and no objection to the various amendments to the wording of the planning conditions other than with some minor changes including those suggested by consultees. Notably condition 17 (tree protection) has also been amended as

it would have referred to a now superseded Arboricultural Impact Assessment, Method Statement and Tree Protection Plan.

It should be noted that the original permission was subject to a three year implementation date which would expire on 23 October 2022. This minor material amendment application cannot seek to extend the implementation date and this is accepted by the applicants (Paragraph: 014 Reference ID: 17a-014-20140306 of the NPPG).

Planning permission is therefore recommended subject to revised planning conditions.

Recommendation:

PLANNING PERMISSION subject to the following planning conditions, reasons and informatives

CONDITIONS AND REASONS:

Time Limit Condition

1. The development to which this permission relates must be begun not later than 23 October 2022.

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 and Particulars

2. The development hereby permitted shall be carried out only in precise accordance with the following approved details, plans and specifications:

Application Form;

Covering letter from David Hicken Associates dated 22 November 2021 (ref DHA/13537);

Drawing No P0299-RHP-ZZ-ZZ-DR-A-1000-S2-Location Plan-P4: Site Location Plan;

Existing Plans

Drawing No P0299-RHP-ZZ-ZZ-DR-A-1002 Rev P3: Existing Site Plan;

Drawing No P0299-RHP-ZZ-GF-DR-A-2000 Rev P3: Existing Ground Floor Plan;

Drawing No P0299-RHP-ZZ-01-DR-A-2001 Rev P3: Existing First Floor Plan;

Drawing No P0299-RHP-ZZ-XX-PL-A-2002 Rev P3: Existing Roof Plan;

Drawing No P0299-RHP-ZZ-XX-DR-A-2100 Rev P3: Existing Elevations;

Revised Proposed Plans

Drawing No P0299-RHP-ZZ-ZZ-DR-A-1000-S2-Location Plan-P4;

Drawing No P0299-RHP-ZZ-ZZ-DR-A-1001-S2-Block Plan-P3;

Drawing No P0299-RHP-ZZ-XX-DR-PL-A-1003-S2-Proposed_Site_Plan-P13;

Drawing No P0299-RHP-ZZ-XX-DR-PL-A-1005-S2-Proposed_Site_Plan-Phase 1- P3;

Drawing No P0299-RHP-ZZ-GF-DR-PL-A-2003-S2-Proposed_Ground_Floor_Plan-P9;

Drawing No P0299-RHP-ZZ-01-DR-PL-A-2004-S2-Proposed_First_Floor_Plan-P8;

Drawing No P0299-RHP-ZZ-XX-DR-PL-A-2005-S2-Proposed_Roof_Plan-P6;

Drawing No P0299-RHP-ZZ-XX-DR-PL-A-2006-S2-Service_Stores_and_Workshop-P5;

Drawing No P0299-RHP-ZZ-XX-DR-EL-A-2101-S2-Proposed_Elevations- P8;

Drawing No P0299-RHP-ZZ-XX-DR-SE-A-2201-S2-Proposed_Sections- P6;

Drawing No P0299-RHP-ZZ-XX-DR-A-2103-S2-Proposed_Street_Elevations-P3;

Drawing No P0299-RHP-ZZ-XX-MR-A-9200-S2-3D Views-P3;

Revised Documents

Planning Statement from David Hicken Associates dated November 2021 (ref JAC/DRB/13537);

Arboricultural Impact Assessment, Method Statement and Tree Protection Plan ref 8414 Rev 05 dated 11 November 2021 by Phlorum Limited;
Drainage Strategy - Drawing No FAH-00-XX-DR-C-0010 P3 by Fairhurst;
Landscape Masterplan - Phase 1 Drawing No LLD2470-LAN-DWG-010 Rev 04 by Lizard Landscape Design and Ecology;
Preliminary Ecological Appraisal 8414 Rev 01 dated 25 October 2021 by Phlorum Limited;
Transport Statement Ref 7110A Rev D, September 2021 by GTA Civils & Transport;

Original Retained Documents

Archaeological Desk-Based Assessment by SWAT Archaeology dated 18 June 2019;
Environmental Noise Survey by Cole Jarman (Report 18/0538/R1) November 2018;
Arboricultural Survey Report by Phlorum Limited February 2019;
Travel Plan Framework by GTA Civils (undated);

and those approved pursuant to any conditions contained herein after and there shall be no deviation therefrom.

Reason: In order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Pre-Commencement and Associated Conditions

Construction

Code of Construction Conduct

3. No development shall take place until a comprehensive Code of Construction Practice (CoCP) covering all environmental impacts of this development is provided by the applicant and submitted for approval to the Local Planning Authority. No works shall commence until approval of this report has been given by the Local Planning Authority.

The CoCP shall include details, where relevant, of the following, including any other measures deemed reasonably necessary:

- (a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery;
- (b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery;
- (c) A Construction Traffic Management Plan covering:
 - Routeing of delivery vehicles to and from the site;
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - The hours of operation for construction traffic and timing of deliveries;
 - Type and location of wheel washing and chassis cleaning facilities;
 - Temporary traffic management/signage;
- (d) Details of the location of the proposed construction compound
- (e) Details of security fencing;
- (f) Details of stockpile areas for building materials or for fill or removed top soil;
- (g) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage;
- (h) Ecological mitigation measures;
- (i) Measures to be undertaken to protect any public sewers and water apparatus;
- (j) Details of vibration monitoring and mitigation during any necessary piling works;
- (k) Details of the location, form and visual appearance of any site hoardings along road frontages and public footpaths;
- (l) Details of temporary construction or security lighting; and
- (m) Monitoring and review provisions with the Local Planning Authority.

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason: To ensure the free flow of traffic on the highway, to protect the amenity of local residents and businesses and protected species and to mitigate the risks to groundwater, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS11 (Transport), CS12 (Green Infrastructure) and CS19 (Development and Design Principles).

Hours of Construction

4. No construction activities in connection with the development of the site including any preparatory earthworks shall take place on site except between the following times:

07.30 a.m. and 6.00 p.m. on weekdays

08.00 a.m. and 1.00 p.m. on Saturdays

No construction activities shall take place at any other time including Sundays, Bank or Public Holidays, without the prior approval of the Local Planning Authority having first been obtained.

Reason: In the interests of residential amenity and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

Contamination

5. The applicant shall undertake a watching brief during construction in case any contamination is encountered during the groundwork phase. Workers on site during construction should be advised by the applicant that there is a possibility of finding contaminated material. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason: In order to ensure any potential contamination is suitably re-mediated in the interest of protecting groundwater and human health and safety and to ensure suitable material is imported to site and appropriate measures for disposal of site waste are employed and pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

Drainage

6. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water; the development shall be implemented in accordance with the approved details.

Reason: To ensure that an acceptable means of foul disposal for the development is agreed with the sewerage undertaker and in accordance with Policy CS18 of Gravesham Core Strategy Gravesham Local Plan Core Strategy (September 2014) and Section 94 of the Water Industries Act 1991.

Archaeology

7. Prior to the commencement of development the applicant, or their agents or successors in title, shall secure and implement:

(i) Archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

(ii) Further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with adopted Gravesham Local Plan Core Strategy Policies CS19 and Policy CS20 and saved Gravesham Local Plan First Review Policy TC7 and section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (NPPF).

Post Commencement and Pre-Occupation Conditions

Materials

8. Notwithstanding the details shown in the application form, approved drawings or the Design and Access and Planning Statements the following details including, where appropriate, samples of the external facing materials and finishes for the development shall be submitted to and approved in writing by the Local Planning Authority before any above ground works of the development hereby permitted are commenced:

- (i) External facing materials and finishes including bricks, roof tiles and cladding;
- (ii) Joinery details;
- (iii) External rainwater goods;
- (iv) Hard surface treatments and finishes to the vehicle parking areas, pedestrian accesses, pathways and gardens areas;
- (v) Proposed boundary treatments and retaining structures;

The development shall be carried out in complete accordance with the approved details prior to the first occupation of any part of the development hereby permitted.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Lighting

9. Notwithstanding the details shown in the approved drawings full details of any new external lighting to the site, buildings and car park as amended, including details of the re-siting of any existing lighting, shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works in connection with the development hereby permitted; the lighting shall be implemented in accordance with the approved details prior to the first occupation of any part of the development hereby permitted.

Reason: No such details have been submitted and in the interests of visual amenity and avoiding light pollution and pursuant to Gravesham Local Core Strategy Policy CS19: Development and Design Principles.

Transportation and Vehicle Parking

Car Parking Provision

10. Prior to the first occupation of any part of the development hereby permitted or in accordance with a timetable to be first agreed in writing by the Local Planning Authority, the area shown on the Proposed Site Plan (Drawing No P0299-RHP-ZZ-XX-DR-PL-A-1005-S2-Proposed_Site_Plan-Phase 1- P3) as enlarged and altered vehicle parking area and the associated access and turning areas shall be formed, surface drained and marked out, with any necessary resurfacing and draining undertaken, and thereafter shall be kept available at all times for such use, and no development whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to that Class in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, shall be carried out on that area of land or in such a position as to preclude the use of or access to the reserved vehicle parking and turning area.

Reason: In the interests of the visual amenity of the site, to avoid indiscriminate car parking or to avoid hazards to highway safety by virtue of vehicles parked on the public highway and having regard to Gravesham Local Plan Core Strategy Policy CS11: Transport, the adopted vehicle parking standards (SPG 4 published in 2003 and adopted in 2006) and Gravesham Local Plan First Review saved policy P3.

Cycle Provision

11. Secure and covered cycle parking facilities shall be provided on the site for staff prior to the first occupation of any part of the development hereby permitted in accordance with the details shown in the approved drawings; and the approved facilities shall be retained at all times following implementation.

Reason: To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, and CS19: Development and Design Principles and the adopted vehicle parking standards.

Travel Plan

12. Notwithstanding the details as set out in the Travel Plan Framework by GTA Civils Ltd accompanying the application and prior to the first occupation of any part of the development hereby permitted, the applicants shall prepare and submit for the approval of the Local Planning Authority a full Travel Plan for staff and visitors. The Travel Plan shall include, amongst other things, the appointment of a Travel Plan Co-ordinator and the plan shall be monitored at yearly intervals; the measures approved in the Travel Plan shall be implemented in accordance with the approved details or any changes subsequently made under its monitoring review process. The Travel Plan shall include details of measures and with targets designed to help and thereafter maintain a modal shift in favour of reduced reliance on private car usage for travel to and from the development.

Reason: In order to contribute towards the Borough Council's objective in reducing traffic generation by new development and the use of modes of transport other than the private car and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport.

Electric Vehicle Provision

13. The development hereby permitted shall include the provision of a minimum of 3 electric vehicle charging points within the altered and extended staff and visitor car park within the site; each charging point should be able to accommodate a useable supply of 7kW; such provision shall be implemented prior to the first occupation of any part of the development hereby permitted and therefore permanently retained and maintained.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS18: Climate Change and Policy CS19: Development and Design Principles.

Ecology and Biodiversity

Ecology Mitigation

14. The development hereby permitted shall be carried out in strict accordance with the precautionary measures, conclusions, recommendations, and mitigation works as detailed in the submitted Preliminary Ecological Appraisal (Phlorum, October 2021).

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of Gravesham Local Plan Core Strategy Policy CS12: Green Infrastructure.

Timing of Vegetation Clearance

15. All vegetation clearance and/or works that may affect possible nesting sites shall be undertaken outside the bird breeding season, mid-March to August inclusive, or be supervised by a suitably qualified ecologist during the breeding period.

Reason: To safeguard the natural environment, in accordance with adopted Local Plan Core Strategy Policy CS12: Green Infrastructure.

Landscaping and Trees

Soft Landscaping Scheme

16. Notwithstanding the landscaping details accompanying the application as shown in the approved drawings or as set out in the Arboricultural Survey Report by Phlorum Limited February 2019 and Arboricultural Impact Assessment by Phlorum Limited November 2021 and prior to the first occupation of any part of the development hereby approved, full details of 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. The scheme shall demonstrate that native species and ecological enhancement features will be included within the site as detailed within Preliminary Ecological Appraisal (Phlorum, October 2021). Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of any part of the development hereby approved. 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 trees or plants 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 and maintained in the long term in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Retention and Protection of Trees

17. For the duration of the construction of the development hereby permitted all remaining existing trees and other key existing landscaping features on the site shall be afforded full protection in accordance with the detailed Arboricultural Impact Assessment, Method Statement and Tree Protection Plan ref 8414 Rev 05 dated 11 November 2021 by Phlorum Limited.

Reason: To protect the retained trees and other vegetation from damage during construction and in recognition of the contribution which the retained trees give and will continue to give to the amenity of the area and in accordance with adopted Local Plan Core Strategy Policy CS19: Development and Design Principles.

Ongoing Conditions - Use of the Development

Use of the Development - Offices

18. That part of the development as hereby permitted shown as offices and meeting/multi-purpose rooms shall be used for such purposes only in accordance with the use of the premises as a hospice and shall not be operated independently.

Reason: In order that any other uses of that part of the development may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to issues of amenity, traffic safety and the prevailing planning policies and notably Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

Use of the Development - Service Stores and Workshop

19. That part of the development as hereby permitted shown as service stores and workshop shall be used for such purposes only ancillary to the use of the premises as a hospice.

Reason: In order that any other uses of that part of the development may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to issues of amenity, traffic safety and the prevailing planning policies and notably Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

INFORMATIVES:

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

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.

In this instance, necessary revisions were identified and made to the proposal, at which point it was able to be given permission.

2 DEVIATION FROM THE APPROVED PLANS

Deviation from or amendment to the approved plans could require a further application and permission/consent. In the event that any change is proposed, applicants and builders are advised to seek advice from the Local Planning Authority. Proceeding without the necessary permissions or consents could result in enforcement action.

3 BUILDING REGULATIONS AND PARTY WALL ACT 1996

This decision **DOES NOT** imply any consent which may be required under the Building Regulations or under any enactment or provision other than Section 57 of the Town and Country Planning Act 1990. 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. This legislation is not taken into account when determining a planning application and independent advice should be taken in this regard.

4 PRE-COMMENCEMENT CONDITIONS

Pursuant to the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 introduced on 1 October 2018 the following planning conditions (conditions 3, 6 and 7) attached to this permission are pre-commencement conditions and have been agreed as such by the applicants.

It is agreed that the requirements of those planning conditions (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.

5 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

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>.

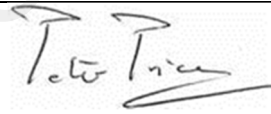
6 SOUTHERN WATER ADVICE

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.

A formal application for connection to the water supply 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.

7 HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal, which appear to override the responsibility of the Borough Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Case Officer:	Mr Peter Price	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	26 th January 2021	Dated:	27 th January 2021