



Delegated Report

Planning Application

Application no: 20211092

Location: Milton Mount Hall Old Road East Gravesend Kent DA12 1NQ

Description:

Demolition of existing hall and outbuildings, erection of a 3-storey building containing 9 x 2 bed flats towards the front of the site, a terrace of 4 no. 3 bedroom houses over 2 full floors and within the roofspace towards the rear of the site, and with parking for 19 cars.

Applicant: Wakes Stearns Graham Wakeman, Wakes Stearnes Ltd

Site Visit Date: 18 September 2021; 10 January, 08 March and 31 May 2022

Site Description and Surroundings

The application site (see red line plan below) has a site area of approx. 0.20 hectares (0.47 acres) and currently includes a vacant single storey community hall building on the south side of Old Road East Gravesend close to the junction with Spring Grove, and which was formerly run by the Wycliffe United Reformed Church and subsequently St Pauls URC and previously the Gravesend Congregational Church.

It dates from the early 1960's and was built as a church hall for the Congregational Church that was operating from a dwelling to the west (20 Old Road East) that first started there in 1953. Latterly the hall was used as a children's nursery school and by a local Gravesend dance school.



The building is flat roofed and of brick construction and extended at the front and comprises entrance area, a small and large hall, kitchen and toilets and has a gross internal area of approximately 252.4m² (2,717 sq.

ft.). It is set well below the road level and reached by steps. It has no off-street parking although there are rights of access over the vehicle access to 20 Old Road East adjoining to the west

Behind the hall on the same site is an extended timber hut with corrugated roof that dates from the late 1950's and used as scout headquarters (Milton Mount Scouts) but has not been used now for several years for scouting activities. The timber building has a gross internal area of approximately 196.9m² (2,119 sq. ft.). The remainder of the application site is grassed. The site on which the buildings are located is broadly rectangular, falling away from Old Road East. The site is enclosed by brick walls including a low brick wall to the frontage. The boundary walls to the sides are retaining walls. Some trees on the site near the frontage have been removed more recently.

Below are Google Earth aerial images of the application site both from the front and rear



The site is within an urban area of Gravesend and principally a housing area. Immediately to the west is a modern late 1980's L shaped block of 10 x two bed flats of three and four storeys in height that replaced the former detached dwelling that was in use as a church (now Wycliffe House - 20 Old Road East). The building is part brick and part rendered with a grey concrete tiled roof. It has a front staircase to the first floor. There is a ramped drive on the east side that leads to car parking at the rear. The building has a number of windows in the east side elevation that face towards the application site. Further to the west are dwellings of mixed age, design and styles.

Below: View across the frontage of the site towards the eastern (side) elevation of Wycliffe House - 20 Old Road East



To the east, 22 Old Road East, is a two-storey gable and bay fronted Victorian dwelling that sits well forward on the frontage. At the rear of that dwelling is an electricity substation. Further east are dwellings of later origin and styles. Opposite the site are two and three storey modern early 1970's dwellings that have a frontage on to Spring Grove. On the corner of Spring Grove and Old Road East is Milton Court, a modern and prominent flatted block of 6 storeys in height built in the early 1980's.



Above Left: View of Site from front of Wycliffe House



Above Right: Vehicle Access ramp to Wycliffe House

There are lock up garages at the rear (south of the site) off Devonshire Road and an isolated dwelling set back from the frontage (59 Cross Lane East)

Old Road East is classified highway (B261) and a district distributor route. The highway to the frontage to

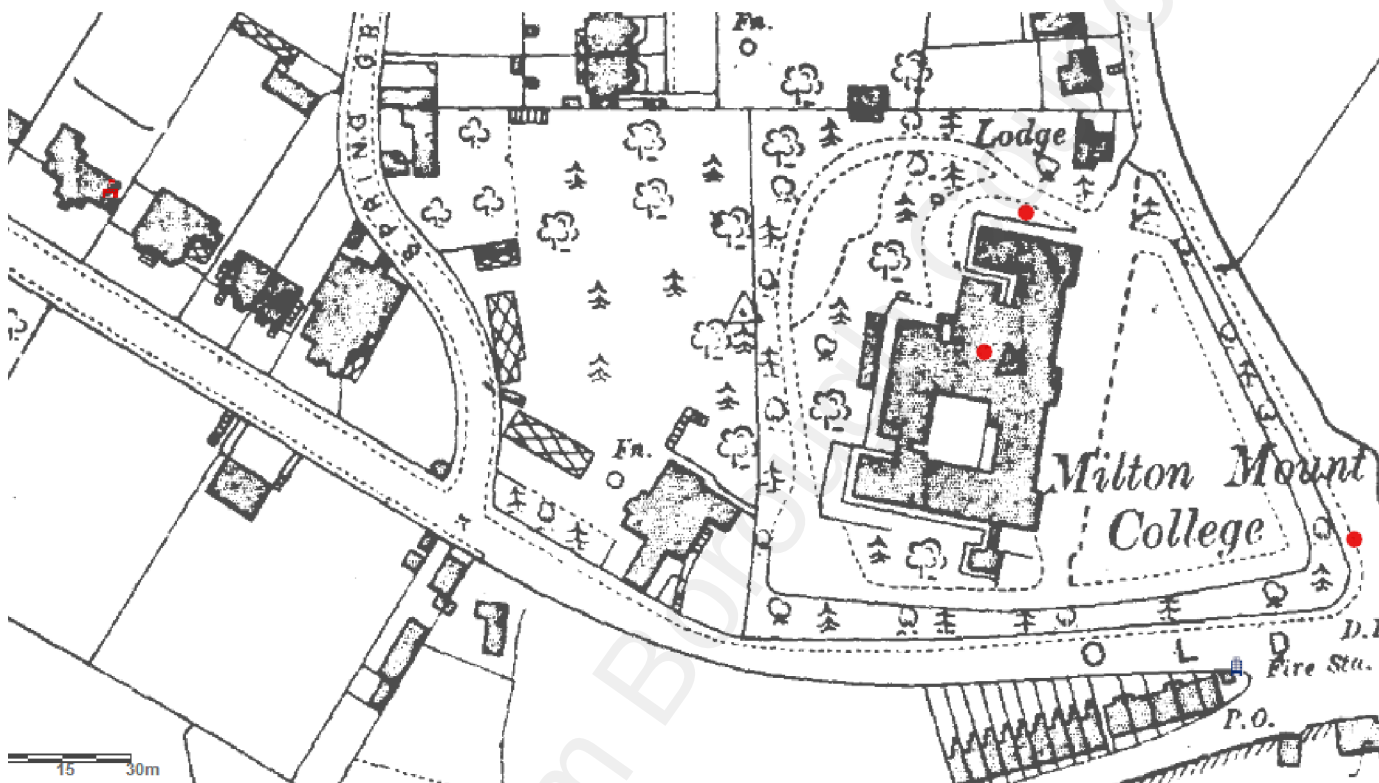
the site has part single yellow line (no parking Monday to Saturday 8am to 6.30pm) and part double yellow line (no parking at any time) parking controls.

Spring Grove is within a resident permit parking area (Zone TC03) with parking restrictions in force Monday to Friday 11am to 12 noon.

Planning History

Historical maps show that the site was vacant and served as a garden for 20 Old Road East until the early 1960s.

See below KCC Heritage Map 1907-1923



The adjoining site to the west (now Wycliffe House, 20 Old Road East) was a bay fronted two storey detached dwelling with semi basement and accommodation in the roofspace and used as a church prior to demolition in the late 1980's.

Below: Photographs of 20 Old Road East front and rear January 1986



Planning Applications

The following table shows the planning history for the site including Wycliffe House, 20 Old Road East in chronological order

Ref No	Description and Site	Decision	Date
19520092	Temporary use of former day nursery for religious worship	Permission	05.07.1952
19520092A	Detailed plans of alterations for the Kent Congregational Association	Permission	11.12.1952
19520092B	Church Hall at rear of Church	Approved	01.02.1956
19550223	Proposed erection of Church recreational hall	Permission	03.08.1955
19560048	Erection of timber hut for Scout Headquarters	Permission	05.03.1956
19560048B	Extension to Scout Headquarters	Permission	25.03.1959
19560135	Proposed entrance porch on northwest side of Congregational Church	Permission	06.06.1956
19610433	Church and Church Hall for Gravesend Congregational Church	Permission	20.12.1961
19610433B	Revised application for entrance hall and wc accommodation for Church and Church Hall	Permission	25.07.1963
19670042	Use of Church Hall as morning Nursery School	Permission	27.05.1967
19700053	Outline application for the erection of a church and an extension to existing church hall and erection of 11 no. three storey dwellings	Refused	28.05.1970
19700053A	Outline application for an extension for a church with ancillary accommodation to existing church hall and erection of 8 no. three storey dwellings	Refused	10.12.1970
19700053B	Revised outline application for an extension for a church with ancillary accommodation to existing church hall and erection of 8 no. three storey dwellings	Refused	28.10.1971
		Appeal Dismissed	18.04.1973
19840566	Conversion of former church into a residential home for the elderly	Withdrawn	27.11.1984
19840643	Conversion of former church into 7 self-contained flats provision of 9 car parking spaces to the rear and erection of external staircase on the side elevation (now 20 Old Road East)	Permission	12.09.1984
19850860	Outline application for the erection of a four-storey block of 10 flats, formation of a vehicular access onto a classified road, and laying out of 15 car parking spaces at the rear (now 20 Old Road East)	Permission	24.02.1985
19880484	Redevelopment of the site by the erection of a part three and part four storey block of ten 2-bedroom	Permission	14.09.1988

	flats, involving alterations to the existing vehicular access to Old Road East and the formation of a car park for 15 cars at the rear (now 20 Old Road East)		
20211092	<i>This Application</i>		

Pre-Application Enquiries

PRE20210209: Replacement of redundant school buildings with 3/4 storey building containing 14 residential apartments. Response sent 22 June 2021 commenting that an application for planning permission may be considered favourably if the various design, amenity, and highways matters identified were addressed appropriately.

Proposal

The proposal as originally submitted in September 2021 was for:

Demolition of existing hall and outbuildings and erection of a 4-storey building containing 14 x 2-bedroom flats, driveway and parking for 17 cars.

Following significant amendments, responding to consultees, neighbours and design advice, the scheme was revised in February 2022 to:

Demolition of existing hall and outbuildings, erection of a 3-storey building containing 9 x 2 bed flats towards the front of the site, a terrace of 5 no. 3 bedroom houses over 2 full floors and within the roofspace at the rear of the site, and with parking for 22 cars.

Further subsequent amendments were then made in May/June 2022 and the application is now for:

Demolition of existing hall and outbuildings, erection of a 3-storey building containing 9 x 2 bed flats towards the front of the site, a terrace of 4 no. 3 bedroom houses over 2 full floors and within the roofspace towards the rear of the site, and with parking for 19 cars.

Therefore, the amended application is for a combination of 9 x 2 bed flats and 4 x 3 bed houses.

Submitted Plans and Documents, as revised

Application Form and Certificates

Plans/Drawings

Drawing No 21-18-101 Rev F: Site Location Plan & Existing and Proposed Block Layout Plans

Drawing No 21-18-102 Rev K: Proposed Site Block Layout Plan showing Ground Floors

Drawing No 21-18-103 Rev D: Flats - Proposed Ground and First Floor Plans

Drawing No 21-18-104 Rev D: Flats - Proposed Second and Roof Plans

Drawing No 21-18-105 Rev E: Houses - Proposed Floor Plans

Drawing No 21-18-106 Rev D: Sections

Drawing No 21-18-107 Rev G: Proposed House Elevations

Drawing No 21-18-108 Rev G: Proposed Site Sections & Elevations

Drawing No 21-18-109 Rev J: Proposed Site Sections & Elevations

Drawing No 21-18-110 Rev F: Proposed North & South Elevations - Flats

Drawing No 21-18-111 Rev E: Flats - Side Elevations & Cycle Store Plan & Elevations

Drawing No 21-18-112: Existing Elevations

Drawing No 21-18-115 Rev D: Proposed Site Roof & Drainage Plan

Drawing No 21-18-116 Rev A: Proposed West - East Sections through Site

Drawing no. 21-18-117: Section to Flats and No. 22 Boundary

Supporting Documents

Drawing No 21-18-113 Rev B: Planning Statement, dated 25.05.2022 (*For Information*)

Drainage Design Report Rev A by Hodel (Ref 21-080), dated 11 May 2022
Drawing No 21-080_C01A: Drainage - Engineering Layout
Hodel Drainage Drawing No 21-080_C02: Private Drainage Construction Details
Hodel Drainage Drawing No 21-080_C03: Geocellular Soakaway by Polystorm
Hodel Drainage Drawing 21-080_C04: P.C. Ring Catchpit Construction Detail
Response to KCC Flood and Water Management from Hodel -11 May 2022
Geo-Environmental Investigation Part 1 by Ground and Environmental Services Ltd (Document Ref No 12722, November 2021)

Viability Assessment and Marketing Report (Ref 21-18)
Preliminary Roost Appraisal Milton Mount Scout Hut by Eco Assistance (Ref 601 - 30.11.21)

Details of the Development, as revised

The proposals, as amended, are for demolition of the existing hall and scout huts and for the redevelopment of the site for a mix of new residential development comprising:

(a) Erection of a detached three storey building of 9 x two bed (family) market flats over three floors

The floors areas of the flats range from 76 m² and 90m². The building is set down and thus appears as 2 and a half storeys with the ground floor almost effectively at a semi-basement (lower ground) level to the street and with the second floor partly contained within the roof space. From the south the full three storeys are visible. The proposed flat building is marginally below the building to the west at 20 Old Road East (Wycliffe House) by 550mm and 1m higher than the building to the east at 22 Old Road East.

The design is of a traditional type of approach, trying to echo the late 1980s development to the west. The materials and elevational treatment are hipped tiled roof with render and principally brick walls and with balconies at rear; there is a raised walkway to the frontage.

Below: Street Elevation North from Old Road East of the Flats



Below: South (Rear) Elevation from Proposed Car Parking Area



The flats include solar panels in the rear roof slope facing southwards. Railings are proposed to the building frontage to Old Road East.

(b) A terrace of 4 no. 3 bedroom houses over 2 full floors and within the roofspace towards the rear of the site

The proposed mews terrace of 3 bed dwellings would be located 20m south of the rear elevation of the proposed flats.

Each dwelling would comprise at ground floor combined kitchen, living room, dining room, two bedrooms and bathroom on the first floor and the main bedroom with ensuite on the second floor within the roofspace.

Below: Front Elevation (North) and Side Elevation (West) of the Houses



Below: Front Elevation (North) and Side Elevation (West) of the Houses



Below: Side Elevation of the Houses seen from 59 Cross Lane East and towards Proposed Flats



Each dwelling would have their own private garden ranging in depth from a maximum of 11m to 13m.

The external materials for the houses are shown as being facing bricks (unspecified) and fibre cement slates, but no other material details are indicated.



The proposed layout of development for the site is shown across the page.

In between the frontage flats development and the terrace of 4 dwellings is a car parking area to serve all the residential units on the site along with bin storage areas and cycle stores. There will be a covered secure cycle stand for the flat residents (9 cycles) by the car park entrance.

A total of 19 parking space are proposed for the 13 units with an allocation of 2 spaces for each of the houses and one space for each of the two bed flats with 2 visitor spaces.

It is indicated that the overall building footprint is 498m² equating to 26% of the site.

There are landscaped areas around the flats, the perimeter of the site and there is a shared patio and garden area towards the rear

on the west side. Some trees are shown to be retained along the boundary to the garden and parking area for 20 Old Road East. There will need to be some retaining walls and structures due to the level differences through the site and to the boundaries.

The existing access is shared with no 20 Old Road East. It is currently 3.4m wide and it is apparent that 1.6m of this is already within the freehold ownership of the applicant. The access will be widened by 2.5m with the existing dividing wall removed to provide a 6.125m wide access of which 4.1m will be within the applicant's ownership.

There was a late change to the overall layout that is not reflected in all of the documents (such as the Planning and Design and Access Statement) but is in the main drawings that has moved the rear houses slightly by relocating the parking spaces such as to give a greater degree of separation to the boundary to the east and thus moving the development marginally away from the neighbouring boundary with 22 Old Road East, but this was not deemed to be sufficient to further re-consult with neighbouring properties.

Development Plan and other Relevant Planning Policies and Guidance

The Development Plan for Gravesham currently comprises: -

- The Gravesham Local Plan Core Strategy (September 2014)
- Remaining Saved Policies of the Local Plan First Review (1994)
- The Kent Minerals and Waste Local Plan 2013 - 2030 (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 adopted 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.

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 is shown as being within an **urban area** (Policy CS02) as defined in the Gravesham Local Plan Core Strategy Policies Map. Old Road East is a **District Distributor** on the highway network (Saved policies T1-T5).

The most relevant policies from the adopted Core Strategy in relation to this development are as follows:

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 CS14: Housing Type and Size
Core Strategy Policy CS15: Housing Density
Core Strategy Policy CS16: Affordable Housing
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles

Gravesham Local Plan First Review 1994

The Gravesham Local Plan First Review was originally adopted in November 1994. The following remaining saved policies are relevant to the consideration of this application:

Policy TC7: Other Archaeological Sites
Policy T1: Impact of Development on the Highway Network
Policy T2: Primary and District Road Network
Policy T5: New Accesses onto Highway Network
Policy P3: Vehicle Parking Standards
Policy LT6: Additional Open Space in New Housing Development

Review of the 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 it 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 adoption and the need to ensure a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan First Review (1994) generally conform with the National Planning Policy Framework (2021), the Council will also seek to replace these in due course.

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 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 GI 6: Biodiversity
Proposed Policy FW 1: Managing Water Quality
Proposed Policy FW3: Managing Flood Risk
Proposed Policy FW 4: Managing Wastewater Drainage
Proposed Policy FW5: Managing Surface Water Drainage
Proposed Policy RES 2: Residential Space Standards
Proposed Policy RES 6: Residential Intensification through New Build
Proposed Policy AM 2: Contaminated Land
Proposed Policy AM 4: Sunlight and Daylight within New Development
Proposed Policy HER 4: Archaeology

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 such as where land is designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

The following paragraphs are specifically highlighted as being of importance to the consideration of the application proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered. Reference to the national planning guidance is also considered in the analysis section of this report.

- Section 2, Paragraphs 7 - 14: Achieving Sustainable Development
- Section 4, Paragraphs 38 - 59: Decision Making
- Section 5, Paragraphs 60 - 80: Delivering a sufficient supply of homes
- Section 8, Paragraphs 92 - 103: Promoting healthy and safe communities
- Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport
- Section 11, Paragraphs 119 - 125: Making effective use of land
- 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

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). It indicates that when used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.

The National Design Guide 01 October 2019

The National Design Guide (Planning practice guidance for beautiful, enduring and successful places) sets out ten characteristics of well-designed places based on planning policy expectations and are illustrated by projects that demonstrate good practice. It should be read alongside the separate planning practice guidance (NPPG) on design process and tools.

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 application:

- Kent Design Guide (SPG 5 published December 2005, adopted July 2006)) - *except Supplementary Planning Guidance on residential parking*
- KCC Guide to Development Contributions and the Provision of Community Infrastructure (2007)
- Adopted Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)
- GBC Residential Layout Guidelines including Housing Standards Policy Statement October 2015, (SPG2) Adopted February 1996 - amended June 2020
- Technical Housing Standards: Nationally Described Space Standards, March 2015
- Vehicle Accesses on Classified Highways (SPG 6 November 1992)
- Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy by Footprint Ecology, July 2014

Consultations Publicity and Representations

Consultations - Internal

GBC Highways Development Management Officer - Revised Comments 26 May 2022

In general, the revised proposals for this site are acceptable with two exceptions:

1. The electric vehicle charging point for spaces cf2 and 3. The position shown makes it vulnerable to damage and will encroach into space cf1. It would be better to relocate the charging point to a more protected area or provide the protection by moving parking space cf2 to the south sufficiently to provide area for a plinth to accommodate the charging point between parking spaces cf2 and 3 without encroaching on cf1.
2. The cycle store for the flats appears to be poorly designed and I would suggest a condition requiring the details to be submitted. The current arrangement shows the cycles parked front wheel to front wheel with overlapping, without any apparent space for a frame to secure them to or access to the supporting frame so the cycle can be locked with a chain and padlock.

GBC Leisure & Resilience Manager - Revised Comments 25 May 2022

Policy CS13 and the NPPF 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. Due to the constrained nature of the site, it would not be expected for the developer to provide formal and informal leisure provision on site, but it is reasonable to expect the applicant to offset the impact of its development on existing leisure facilities within the area.

The approach promoted by officers is to secure a financial contribution towards the upgrading and development of existing local sporting and recreational facilities located within a reasonable distance of the application site, such that it will be directly related to the development and will contribute to offsetting the impact of the increased population.

Based on all the assessment data currently available including, the Open Space, Sport & Recreation Assessment compiled by Knight Kavanagh & Page in 2016 and updated indoor leisure feasibility study 2022; there is particular shortage in the provision of artificial pitches, a shortage of junior/youth grass pitches, municipal tennis courts and ageing leisure centre facility stock. There is also the need for major capital improvements to play equipment across the borough of which the number of total sites available within the borough is remarkably less when compared to other areas. This includes the nearest play area to the proposed development based at Windmill Hill, which is earmarked for improvement in the future, in line with Corporate Plan priorities for improvements to play facilities across the borough at existing sites.

Using Sport England Sports Facility Calculator (SFC) as a guide for associated costs, based on the anticipated maximum number of residents generated from the revised development (i.e., 33 residents based on 2.5 residents per dwelling), the SFC gives an indicative figure of approximately £14,938 towards a series of general leisure facility types. Therefore, a cost contribution of £14,938 is required for improvements at Windmill Hill for either play facility improvements (i.e., replacement items) and/or tennis court improvements in partnership with potential LTA priorities for court works in the borough.

GBC Waste Services - Revised Comments 16 May 2022

Happy with the location of the bin store and the widened driveway. We currently collect waste from No 20 from the bottom of the hill so will be able to service this property at the same time.

However, the driveway will need to take a 26t vehicle and the Council will not accept any liability for any damaged caused by the vehicle.

The plans show sufficient waste and recycling storage however it is the responsibility of the developer to pay for the bins, this can be done through the Council's Waste Management Team.

GBC Regulatory Services (Environmental Protection) - Revised Comments 27 May 2022

Contaminated Land

If during construction/demolition works, evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the local planning authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and approved in writing by, the local planning authority. The closure report shall include:

A) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

B) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria, together with the necessary documentation detailing what waste materials have been removed from the site.

C) Even if no contamination has been discovered during the build then evidence (for example, photos or letters from site manager) to show that no contamination was discovered should be included.

Code of Practice on Construction and Demolition

Please apply

Drainage/sewerage informative

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

Lighting

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

Smoke Control 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.

Electric Vehicle Charging Point(s)

This Service would wish to see the inclusion of suitable electric vehicle charging facilities at the proposed dwellings in support of the Council's commitment to become carbon neutral by 2030.

Noise Control

In order to limit the likelihood of noise nuisance occurring due to potentially poor construction/insulation and noise from traffic at Old Road East, we would ask that the following is applied as a condition.

1. Prior to commencement, a noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:

- The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
- The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- If relevant, the rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e., dwellings) when measured and assessed in accordance with BS4142:2014

Ward Councillors

No comments received

Consultations - External

Design South East (DSE) - Original Comments 06 October 2021

The application property is a currently vacant single storey community hall (last used as a children's nursery and dance school) on the south side of Old Road East close to the junction with Spring Grove.

Summary of proposals as follows:

- Demolition of existing buildings and outbuildings.
- Erection of a new 4-storey building containing 14 2-bed units.
- Car parking at the back of the property consisting of 17 new spaces.

The local authority is seeking advice on the design, layout, and appropriateness of the scheme in the street scene. Advice is also sought on the internal layout and space for future residents of the scheme.

Comments:

- This is an interesting site, and it is a shame that other more sensitive, and site-responsive options were not presented or explored.
- The singular block approach, large footprint, and high density is leading to the building pushing against the site boundaries; the design doesn't appear to respond to the street's quiet character and finer grain.
- The topography has led to a 'bridge' connecting the front of the block with the street however the gap beneath is leading to the proposals disengaging with the street. The building should feel it belongs to the street and its entrance should address and enrich the character of the street.
- Due to the proposal's proximity to the site boundary, we are concerned by the potential overlooking issues with the building to the west of the site which has multiple principal windows on its eastern flank elevation.
- The deep plan, and the organisation of the accommodation, is leading to much of the internal circulation being given over to dark unventilated corridors which is not a pleasant or efficient design.
- The internal environments will not be of good quality – the kitchens and living spaces will be dark and lack natural ventilation.
- An option that could be explored is having 3 units per floor (1 at the back and 2 at the front) rather than 4 so that the living spaces are of higher quality and the units are properly dual aspect. This move would also reduce the amount of car parking required.
- We are unsure about the practicalities of the landscaped border and eco-zone – a maintenance and management plan will need to be worked through and presented – and we are not convinced they will be well-used spaces.
- The SUDs strategy and how it relates to the landscape will be an important part of the application and need to be resolved at an early stage.
- Given the size of the car parking area, a more appropriate approach may be to have a yard at the back, integrated with and broken up by landscape, rather than tarmac bordered by landscape.
- The flank walls appear very plain and lack detail and fenestration – perhaps some brick patterning could be explored. The glass balconies do not look very attractive and must be very tall due to privacy and overlooking issues. Perforated or patterned metal, instead of glass, would be preferable and more conventional.
- We would encourage an approach that explores different types of housing on the site - for example, a small block could be located at the front, addressing the road, whilst at the back of the site could be mews type housing – with a courtyard style space in-between.

Design South East (DSE) - Revised Comments 27 April 2022

- This is a revised proposal and since its last review shows significant improvements. The Old Road East block is in principle much more successful compared to the previous iteration. In particular the accommodation within is a lot better laid out and gives higher quality spaces and rooms with good daylighting and ventilation.
- The reduction from 5 to 4 houses is an improvement and eases some pressure off the car parking.
- The general existing building orientation is east west along the site. We found it difficult to understand the current proposed orientation of the houses within the site. They are set out at right angles to the street with a north/south alignment and face towards the car park to the adjacent block of flats.
- There is the possibility to reorientate these houses and create a courtyard/mews with the main block

facing Old Road East. The scale of the houses could be reduced so the height of the buildings is working with the topography of the site. Lowering the roof to appear 2.5 storeys and not full 3 storeys as shown would help with the southern boundary condition.

- The potential to create more distinctive contemporary architectural expression should be explored. The form and detail of the buildings could provide an improved relationship with the gardens and landscape courtyard. The use of balconies on the south facing elevations help define the main components of the building. The architecture could become more distinctive in response to its orientation by adopting forms that harness the sun and provide a renewable energy source. Once the form is set for the buildings, the materiality can contribute to the expression. Passivhaus design could further enhance the carbon credentials of the scheme.
- The alignment of the front block on Old Road East is not clear in relation to its neighbours and requires further explanation. It seems to have moved forward to take the alignment of the building to the east. It is considerably shallower in plan which has considerably improved its bulk and mass in relation to Wycliffe House.
- The proposed courtyard houses should take inspiration from the context and topography, in order to create a more inventive and bespoke architectural solution that responds to the specific context, along the lines of a Mews typology.
- We recommend that the courtyard parking be reduced. This could be achieved by reducing the number of units in the Old Road East block from 9 x 2 bed apartments to 3 x 2 bed plus 3 x ¾ bed maisonettes (reduction of 3 units but equivalent floor areas). This would give much greater potential in creating well landscaped associated courtyard parking and communal amenity spaces.
- A thorough analysis of the site context and sensitivities in terms of privacy, views, outlook is required and will give a platform from which appropriate design parameters and responses can be set. We think the design could further draw in response to the significant site topography and exploit the orientation to inform a contextual and high-quality low carbon layout.

KCC Flood and Water Management - Revised Comments 04 August 2022

Kent County Council as the Lead Local Flood Authority (LLFA) have reviewed the Drainage Strategy Report Prepared by Hodel Consulting Engineers dated 11th May 2022 and have the following comments:

It is understood from the report that It is proposed that the surface water for the site will be managed through infiltration using permeable paving systems and two geo-cellular soakaways.

The LLFA raise no objections to these proposals at this stage.

In addition to the report the accompanying Geo environmental investigation prepared by Ground and Environmental Services Ltd highlights that the rates obtained from soils had a moderate soakage potential and that it is recommended that full scale soakage tests be carried out.

Therefore, 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 for 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 also note that the area is in groundwater Source Protection Zone 1. 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.

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 Drainage Strategy Report Prepared by Hodel Consulting Engineers dated 11th May 2022. The submission shall also 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.

Environment Agency (EA) - Revised Comments 04 February 2022

No comments to the revisions.

Note: The EA had previously commented that the site history indicates medium polluting potential from previous use which always flags significant concerns about land contamination, and the site is also underlain by an aquifer, meaning there is also a risk of pollution to water resources, and the EA need to ensure that the proposals, with associated foundation and drainage designs and the required ground disturbance, will not cause an unacceptable risk to the aquifer.

The EA had pointed out that their own guidance on groundwater protection (formerly known as GP3) states that:

- ‘1. We expect developers to provide adequate information to statutory bodies when submitting their proposals, so that the potential impact on groundwater resources and quality can be adequately assessed. Developers should be prepared to supply specific relevant data to allow the risk to groundwater to be assessed.
2. We expect developers to comply with any relevant statutory codes of good practice and to have due regard to our advice and guidance, and to other reputable standards and guidance. This applies particularly to the handling, use, storage and treatment of substances that can potentially result in an unacceptable input to groundwater.’

This is supported by paragraph 178 ground conditions and pollution of the NPPF which states that planning decisions should ensure that adequate site investigation information, prepared by a competent person, is available to inform assessments.

The EA also refer the applicant to the ‘Managing and reducing land contamination: guiding principles

(GPLC)' page which provides guidance for the land contamination risk management process.

Southern Water - Revised Comments 15 June 2022

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 planning application form makes 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 Sewers for Adoption (Appendix C) and CIRIA guidance available here:

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

[ciria.org/Memberships/The SuDS Manual C753 Chapters.aspx](https://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.

Please note: There is private water communication pipe within the site.

The design of the proposed basements and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide adequate protection to basements from the risk of flooding.

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.

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.

Natural England

Designated Sites [European] - No Objection Subject To Securing Appropriate Mitigation

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

With regard to European Sites, Natural England does not object to the granting of this permission subject to the advice given below.

Natural England advises that the specific measures previously identified and analysed by your Authority to prevent harmful effects on coastal European Sites from increased recreational pressure should be applied to this proposed development at appropriate assessment.

Your authority has measures in place to manage these potential impacts through the agreed strategic solution which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the European Site(s) for the duration of the proposed development.

Providing that the appropriate assessment concludes that these measures must be 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 adverse impacts identified by your authority's appropriate assessment, Natural England is satisfied that this appropriate assessment can ascertain that there will be no adverse effect on the integrity of the European Site in view of its conservation objectives.

If your authority's appropriate assessment has identified any other adverse impacts from the proposed development in addition to those that may be caused by increased recreational pressure and which have not been addressed by your Authority, you must consult Natural England for further advice on this appropriate assessment. Permission should not be granted until such time as Natural England has been able to consider these additional impacts and respond.

Generic advice on natural environment impacts and opportunities has also been provided.

Kent County Council Biodiversity Advisory Service - Revised Comments 13 June 2022

We have reviewed the ecological information submitted by the applicant and advise that sufficient ecological information has been provided.

Roosting Bats

The roost assessment states that bats are unlikely to roost within the building (that is to be demolished) but does recommend a precautionary approach is taken. This primarily consists of hand removal of potential roost features/roof material under supervision of a licenced ecologist.

We concur and to ensure this is enacted, we advise that a condition is attached to any granted planning permission. Suggested wording:

From the commencement of works (including site clearance), all precautionary mitigation measures for bats will be implemented in accordance with the details contained in the 'recommendations' section of the Preliminary Roost Appraisal (Eco Assistance November 2021).

Breeding Bird Informative

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 bird breeding season (March to August) 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 during construction. This includes examination by an experienced ecologist prior to starting work and if any nesting birds are found, development must cease until after the juveniles have fledged. We suggest the following informative is included with any planning consent:

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.

Biodiversity and Ecological Enhancement

Under section 40 of the NERC Act (2006), and paragraph 174 of the 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 enhancements for biodiversity should be encouraged.

It is difficult to understand how the development is going to achieve a biodiversity net-gain, so we advise that every available option is utilised to maximise the gains. Ideally, this includes:

- Green roofs/walls.
- A native species-only landscape plan.
- Wildflower meadow creation/management.
- Sensitive lighting.
- Integrated bird nest bricks.

To secure the implementation of biodiversity loss offsetting/ecological enhancements, we advise that a condition is attached to any granted planning permission. Suggested wording:

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 plan and integrated bird nest bricks. The approved details will be implemented and thereafter retained.

Kent Highways and Transportation Services - Revised Comments 27 June 2022

Whilst revisions to the application have been made, there are no significant changes to the impact on the public highway.

No objection is therefore raised on highway grounds to this application provided the following Conditions are applied to any consent granted:

- 1 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.
- 2 Provision and permanent retention of the cycle parking facilities shown on the submitted plans prior to the use of the site commencing.
- 3 Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1.05 metres above carriageway level within the splays, 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

KCC Development Contributions

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, which will require mitigation either through the direct provision of infrastructure or the payment of an appropriate financial contribution.

Revised Request Summary (Note: Subsequently adjusted due to reduction in units to 13)

	Per 'Applicable' flat (x9)	Per 'Applicable' House (x4)	Total	Project
Secondary Education	£1,135.00	£4,540.00	£28,375.00	Towards Mayfield Grammar expansion

'Applicable' excludes: 1 bed units of less than 56 sq. m GIA

	Per Dwelling (x13)	Total	Project
Community Learning	£16.42	£213.46	Towards additional resources for Adult Education "Victoria Centre", Darnley Rd, Gravesend DA11 0RX

Youth Service	£65.50	£851.50	Towards additional resources for Miracles Youth Centre, Windsor Road, Gravesend, Kent DA12 5BW
Libraries	£55.45	£720.85	Towards additional services, resources and stock required to mitigate the impact of the new borrowers from this development at Kings Farm Library, Sun Lane, Gravesend, Kent, DA12 5HR
Adult Social Care	£146.88	£1,909.44	Towards Age UK Fleming Resource Centre, Clarence Row, Gravesend DA12 1HJ
Waste	£183.67	£2,387.71	Towards new WTS and capacity works to Pepper Hill HWRC

All Homes built as **Wheelchair Accessible & Adaptable Dwellings** in accordance with Building Regulations Part M 4 (2)

Broadband:

Condition: Before development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High- Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure 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.

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

NHS DGS Clinical Commissioning Group

No comments received

Kent Police Designing Out Crime Officer - Original Comments

Recommends the use of the Secured by Design (SBD) Homes 2019 initiative for this proposal and sets out detailed planning requirements relating to natural surveillance, perimeter, boundary, and divisional treatments, audio/visual door entry system for visitors, recessed doorways, mail delivery system, use of CCTV, the lighting of all roads including main, side roads and car parking areas, the need for cycle and bin store areas to be well lit and lockable, windows and door sets specifications and that new trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting.

KCC Heritage and Conservation - Revised Comments 21 July 2022

The application site is within an area of multi-period archaeological potential with prehistoric worked flint and Romano-British material recorded c.140m to the northwest. The site was developed sporadically and in a relatively limited way from the late 19th century and there is the potential for any archaeological remains present at the site to be relatively undisturbed. The proposed development may impact on any such remains and therefore I recommend that the following condition is applied to any forthcoming consent:

AR5 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.

Kent Fire and Rescue Service - Revised Comments 20 June 2022

The Design and Access Statement dated 25-05-2022 that supersedes statement 31-01-2022 states that the distance of the furthest part of any flat from the road via the front entrance is within 45m, so full firefighting access is provided.

As per previous correspondence, please confirm though that although 'off-site' access to the proposed buildings can be achieved, once on site there is also available vehicle access and turning facilities for a pump appliance to within 45m of every point of the footprint of the proposed "4" x new houses at the rear of the site.

Applicants should be aware that in the event of planning permission being granted the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

Cadent Gas

This application falls outside of Cadent's distribution network

National Grid

No comments received

Powergen Plc

No comments received

Publicity and Representations

This application was publicised by a site and press notice as a major development proposal, and in addition, notification by a neighbour letter was sent to a total of 101 surrounding properties and other interested parties.

There have been three separate rounds of neighbour consultation on 14 September 2021, 03 February 2022 and 25 May 2022

The final expiry date for neighbour responses was 24 June 2022.

Note: As original neighbour comments may still be valid and not necessarily withdrawn a summary of all comments are set out below notwithstanding that the most relevant comments will relate to the finally assessed and publicised scheme

Representations Objecting to the Development

There were **18** objections, summarised as follows:

Material Planning Considerations

Principle and Type of Development - loss of community facilities

- Loss of community facilities; there are lots of other residential projects in the area
- Overdevelopment - the site would be better suited to 4 or 5 houses instead with decent gardens and amenity space; the plot is not suitable for such a development
- No need for additional flats; too many other building projects in Gravesend

Design and Bulk

- Height of development is unacceptable
- Development is bulky and completely out of proportion to the buildings around it
- Development towers over 22 Old Road East
- Design - Development should mirror that at 20 Old Road East

Amenity Impacts

- Loss of privacy through overlooking and loss of light due to proposed height to properties in Old Road East
- Proximity of the development to windows in the side of Wycliffe House (20 Old Road East); loss of privacy
- Proximity of driveway to 20 Old Road East
- Development will overlook and be of serious detriment to two detached properties intended to be built at the rear
- Additional noise and pollution from the development
- The close proximity, height and number balconies means that there will no longer be privacy in the walled garden of 22 Old Road East
- The building will block out sunlight from the side and back yard area and windows of 22 Old Road East
- The property is sunken and only circa 2m from the old Victorian brick boundary retaining wall at 22 Old Road East; the development will affect the stability of this wall and soil stability

Access, Traffic and Parking

- No rights of access over the driveway to Wycliffe House (20 Old Road East)
- The access ramp is too steep
- The access is not suitable for heavy plant or lorries to use
- Additional traffic
- Queuing traffic is also already a problem in the mornings and afternoons especially during school times
- Additional parking on street; future residents will have more than one car
- The site is within a permit parking area and spill over of parking will make parking difficult for existing residents
- Insufficient visitor parking

Impact on Wildlife and Vegetation

- The proposed car park area would result in a large loss of wildlife for the area as there are bats and other animals living in that green area which has been undisturbed for at least 20 years
- Loss of tree bushes and wildlife is contrary to climate emergency

Non-Planning Issues

- Disruption from building works
- Abuse of the private car park at Wycliffe House by builders
- Access for plant and machinery for building works would cause major disruption to adjoining residents
- Loss of views

Support

There were **2** representations received in support but commenting:

- Would like to see something done with this site as it is not pleasing to the eye at the moment
- The development is appropriate for the area
- The design should mirror the adjacent existing flats to maintain the areas value
- Three visitor parking spaces is insufficient
- Potholes in the road surface by the site entrance need to be remedied

Second Planning Consultation - February/March 2022 re scheme for 9 x 2 bed flats and terrace of 5 houses

There were **7** objections, summarised as follows:

Material Planning Considerations

Principle and Type of Development

- Overdevelopment in such a confined space
- Development is more intrusive and too large for the land

Design and Bulk

- Development is bulky
- Development is close to existing flats at 20 Old Road East (Wycliffe House)
- Lack of consideration to impacts on adjoining development to the south and lack of consideration of the topography of the site

Amenity Impacts

- Loss of privacy through overlooking and loss of light
- Additional noise to adjoining flats at Wycliffe House
- Damage to the environment
- Non-compliance with Council's residential layout guidelines
- Overbearing Impact and Sense of Enclosure

Access, Traffic and Parking

- Additional traffic pulling out on to a busy road
- Insufficient parking
- Spill over of cars

Non-Planning Issues

- No rights of access
- Loss of part of driveway to existing flats at 20 Old Road East (Wycliffe House)
- Damage from using the driveway to existing flats at 20 Old Road East (Wycliffe House)
- Where will construction workers park
- The existing drainage infrastructure is already insufficient and requires regular unblocking. It is critical that the applicant is bound by condition to obtain the full approval of Southern Water prior to the commencement of works.

Representations Objecting to the Development

There have been **6** neighbour objections, summarised as follows:

Material Planning Considerations

Principle and Type of Development

- Overdevelopment - there are still too many plots for the environment

Design and Bulk

- Height of development is unacceptable
- The development should be lowered with higher buildings towards the back of the site

Amenity Impacts

- The close proximity, height and number balconies means that there will no longer be privacy in the walled garden of 22 Old Road East; the scheme for dwellings is even closer than the earlier flats
- The building will block out sunlight from the side and back yard area and windows of 22 Old Road East
- The property is sunken and only circa 2m from the old Victorian brick boundary retaining wall at 22 Old Road East; the development will affect the stability of this wall and soil stability
- Does not consider that there has been any surveying before/after and structural engineering calculations regarding retaining wall
- Loss of privacy through overlooking and loss of light
- Additional noise to adjoining flats at Wycliffe House

Access, Traffic and Parking

- Additional traffic pulling out on to a busy road
- Insufficient parking
- Adjoining roads are fully parked; future residents will park in Spring Grove
- Insufficient visitor parking
- The Council needs to revise the residents parking scheme to extend restrictions to reduce on street parking

Non-Planning Issues

- Loss of views
- Access for plant and machinery for building works would cause major disruption to adjoining residents

Note: There was a late change to the overall layout that is not reflected in all of the documents (such as the Planning and Design and Access Statement) but is in the main drawings that has moved the rear houses slightly by relocating the parking spaces such as to give a greater degree of separation to the boundary to the east and thus moving the development marginally away from the neighbouring boundary with 22 Old Road East, but this was not deemed to be sufficient to further re-consult with neighbouring properties.

Planning Assessment and Analysis

Introduction and Background

The originally submitted scheme, and which was also similar to the earlier pre-application enquiry, involved the redevelopment of this site for a scheme for the provision of 14 x two bed (family) market flats, with the floors areas of the flats ranging from 75-81m²; the two flats in the roof space were 94m². The proposed building was four storeys and although the building was set down with rooms in the roof and thus appears as 2 and a half storeys; it was marginally above the rebuild to the west at 20 Old Road East.

There were case officer concerns in design terms relating to the bulk and scale of the development in the street scene and the extent that the building went back from the frontage. Those concerns were also reflected in the initial design advice that was obtained by the Brough Council from the Council's design advisors, Design South East (DSE), following a Gravesham surgery discussion held on 06 October 2021.

Extracts from some of the originally submitted drawings are shown below

Below: Front elevation to Old Road East form the north



Below: Rear elevation from the south



Below left: West side elevation; Below right: East side elevation





The originally proposed layout for the scheme of 14 two bed flats is shown across the page.

The proposals included a vehicular access at side and with car parking located at the rear, comprising 14 spaces plus 3 visitor spaces, thus 17 spaces in total for the 14 units and 16 cycle stands.

The access would be located next to the existing vehicle access at the side of 20 Old Road East and effectively providing a joint access.

The footprint of the building was 395m² equating to 20% of the site.

In addition to the design and massing concerns there were concerns that the development would unacceptably materially

impact on neighbouring properties and that the loss of community facilities on the site had not been set out in the submission, including whether the site had been marketed for community use and the responses to that marketing exercise. The last point was subsequently addressed by the submission of additional information.

In the light of the DSE design comments the layout of the development was revised to reduce the bulk of the flatted development including the number of units and with, at the suggestions of DSE, a mews development of houses at the rear, initially as five units and arranged fronting to the west but subsequently reduced to 4 units and fronting northwards towards to the rear of the block of flats (*see the earlier Proposals section of this report*)

Below: Layout and elevations of development proposed for 9 flats and 5 terraced houses, January 2022



The Key Issues

The key issues in the consideration of this revised planning application are:

- Principle of the Development
- Design, Layout and Impact on the Character of the Area
- The impact on the amenity of future residents of the development
- Impact on local residential amenity and existing residents
- Highways, Access and Parking
- Other Material Planning Considerations - *Ecology, Biodiversity and Landscape; Archaeology; Construction and Contamination; Drainage/Flood Risk; Security - Secured by Design, Community Contributions etc.*

Principle of the Development

The site to which this pre-application enquiry relates is not specifically allocated for residential development or any other forms of development as such in the adopted development plan (Gravesham Local Plan Core Strategy 2014 and saved policies of the Gravesham Local Plan First Review 1994) and being within an urban area.

The site is, however, a brownfield site and generally there is no overriding objection in principle to the development of the site per se for housing. Nevertheless, development proposals would need to be judged against the general policies of the development plan and national planning guidance and policy.

Planning Policy, the Provision of Housing and Sustainability

Local Plan Core Strategy Policy CS02 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 over 6,000 new dwellings in that time. Evidence now available shows that the Council is not able to currently demonstrate a five-year housing supply.

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. "the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- 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.

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

- Habitats sites (and those sites listed in NPPF paragraph 181)
- 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 68); and
- Areas at risk of flooding or coastal change.

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.

Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) prioritises development in the urban area as a sustainable location for development. It seeks to achieve this by promoting regeneration by prioritising redevelopment and recycling of previously developed land.

The site is within a highly sustainable location, close to existing bus stops and within easy walking distance of local shops (at Echo Square) and a local primary school (Whitehill) although the location of secondary schools are a little more distant.

The residential development of the site also supports the Government's greater emphasis on delivering and prioritising housing land as set out in the current version of the NPPF (section 5 - delivering a sufficient supply of homes).

The redevelopment of sites within the urban area can help reduce the pressures for the release of fresh land in rural locations, which is of particular importance in a Local Authority constrained by Green Belt policy. This would be in conformity with paragraphs 120 and 141 of the NPPF. Evidence of land scarcity can be found in paragraph 2.14 of the Site Allocations: Issues and Options consultation document, which identifies a shortfall in the supply of housing sites of 2,000 dwellings.

Therefore, the development of the site for some 13 units would offer a modest contribution towards meeting this local need and, accordingly, weighs in support of this development.

Nevertheless, this still has to be balanced against other requirements of the NPPF and in particular paragraph 130 and 134 of the NPPF which requires development to be added to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

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. There are a number of planning, highway and other material planning issues that need very careful consideration in the assessment of this development.

Density of Development

Development on this site should meet the requirements of Policy CS14 (LPCS), where the Council expects new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area. The area is within a mixed area and there are nearby some new flatted schemes but generally family type housing.

Policy CS15 (LPCS) requires that all new housing will be developed at a density which is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration, new residential development within the urban area will be expected to achieve a minimum density of 40 dwellings per hectare. It is clear that whilst Policy CS15 (LPCS) seeks to achieve this minimum density, this should not be at the expense of compromising the character of the surrounding area.

Based on the applicant's site area the density of the development would be circa 65 dwellings per hectare thus exceeding the target minimum density (40 dwellings per hectare). This might suggest therefore the site is being overdeveloped and the development might be at variance with the overall character of the area, although it is a slight reduction from the density of 70 dwellings per hectare at the pre-app stage and as originally submitted and given the location of the site within the urban area a higher density would perhaps be appropriate.

It is noted that there have been some neighbour concerns and comments relating to overdevelopment of the site and that there are too many dwelling plots. Whilst this is acknowledged this has to be balanced against the national planning policy in seeking to achieve an economic use of potential development sites.

Loss of Community Facility

Paragraph 93 of Chapter 8 (Promoting health and safe communities) the National Planning Policy Framework (NPPF) requires planning policies and decisions to plan positively for the provision of community facilities and to guard against the loss of valued services, particularly where this would reduce the community's ability to meet its day-to-day needs.

At a local level Policy CS10 (Physical and Social Infrastructure) of the Gravesham Local Plan Core Strategy states that support will be given to proposals and activities that protect, retain or enhance existing social infrastructure, or lead to the provision of additional infrastructure which improves community well-being. The policy also states that where there is the threat of loss of existing infrastructure, consideration will be given to viability and whether sufficient alternative provision is available.

The premises was built as a Church Hall for various community activities until its closure in 2020. It did provide pre-school education, but the Sunflower Nursery vacated the site in August 2020. Other uses closed earlier albeit due to the Covid Pandemic. The scout use of the timber sheds appears to have ceased in 2018, most likely to the decline of the scout group or alternative facilities being obtained.

As indicated earlier in this report the original planning submission contained no analysis from the applicants that had considered whether the site or existing buildings had potential for continued use as a community facility. This was remedied by a Viability Assessment submitted in December 2021. This looked at the viability of the existing premises noting the problems of its upkeep and the condition of the building as well as including a marketing report. It indicates that the total cost of repairs to the building to re-let was £191,887. It also lists the existence of other local premises available for community use that have multiple funding streams and alternative pre-school facilities. The lack of on-site parking was also perhaps an impediment to continued community use.

In terms of the loss of the community facility, the applicants revised Planning Statement says:

There is no existing use being lost on the site as the buildings are empty having most recently been leased to a pre-school educational company. Policy CS10 of the Core Strategy 2014 relates to physical and social infrastructure such as schools, and states that where there is the threat of loss of such existing infrastructure consideration will be given to viability and whether sufficient alternative provision is available.

On this occasion, Caxtons circulated the property particulars to a specialist list they maintain of local and national community users, and the welfare/community sector was reached widely via the Estate Agent's Clearing House. Both local paper and national advisements were placed too. No educational provider expressed an interest.

On balance there does appear to be a sufficient case in terms of repair costs, usefulness of the buildings and facilities on site, and the apparent lack of interest in the site for continued community use to support an alternative use and redevelopment of the site.

Conclusions and Sustainability

The site is within a highly sustainable location and close to existing bus stops and a bus route in Sun Lane/Whitehill Road/Parrock Road and within a comfortable walking distance of local shops at Echo Square.

On balance the development of this site for residential development as proposed along with the demolition of the community use buildings is considered to be appropriate and a sustainable use within the local area in accordance with Policy CS01 (Sustainable Development) of the Gravesham Local Plan Core Strategy and accords with the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF) in Section 2, Paragraphs 7 - 14: Achieving sustainable development. It also accords with Policy CS02 of the Gravesham Local Plan Core Strategy 2014 which prioritises development in the urban area as a sustainable location for development by recycling of underused, derelict and previously developed land in the urban area. It accords with Section 11, Paragraphs 119 - 125 of the NPPF by making effective use of land.

However, this also has to be balanced against other requirements of the NPPF and in particular paragraphs

130 and 134 of the NPPF which requires development to be added to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Notwithstanding the weight to be given in favour of sustainable 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. There are also other important material planning considerations that need to be considered in relation to the design and impact on character, neighbour impacts and access, parking and highway matters amongst other matters

Design, Layout and Impact on the Character of the Area

Policy

The design and built form of the proposals need to be considered against the Council's Core Strategy Policy CS19 (Development and Design Principles) that sets out detailed criteria. 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 National Planning Policy Framework (NPPF) 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 (paragraphs 126 and 130 of Part 12 - Achieving well designed places).

Paragraph 130 of the NPPF also indicates that developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation and change (such as increased densities); and establish a strong sense of place, using streetscapes, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Paragraph 134 of the NPPF advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

Design Reviews and Assessment

The original design and layout were assessed by Design South East (DSE) at a Gravesham Design Surgery in October 2021. Their main concerns were to the height, bulk and elongated nature of the proposed singular block of flats on the site. It was DSE who suggested that the height should be reduced and with fewer flats and with a different approach that explores different types of housing on the site – for example, a small block could be located at the front, addressing the road, whilst at the back of the site could be mews type housing – with a courtyard style space in-between.

Following a re-design and submission of a scheme that included a mix of flats and mews houses this was further reviewed by DSE in April 2022 who whilst considering there were significant improvements including the reduction of dwellings to 4 did consider that the layout could be reorientated and with the scale of the houses reduced, amongst other things.

Again, the developers have taken on board the DSE design advice in the submission of the current layout. The design of the scheme still remains as a pastiche type approach with classical proportions echoing elements of original buildings in the locality and copying some design elements of the adjoining building to the west. The Planning Statement indicates that *the flat entrances face the road and have separate steps to lower and upper ground floors, connecting the building to the street in a similar manner to grand 18th and 19th century villas*. Nevertheless, it is considered that this is appropriate to local context and character. The frontage development footprint is now significantly less deep than the block adjoining to the west at no 20 Old Road East and not overly dominant. It includes hipped ends to the roof form to reduce the bulk of the roof. The street scene elevation drawing (as shown in the Proposals section of this report) shows the relationship of the proposed frontage development to properties either side.

The materials to be used in the buildings that include facing bricks and render to the flats and a fibre cement slate roof and similar to the mews houses is appropriate but precise details have not been

submitted and the applicants accept that this can be controlled through a planning condition.

The boundary treatments that include, at the request of the case officer, railings to the frontage instead of a brick wall are appropriate and may necessitate the inclusion of retaining walls due to the contours of the site. Details of the boundary treatments can also be the subject of a planning condition requiring subsequent details to be submitted.

It is noted that whilst the number of concerns that there were to the original scheme has not manifested in the latest design and layout there still remain some neighbour concerns relating to the height of the development and some comments even suggesting that the development should be lowered with higher buildings towards the back of the site. Nevertheless, the height of the frontage block of flats is now lower than those immediately to the west at 20 Old Road East (by 0.550m) and if higher buildings were to be located at the rear of the site this could result in detriment to adjoining dwellings to the south in Cross Lane East and Devonshire Road.

The application has been the subject of thorough design analysis and significant beneficial amendment and overall and subject to appropriate planning conditions it is considered that the design and layout and impact on local character as now proposed is not at variance with local or national policy and notably Policy CS19 of the Gravesham Local Plan Core Strategy and Section 12, Paragraphs 126 - 136: Achieving well-designed places of the NPPF.

The impact on the amenity of future residents of the development

Policy

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 (SPG2) adopted GBC Residential Layout Guidelines'.

The Supplementary Planning Guidance Note 2 Residential Layout Guidelines referred to above sets out the Council's standards in relation to private garden areas and internal space standards, amongst other things.

The introduction of new housing technical standards on 1 October 2015 means that the Borough Council now interpret Tables 1 and 3 of the Residential Layout Guidelines July 1996 in accordance with the new standards. The National Technical Standards require bedroom sizes of 7.5m² for a single bedroom and 11.5m² for a double bedroom and minimum overall areas of 70m² for a 2-bedroom (4 person) unit and 86m² for a 3-bedroom (5 person) unit as well as overall sizes for dwellings based on the number of storeys, bedrooms and bed spaces.

Assessment

It is indicated in the submitted Planning Statement that the proposed flats exceed the Technical housing Standards - Nationally Described Space Standards (NDDS). They are between 76m² and 90m². It also indicates that the Council's Residential Layout Guidelines recommendations have been followed with no living rooms of one flat adjacent to the bedroom of another and there are separate entrances to the lower ground flats and entrances from the road to the upper flats. In respect of the houses national and local standards are met (double bedrooms - 13m² and single bedrooms - 11.5m²)

In terms of private amenity (garden) space the development also meets the SPG2 requirements of 60m² private outdoor space for 3-bedroom houses and minimum garden depth requirements of 10m for each dwelling. However, it is appropriate that planning conditions are imposed to exercise control over future enlargement of the dwellings that might reduce the size of the rear gardens for the single-family dwelling units. There is a communal garden area at the rear for the proposed flats as well as rear balconies providing amenity space.

It is noted that GBC Regulatory Services (Environmental Protection) have indicated that in order to limit the likelihood of noise nuisance occurring due to potentially poor construction/insulation and noise from traffic at Old Road East, they ask that a planning condition is imposed requiring submission of a noise impact assessment demonstrating that:

- The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.

- The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- If relevant, the rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e., dwellings) when measured and assessed in accordance with BS4142:2014

Overall, and subject to relevant planning conditions it is considered that the design and layout will provide a good standard and quality of accommodation on the site and a high-quality environment for future residents in accordance with national and local planning policy and notably Policy CS19 of the Gravesham Local Plan Core Strategy and Section 12, Paragraphs 126 - 136: Achieving well-designed places of the NPPF.

Impact on local residential amenity and existing residents

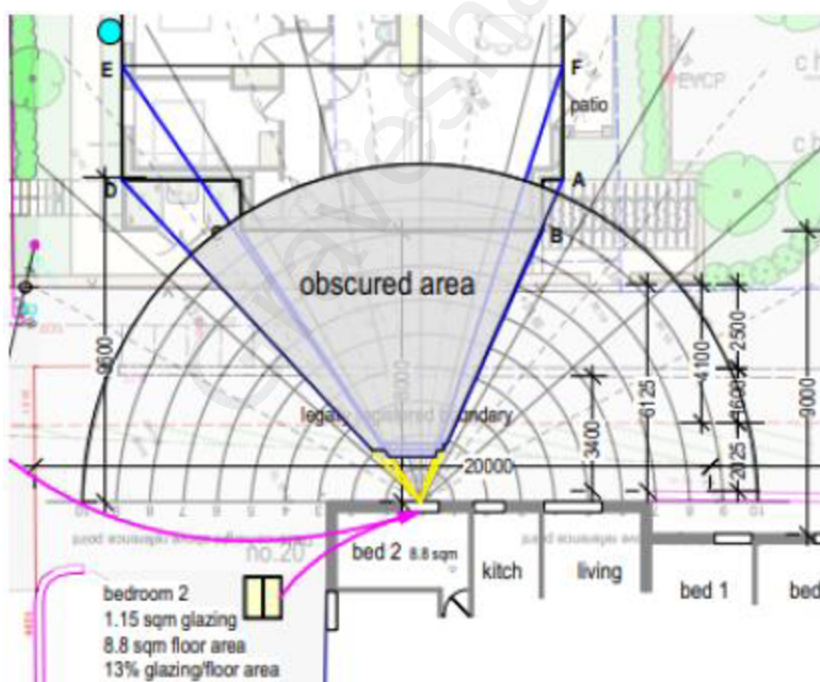
In considering any proposals for development it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. It is also important to assess the quality of any residential environments that are proposed as part of the scheme. Policies seeking to protect amenity and ensure acceptable future living conditions are included in the Local Plan Core Strategy.

The NPPF (Paragraph 127) also assists and seeks to ensure developments will function well, do not undermine the quality of life and create attractive and comfortable places to live, work and visit and seeks to “secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

Safeguarding residential amenity, in terms of privacy, daylight and sunlight and ensuring that all development proposals are fit for purpose and adaptable to meet the need of users are important considerations referred to in Local Plan Core Strategy Policy CS19.

The Supplementary Planning Guidance Note 2 Residential Layout Guidelines also sets out requirements not to just protect future residents/occupants of new development but also those existing residents that might be affected by the development.

It is noted that there are a number of neighbour concerns relating to loss of privacy through overlooking and loss of sunlight, notably to either side of the site at 20 Old Road East (to the west) and 22 Old Road East (to the east) and also to dwellings to the rear in Cross Lane East or the backs of houses or future development in Devonshire Road.



In terms of the impact on the block of flats to the west at Wycliffe House (20 Old Road East) it is unfortunate and a planning anomaly that some of the flats units in that building have windows to habitable rooms facing eastwards that currently look over the community hall and its grounds.

As in the section drawing shown earlier in the Proposals section of this report the proximity of the proposed flat block will inevitably have some neighbour impact and this would not be in conformity with the normal simple 25° rule as set out in the GBC Residential Layout Guidelines.

In recognition of the likely impact of the development on neighbours due to the urban grain and the planning constraints of the site, the applicants have

undertaken a calculation of the Vertical Sky Component (VSC) using methodology from appendix A of the

'Site Layout Planning for Sunlight and Daylight - A Guide to Good Practice, 2nd Edition' by the BRE Trust which shows that the minimum 27% to ensure reasonable daylight levels is exceeded, as shown above

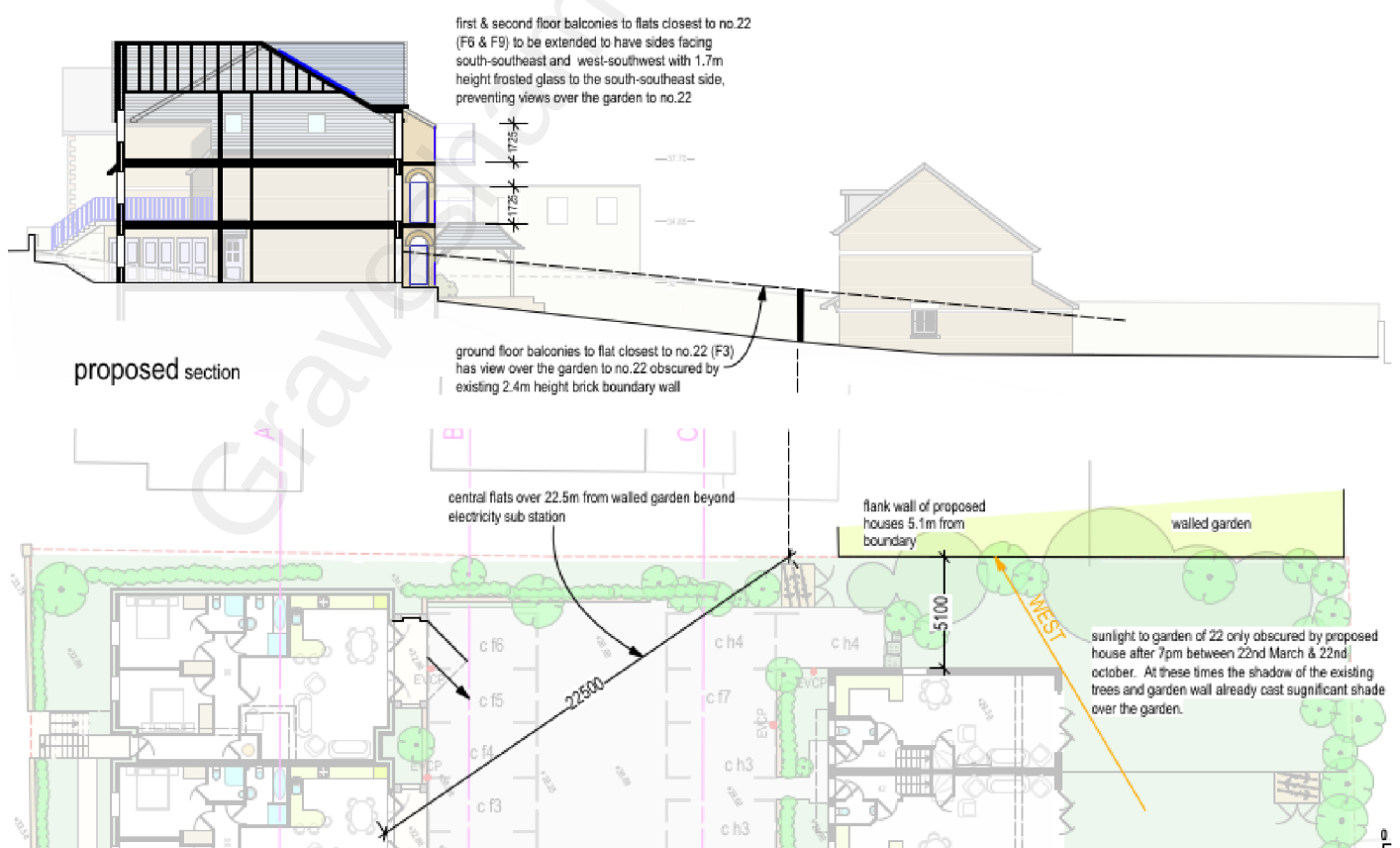
It should be noted that in the proposed development there are no windows in the flank elevations either side with the only views from those flat units east and west being from the rear balconies and those balconies will include frosted glass screens and those can be subject to planning conditions to ensure that they remain obscure glazed at all times.

In respect of the impact on the existing adjoining dwelling to the east (at 22 Old Road East) it is acknowledged that there are also 3 windows in the flank elevation of that dwelling that look across the application site and the layout is such that there will inevitably be some neighbour impact from the proposed development on that property, but this will be limited particularly in respect of the second floor window due to its height and the ground floor window is only a secondary window to kitchen/corridor.

The neighbours of that property have also indicated concerns relating to the impact on the boundary retaining wall, overlooking from the rear mews houses and patios to the flats, and impact on their rear garden which is mainly towards the rear of their property as there is a garage and large electricity substation that sits close behind the rear of that dwelling and the neighbouring garden does sit significantly above the ground levels of the application site

The new flatted development will be located at 4.4m from the nearest point of that building which is slightly closer than in the original flatted only development (which was 4.7m away) but the development in the original scheme was further back from the site frontage and extended much further back into the site. It is acknowledged that conversely there is now a mews development in the form of 4 x 2 storey houses (with roofspace accommodation) further into the site but there are no first-floor windows in the flank elevations of the dwellings having been deleted from a previous iteration. In addition, it is noted that the dwellings will sit down on the site and following a late amendment have been pulled away further from the boundary such that they are at the nearest point 5m from the neighbouring boundary and approx. 5m higher than the level of the neighbouring garden. Any views would be more oblique from either front (north facing) or rear (south facing) windows. The balconies to the flats face due south would again offer more oblique views of the neighbouring property. There is scope to provide significant tree and hedge planting at the edge of the car parking area and alongside the flank elevations of the proposed mews dwellings.

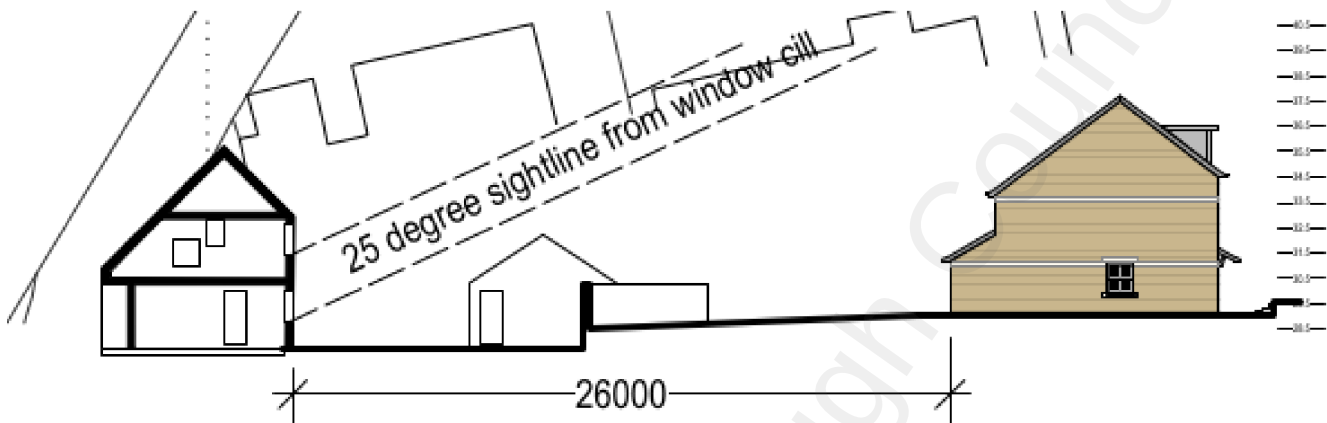
The impact on the neighbouring dwelling to the east (22 Old Road East) has been shown in an additional drawing (Drawing no. 21-18-117: Section to Flats and No. 22 Boundary) as shown below.



The balconies closest to the neighbouring dwelling have now been angled away from the boundary.

The third main neighbour impact is due south where the site is adjoined by an isolated dwelling set back from the frontage (59 Cross Lane East) whose rear garden adjoins the rear of the site bounded by a brick boundary wall and the neighbouring property is lower than the application site. The rear of that dwelling is obliquely positioned and being 9-14m from the boundary. In the first revision to the application that had 5 dwellings units but sited in an east-west orientation the flank wall to the terrace of dwellings was between 13 and 18m from the rear of that dwelling. In the second revision to the scheme the 4-dwelling terrace re-orientated north-south is now 26m rear to rear and thus fully in accordance with the GBC Residential Layout Guidelines.

This is shown in the extract section below



Planning conditions would be required to ensure that permitted development rights are removed in order that the dwellings are not subsequently extended or enlarged including additional dormers so as to protect local privacy and amenity and eliminate the risk of potential overlooking and uncontrolled unneighbourly development.

The constraints, shape and topography of the site and the proximity and peculiarities of adjoining development are such that most forms of development that would be proposed for this site, including its height, siting and massing and location of fenestration will have varying degrees of neighbour impact and there is a balance to be had between securing an economic use for the site in meeting local need for housing whilst seeking to safeguard as much as possible the living conditions of the occupants of the surrounding development.

In terms of neighbour impacts it is considered that the development as now proposed, coupled with the amendments that have been achieved, is in general conformity with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and section 12, Paragraphs 126 - 136: Achieving well-designed places, of the National Planning Policy Framework 2021, such that grounds of refusal on this aspect of the development alone would be difficult to defend. However, it is considered that planning conditions will need to be imposed to ensure control over potential future neighbour impacts.

Highways, Access and Parking

Local and National Policy

The proposed development needs to be considered against Gravesham Local Plan Core Strategy Policy CS11 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 approach to development is also supported by saved policies in the Local Plan First Review Policy T1 (Impact of Development on the Highway Network), Policy T5 (New Accesses onto Highway Network) and Policy P3 (Policy for Vehicle Parking Standards).

Saved Policy T1 requires that all proposed developments are adequately served by the highway network

identified on the Proposals Map. 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 requires development to make provision for vehicle parking, in accordance with the Kent County Council 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. The adopted KCC parking standards are set out as maximum standards although it should be noted that the government abolished national maximum parking standards in 2011 and the ministerial statement in March 2015 indicated that the imposition of maximum parking standards leads to blocked and congested streets and pavement parking and arbitrarily restricting new off-street parking spaces does not reduce car use. The adopted standards therefore would normally seek to be met in full.

At a national level the National Planning Policy Framework (NPPF) recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability objectives. It indicates that all development that generates significant amounts of movement should be supported by a Transport Statement or Transport Assessment and development should only be prevented or refused on transport grounds where there is an unacceptable impact on highway safety, or the residual cumulative impact of development is severe (paragraph 111).

In this instance the nature and scale of the development does not require a full transport statement or transport assessment (indicative threshold of Use Class C3 - 100 dwellings in Supplementary Planning Guidance SPG 4 Kent Vehicle Parking Standards July 2006)

Scheme Details

There is no supporting traffic information submitted with this planning application, other than scheme details as set out in the Planning Statement. The revised scheme includes a car parking area located between the rear of the block of flats and the frontage of the mews (terraced) housing with a total of 19 parking spaces provided for the 13 units with an allocation of 2 spaces for each of the houses and one space for each of the two bed flats with 2 unallocated visitor parking spaces.

The main concerns voiced by local residents in the objections to the development at all stages relate to what is considered to be lack of off-street parking provision either to the original development or the revised mixed residential development and the impact of spill over from the site on to surrounding residential roads, additional traffic pulling out on to a busy road and unacceptable means of access including lack of rights over the access serving the adjoining flats at Wycliffe House.

Traffic Generation

It is difficult to compare what level of traffic was generated by the authorised and existing use of the site against the level of traffic that might be generated by the proposed development. The proposed development will have the benefit of off-street parking and access whereas the current use of the site was not operating 24 hours but did involve dropping off and picking up from outside the site that would have affected the flow of traffic on Old Road East, a B class classified highway, and also would have resulted in more prolonged parking associated with the operators and staff running the various community uses within adjoining streets.

Neither KCC Highways and Transportation nor the GBC Highways Development Management Officer have raised a highway objection to the level of traffic generated by the development.

Vehicle Access

The access that will serve the development will a joint access with the existing access on the east side of 20 Old Road East (Wycliffe House) but widened.

The applicants Planning Statement says:

The existing 3.4m (min.) vehicular access to no 20 was built partly on the applicant's land, by agreement. It is widened by 2.5m, with the wall removed to provide 6.125m total width. About 2m of this is within the ownership of no 20, leaving 4.1m width within the applicant's ownership. There is a right of access for the applicants to use a wedge of land owned by no 20 and there is a right of access for no 20 over the 1.6m

width existing on the applicant's land. There will be no physical dividing between the differently owned parts of the drive.

The access is sufficiently wide to serve the parking spaces at the rear of 20 Old Road East as well as the proposed development and although ramped the access is relatively flat for the first 5m. Visibility splays to the access of 43m by 2.4m in both direction and 2m-by-2m pedestrian visibility splays will be required to be provided and thereafter preserved through planning conditions. Subject to this KCC Highways and Transportation nor the GBC Highways Development Management Officer have raised a highway objection to the access arrangements.

Parking Provision

The KCC adopted standards (in SPG4) for Use Class C3 Residential are as follows:

Car Parking	
1 bedroom	1 space per dwelling
2 and 3 bedrooms	2 spaces per dwelling
Mixed Development of 1,2 & 3 bedroom	Average of 1.5 spaces across development
4 or more bedrooms	3 spaces per dwelling
Sheltered Accommodation	1 space per resident warden + 1 space per 2 units
Notes:	1. Flats and Apartment Blocks consisting of 2 and 3 bedroom units will be regarded as Mixed Developments. 2. For 1-bedroom dwellings the parking will usually be provided as a communal space. For other size dwellings, part or all of the parking can be provided on a communal basis. 3. The level of car parking provision includes any garages, provided as an integral part of the dwelling or within its curtilage, and/or driveways, provided within the curtilage, subject to the preferred sizes set out in Appendix B. 4. In Controlled Parking Zones the parking provision should result in no net loss of on-street parking.

Generally, the spaces should be 5m by 2.5m increasing to 2.7m where the spaces are at the end of on aisle or 2.9m next to walls etc. of buildings.

The development accords with the above maximum standards. Some adjustments have been made to comply with the required size of spaces. There would be sufficient space within the manoeuvring areas for the parking of delivery vehicles. An earlier scheme did include some undercroft parking to the flats, but this has been deleted with the current conventional parking arrangement with tow banks of parking and manoeuvring space between.

Neither KCC Highways and Transportation nor the GBC Highways Development Management Officer have raised a highway objection to the level of car parking provision.

Electric Vehicle Charging

Paragraph 112 (e) of the NPPF requires applications to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Suitable electric vehicle charging facilities are required on developments in support of the Council's commitment to become carbon neutral by 2030.

There is an emerging policy, Proposed Policy INF 5: Electric Vehicle Charging Points, in the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020, that indicates, where viable, all new developments must provide charging infrastructure for electric vehicles with the specific requirements according to the type of development.

It is indicated in the planning statement that 4 electric vehicle charging points will be provided for both car and electric cycles and that every car parking space will be wired for a minimum of 7.2kW/her vehicle charging point.

The GBC Highways Development Management Officer has queried the location of some points that might be vulnerable to damage, and it is suggested that this can be addressed through planning conditions.

Cycle Parking

In terms of cycle parking, SPG4 states that a minimum of 1 space per bedroom for dwellings and one space for flat units should be provided on site.

The cycle provision within the site includes an Orme Apex cycle shed 2m by 1.45m to house 3 cycle for each of the dwellings and a single cycle store for the flats to the southwest of the building providing multiple storage use.

The GBC Highways Development Management Officer has queried the design of the cycle store for the flats, and it is considered that this can be dealt with by a planning condition, together with the provision overall.

Summary

Whilst the neighbour concerns are understood in relation to parking provision, access and traffic generation the level of provision should be sufficient on site to meet the parking demand from the development, but this will need to be supplemented by other requirements through planning conditions including cycle provision and electric vehicle charging.

There are no highway objections from the GBC Highways Development Management Officer or KCC Highways and Transportation, as the relevant highway authority to the access and traffic generation.

On balance it is considered that the proposals will satisfy the objectives of Gravesham Local Plan Core Strategy Policy CS11 (Transport) as well as saved policies T1, T5 and P3 of the Gravesham Local Plan First Review 1994, and which seek to prioritize sustainable modes of transport, and which assesses car parking in accordance with the adopted Kent Parking Standards.

The development is also in accordance with Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport of the National Planning Policy Framework, 2021

Other Material Planning Considerations

Ecology, Biodiversity and Landscaping

Strategic Access Mitigation and Monitoring Strategy (SAMMS)

The application site falls within 6km of the Thames Estuary and Marshes Special Protection Area (SPA) 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.

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

£253.83 per dwelling). This approach is approved by Natural England for all new residential developments.

For every planning application for a new dwelling (including new flats), which does not require any other contributions to be secured through a Section 106 legal agreement or unilateral undertaking the tariff has been secured through a contribution agreement.

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 not considered to be valid, as the CJEU ruling 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. The CJEU sees 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 AA and that mitigation measures cannot be taken into account at the screening stage.

In this case the applicants have agreed through a section 106 agreement to make the SAMMS contribution to mitigate the impacts of the development. The Local Planning Authority is satisfied that the proposal would put in place adequate measures to mitigate potential significant adverse effects on the Thames Estuary and Marshes SPA/Ramsar site. Therefore, the proposal complies with Paragraphs 175 and 176 of the NPPF and Policy CS12 (LPCS).

Biodiversity Net Gain and Landscaping

Paragraph 174 of the NPPF requires planning decisions to ensure that the natural and local environment is enhanced by minimising impacts on and providing net gains for biodiversity.

Under policy CS12 of the Gravesham Local Plan Core Strategy 2014 and critically also at national level within the NPPF there is a requirement that there should be no net loss in biodiversity and moreover a net gain and therefore again any loss of trees, grassland and hedging should be positively compensated in the planning submission.

Policy CS12 (Green Infrastructure) indicates that all green spaces contribute to the green infrastructure network and that the multifunctional network of green spaces will be created, protected, enhanced and maintained. It requires that there should be no net loss of biodiversity in the Borough and gives protection amongst other things to internationally designated sites. It sets out that the overall landscape character and valued landscapes within the borough will be conserved and enhanced and opportunities to enhance, restore, re-create and maintain habitats will be sought.

The application is accompanied by a Preliminary Roost Appraisal (Bat Survey) Milton Mount Scout Hut by Eco Assistance (Ref 601 - 30.11.21)

KCC Biodiversity has assessed the development as result of the planning consultation and consider that sufficient ecological information has been provided. They note that the applicants roost assessment states that bats are unlikely to roost within the building (that is to be demolished) but does recommend a precautionary approach is taken and KCC Biodiversity concur and recommend a planning condition.

KCC Biodiversity recommend a breeding bird informative and also a planning condition to secure the implementation of biodiversity loss offsetting/ecological enhancements.

The Planning Statement indicates that a tree survey suggests that all the remaining trees on the site are low grade. Some trees have been removed following the cessation of the community use on the site, but some existing trees still remain to the boundary with 20 Old Road East. The Planning Statement suggest that no areas within the site provide a habitat for protected species.

A full landscaping scheme would be required as a planning condition. This should also ensure that existing trees are retained where possible to provide maturity to the site.

Subject to the recommended planning conditions it is considered that the development will provide biodiversity enhancement in accordance with Paragraph 174 of the National Planning Policy Framework (NPPF) and Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy 2014.

Heritage and Archaeology

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.

Saved Policy TC7 (Other Archaeological Sites) of the Gravesham Local Plan First Review 1994 indicates that planning permission may be refused without adequate assessment of the archaeological implications in areas of archaeological potential. Similarly emerging policy HER4 in the Gravesham Local Plan Regulation 18 Stage 2 Consultation Part 2: Draft Development Management Policies Document October 2020 indicates that planning applications on sites where there is potential archaeological interest must be supported by an informed assessment of the asset and the impact of the proposal on its significance

At a national level paragraph 189 of the NPPF 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

KCC Heritage and Conservation who were consulted on the application considers that the application site is within an area of multi-period archaeological potential with prehistoric worked flint and Romano-British material recorded c.140m to the northwest and considers that the proposed development may impact on any such remains and therefore recommends that a planning condition is applied to any forthcoming consent requiring the implementation of an archaeological field evaluation works in accordance with a Written Scheme of Investigation (WSI) and any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording.

This has been agreed by the applicants as a pre-commencement planning condition.

It is noted that there is a foundation stone within the fabric of the existing community hall building that will need to be relocated on the site.

It is considered that the proposals in respect of archaeology will conform to national and local planning policy, subject to the recommended planning condition for field evaluation.

Construction and Contamination

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 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.

Paragraph 174 of the National Planning Policy Framework (NPPF) 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

The application is accompanied by a Geo-Environmental Investigation Part 1 by Ground and Environmental Services Ltd (Document Ref No 12722, November 2021). It is considered that this document covers any potential environmental and geotechnical risk issues and liabilities pertaining to the future development of the site.

It is considered that adherence to the recommendations and requirements as set out in the applicants Geo-Environmental Investigation Part 1 should be included as a planning condition.

GBC Regulatory Services (Environmental Protection) also recommend a watching brief planning condition

is imposed in relation to unsuspected contamination of the site.

Drainage, Flood Risk and Services

Policy CS18 (Climate Change) of the Gravesham Local Plan Core Strategy 2014 indicates in respect of flood risk that proposals in areas at risk of flooding must be accompanied by a Flood Risk assessment (FRA), while Policy CS19 (Development and Design Principles) advises that new development should be located, designed and constructed so as not to pose an unacceptable risk or harm to the water environment.

Paragraph 159 of the National Planning Policy Framework (NPPF) indicates that inappropriate development in areas at risk of flooding should be avoided. A sequential approach should be applied to the location of development (paragraph 161). Paragraph 167 indicates that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, while paragraph 169 advises that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The application site falls outside the higher flood risk zones (flood risk zone 2 or 3), according to the Environment Agency's Flood Map.

The site is within Flood Zone 1 and smaller than 1 hectare in size so that a Flood Risk Assessment (FRA) was not required.

As a result of comments from the relevant drainage bodies additional information has been provided by the applicant's consultants including a drainage strategy report and KCC Flood and Water Management as the Lead Local Flood Authority (LLFA) note that the surface water for the site will be managed through infiltration using permeable paving systems and two geo-cellular soakaways and raise no objections to these proposals at this stage subject to planning conditions.

The Environment Agency (EA) note that the site is within a Source Protection Zone and located above a Principal Aquifer and the applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained.

There was a neighbour concern raised relating to sewerage capacity, but Southern Water have not raised such concerns and request an informative only that the 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.

Subject to relevant planning conditions and informatives it is considered that the development can be properly serviced in accordance with policies CS18 (Climate Change) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

Sustainability, Energy Efficiency and Green Credentials

Adopted Gravesham Local Plan Core Strategy (LCPS) Policy CS18 (Climate Change) and the accompanying written text requires all development to support the transition to a low carbon future and ensure that they address issues relating to flood risk, sustainable drainage and water run-off, water demand and carbon reduction through building construction and energy supply systems. Policy CS19 (LCPS) requires (where relevant) that new development will provide carbon reduction and provision for low carbon and renewable imagery, minimising energy consumption and water use.

In respect of water efficiency Core Strategy Policy CS18 includes a requirement that all new homes should be built to at least level 3/4 of the Code for Sustainable Homes (105 litres per person per day). Non-residential developments are required to meet the BREEAM 'excellent' standards of water efficiency and include provision for the collection of rainwater.

The transition to a low carbon future in a changing climate is also a key environmental objective in the National Planning Policy Framework (paragraph 8) and with policies set out in section 14 (Meeting the challenge of climate change, flooding and coastal change). Paragraph 154 of the National Planning Policy Framework (NPPF) indicates that new development should be planned in ways that avoid increased

vulnerability to the range of impacts arising from climate change and can help to reduce greenhouse gas emissions such as through its location, orientation and design.

In addition to the various sustainable transport measures outlined in this report (cycle parking, and electric vehicle charging) it is critical that the development of this scale and nature seeks to be an exemplar for and makes a real term impact in respect of sustainable construction and future use.

It is noted that the scheme includes solar panels in the rear (south facing) roof slope of the proposed block of flats.

Full details of sustainability measures can be secured through an appropriate planning condition. Subject to this it is considered that the proposals in respect of energy and sustainability will conform to national and local planning policy, including policies CS18 (Climate Change) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

Waste and Refuse

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 indicates that new development will incorporate appropriate facilities for storage and recycling of waste.

It is a key environmental objective under paragraph 8 of the NPPF in respect of minimising waste. There is also separate Government planning policy for waste (PPS10 - Planning for Sustainable Waste Management).

GBC Waste Management consider that in respect of the revised scheme the location of the bin store and the widened driveway are satisfactory. They advise that they currently collect waste from No 20 from the bottom of the hill so will be able to service this property at the same time. It is pointed out that the access driveway will need to be capable of accommodating a 26t vehicle and this will need to be set out in an informative.

It is considered that the refuse arrangements conform with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014.

Fire Access

In response to the planning consultation Kent Fire and Rescue Service has indicated that emergency access provisions under the County of Kent Act 1981 (section 53) can be achieved but would require additional details to be submitted and points to requirements under the Building Regulations.

It is considered that their comments can be included as an informative to the planning decision.

Security - Secured by Design

Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 indicates that the layout of new development will create a safe and secure environment and provide surveillance to minimise opportunities for crime and vandalism. There is national guidance in the ODPM document titled "Safer Places; The Planning System and Crime Prevention" and statutory duties under Section 17 of the Crime and Disorder Act 1998.

The application has been reviewed by Kent Police who make a number of recommendations in relation to perimeter, boundary and divisional treatments, lighting, doorsets and windows, cycle storage and CCTV, and it is considered that these can be set out in an informative.

Financial Contributions/Considerations

In addition to the required SAMM's mitigation financial contribution there have been requests, due to the nature and quantum of development, for contributions towards KCC Community Contributions including secondary education, community learning, adult social care etc.

There is also a request for a contribution towards local sports provision from GBC Leisure & Resilience Manager.

It is considered that the financial contributions sought by KCC meet the necessary tests and these would have to be secured via a s106 legal agreement (other than towards waste as this is considered as being not specific enough and not necessarily locally related - being stated as being towards a new Waste Transfer Station and capacity works to Pepper Hill - or has any definite time frame for implementation).

The applicants have indicated an agreement to meet all the financial contributions sought.

It is indicated in the Planning Statement that a management scheme for the entire development including all communal areas (internal and external) and the maintenance of the car park will be prepared.

In terms of other financial benefits of development, it is noted that these will accrue to the area as and when permissions are granted. The Government wishes to ensure that the decision-making process for planning applications is as transparent as possible, so that local communities are more aware of the financial benefits that development can bring to their area. In this instance the proposed new residential units would generate the New Homes Bonus and Council Tax receipts.

Equality/Disabled Access

Where relevant, consideration has been given to the nine Protected Characteristics of the Equality Act 2010 under the Council's public sector duty to have due regard to the desirability of exercising its strategic decision making in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage. In this instance, the implications of the proposals in Equality Act terms are considered broadly neutral.

The Design and Access Statement says:

The houses are 'visitable' dwellings in regard to disabled users. The ground floor flats have step free access from the side, and the first-floor flats can be accessed by half a flight of easy-going steps suitable for ambulant disabled, or future stair lift. The second-floor flats have standard private domestic stairs which again can be fitted with a stair lift if required. All flats are planned internally to meet the requirements of the Building Regulations for 'visitable' dwellings in regard to disabled users.

Therefore, the development is considered that it is positive in relation to the protected characteristics of age and disability.

Human Rights

The application has been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation below, is compatible with the Act.

Conclusions and Balancing Exercise

This planning application is for the demolition of existing hall and outbuildings, erection of a 3-storey building containing 9 x 2 bed flats towards the front of the site, a terrace of 4 no. 3 bedroom houses over 2 full floors and within the roofspace towards the rear of the site, and with parking for 19 cars.

The original scheme submitted in September 2021 had proposed the erection of a 4-storey building containing 14 x 2-bedroom flats, driveway and parking for 17 cars, but no other development and this had been the subject of earlier pre-application discussions, the officer response to which indicated, in June 2021, there was support in principle for but there were various design, amenity, and highways matters that would need to be addressed.

The site is a brownfield site and generally there is no overriding objection in principle to the development of the site per se for housing. It is within a highly sustainable location. Policy CS02 of the Gravesham Local

Plan Core Strategy (LPCS) prioritises development in the urban area as a sustainable location for development. It seeks to achieve this by promoting regeneration by prioritising redevelopment and recycling of previously developed land.

The residential development of the site also supports the Government's greater emphasis on delivering and prioritising housing land as set out in the current version of the NPPF (section 5 - delivering a sufficient supply of homes).

The development of the site for some 13 units would offer a modest contribution towards meeting local need and shortages in housing delivery and, accordingly, weighs in support of this development.

It is noted that there have been some neighbour concerns and comments relating to overdevelopment of the site and too many dwelling plots. Whilst this is acknowledged this has to be balanced against the national planning policy in seeking to achieve an economic use of potential development sites.

The premises was built as Church Hall for various community activities until its closure in 2020. Policy CS10 (Physical and Social Infrastructure) of the Gravesham Local Plan Core Strategy states that support will be given to proposals and activities that protect, retain or enhance existing social infrastructure, or lead to the provision of additional infrastructure which improves community well-being. The application has been accompanied by a Viability Assessment and having regard to this and the applicant's Planning Statement there does appear to be a sufficient case in terms of repair costs, usefulness of the buildings and facilities on site, and the apparent lack of interest in the site for continued community use to support an alternative use and redevelopment of the site.

The original design and layout for a scheme of one block only of 14 flats were assessed by the Council's design advisors Design South East (DSE). Their main concerns, and which were shared by the planning case officer, were to the height, bulk and elongated nature of the proposed singular block of flats on the site. It was DSE who suggested that the height should be reduced and with fewer flats and with a different approach that explores different types of housing on the site, with a smaller block of flats at the front and mews type housing at the rear with a courtyard style space in-between. Following a re-design and submission of a scheme that included a mix of flats and mews houses this was further reviewed by DSE in April 2022 who whilst considering there were significant improvements including the reduction of dwellings to 4 did consider that the layout could be reorientated and with the scale of the houses reduced, amongst other things.

This has all led to the much-changed layout and mix of dwellings as now proposed.

Overall and subject to appropriate planning conditions it is considered that the design and layout and impact on local character as now proposed is not at variance with local or national policy and notably Policy CS19 of the Gravesham Local Plan Core Strategy and Section 12, Paragraphs 126 - 136: Achieving well-designed places of the NPPF.

Subject to relevant planning conditions it is considered that the design and layout will provide a good standard and quality of accommodation on the site and a high-quality environment for future residents in accordance with national and local planning policy.

It is noted that there are a number of understandable neighbour concerns relating to loss of privacy through overlooking and loss of sunlight, notably to either side of the site at 20 Old Road East (to the west) and 22 Old Road East (to the east) and also to dwellings to the rear in Cross Lane East or the backs of houses or future development in Devonshire Road.

In terms of neighbour impacts it is considered that the development as now proposed, coupled with the amendments that have been achieved and the assessment undertaken including the calculation of the Vertical Sky Component (VSC) using methodology from appendix A of the 'Site Layout Planning for Sunlight and Daylight - A Guide to Good Practice, 2nd Edition' by the BRE Trust in relation to the adjoining flats at 20 Old Road East, is in general conformity with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and section 12, Paragraphs 126 - 136: Achieving well-designed places, of the National Planning Policy Framework 2021, such that grounds of refusal on this aspect of the development alone would be difficult to defend. However, it is considered that planning conditions will need to be imposed to ensure control over potential future neighbour impacts.

Whilst the neighbour concerns are understood in relation to parking provision, access and traffic generation

the level of provision should be sufficient on site to meet the parking demand from the development, but this will need to be supplemented by other requirements through planning conditions including cycle provision and electric vehicle charging.

There are no highway objections from the GBC Highways Development Management Officer or KCC Highways and Transportation, as the relevant highway authority.

On balance it is considered that the proposals will satisfy the objectives of Gravesham Local Plan Core Strategy Policy CS11 (Transport) as well as saved policies T1, T5 and P3 of the Gravesham Local Plan First Review 1994, and which seek to prioritize sustainable modes of transport, and which assesses car parking in accordance with the adopted Kent Parking Standards. The development is also in accordance with Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport of the National Planning Policy Framework, 2021

It is considered that appropriate limitations through planning conditions can be placed on the development as proposed to address all other material planning issues that have been identified by the various consultees such that the development can be supported. All planning conditions have been agreed by the applicants.

In addition to the required SAMM's mitigation financial contribution there have been requests, due to the nature and quantum of development, for contributions towards KCC Community Contributions including secondary education, community learning, adult social care etc. There is also a request for a contribution towards local sports provision from GBC Leisure & Resilience Manager.

It is considered that the financial contributions sought (other than towards waste) meet the necessary tests and these would have to be secured via a s106 legal agreement. The applicants have indicated an agreement to meet all the financial contributions sought.

The balance in this case therefore lies in favour of the development. Overall, there are insufficient grounds to refuse the application and it is considered that the development is not at variance with adopted local and national planning policy as set out in this report and therefore **PERMISSION** is recommended subject to conditions, reasons and informatives and the applicants entering into a s106 legal agreement

Recommendation:

Subject to the applicants entering into and completing a **s106 legal agreement** to secure:

KCC Community Contributions comprising:

- Secondary Education = £28,375.00
- Community learning = £213.46
- Youth Service = £851.50
- Libraries = £720.85
- Adult Social care = £1909.44
- TOTAL = £32,070.25

Sports contribution to GBC of £14,938

SAMMS payment of £3,586.44

All Contributions = £50,594.69

and the Council's Shared Legal Service team be instructed accordingly

PERMISSION subject to conditions, reasons and informatives

CONDITIONS AND REASONS

Time Limit Condition

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 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 and Certificates

Plans/Drawings

Drawing No 21-18-101 Rev F: Site Location Plan & Existing and Proposed Block Layout Plans
Drawing No 21-18-102 Rev K: Proposed Site Block Layout Plan showing Ground Floors
Drawing No 21-18-103 Rev D: Flats - Proposed Ground and First Floor Plans
Drawing No 21-18-104 Rev D: Flats - Proposed Second and Roof Plans
Drawing No 21-18-105 Rev E: Houses - Proposed Floor Plans
Drawing No 21-18-106 Rev D: Sections
Drawing No 21-18-107 Rev G: Proposed House Elevations
Drawing No 21-18-108 Rev G: Proposed Site Sections & Elevations
Drawing No 21-18-109 Rev J: Proposed Site Sections & Elevations
Drawing No 21-18-110 Rev F: Proposed North & South Elevations - Flats
Drawing No 21-18-111 Rev E: Flats - Side Elevations & Cycle Store Plan & Elevations
Drawing No 21-18-112: Existing Elevations
Drawing No 21-18-115 Rev D: Proposed Site Roof & Drainage Plan
Drawing No 21-18-116 Rev A: Proposed West - East Sections through Site
Drawing no. 21-18-117: Section to Flats and No. 22 Boundary

Supporting Documents

Drawing No 21-18-113 Rev B: Planning Statement, dated 25.05.2022 (*For Information*)
Drawing No 21-18-114 Rev B: Design and Access Statement, dated 25.05.2022
Drawing No 21-18-VSC Rev A: Calculation of Vertical Sky Component at adjacent window

Drainage Design Report Rev A by Hodel (Ref 21-080), dated 11 May 2022
Drawing No 21-080_C01A: Drainage - Engineering Layout
Hodel Drainage Drawing No 21-080_C02: Private Drainage Construction Details
Hodel Drainage Drawing No 21-080_C03: Geocellular Soakaway by Polystorm
Hodel Drainage Drawing 21-080_C04: P.C. Ring Catchpit Construction Detail
Response to KCC Flood and Water Management from Hodel -11 May 2022
Geo-Environmental Investigation Part 1 by Ground and Environmental Services Ltd (Document Ref No 12722, November 2021)

Viability Assessment and Marketing Report (Ref 21-18)
Preliminary Roost Appraisal Milton Mount Scout Hut by Eco Assistance (Ref 601 - 30.11.21)

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

For the avoidance of doubt the revised plans will take precedence over any original plans that have not been revised or superseded in any of the supporting documents.

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).

Construction and Contamination

Code of Construction Practice/Construction Management Plan

3. No works shall commence on site until a comprehensive Code of Construction Practice/Construction Management Plan covering all environmental impacts of this development has been submitted to and approved in writing by the Local Planning Authority.

The Code of Construction Practice/Construction Management Plan 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:
 - Details of numbers and routing of construction and delivery vehicles to / from site
 - Timing of deliveries
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - 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 and other site security measures
- (f) Details of stockpile areas for building materials or for fill or removed topsoil
- (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 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 that construction of the development does not result in avoidable congestion on the local highway network, and 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 or demolition works 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).

Contaminated Land - Desk Study Report

5. The development of the site as hereby permitted shall be carried out in full accordance with the

Geotechnical and Environmental findings, conclusions and recommendations of the Geo-Environmental Investigation Part 1 by Ground and Environmental Services Ltd (Document Ref No 12722, November 2021).

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: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

Unsuspected Contamination

6. If during construction/demolition works, evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the local planning authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and approved in writing by, the local planning authority. The closure report shall include:

A) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

B) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria, together with the necessary documentation detailing what waste materials have been removed from the site.

C) Even if no contamination has been discovered during the build, then evidence (for example, photos or letters from site manager) to show that no contamination was discovered should be included.

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 (NPPF), 2021.

Archaeology

7. 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.

Drainage

Sustainable Surface Water Drainage Scheme

8. 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 Drainage Strategy Report Prepared by Hodel Consulting Engineers dated 11th May 2022. The submission shall also 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.

Verification Report

9. 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 (NPPF).

Design and Detailed External Appearance

Submission of Details of Ground Levels and Floor Levels

10. Notwithstanding the details shown in the approved drawings or other supporting documents, no works in connection with the development, other than demolition works, shall commence until full details of any proposed earthworks or changes to ground levels on the site including details of any earth retention measures have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of the development.

Reason: No such details have been submitted and to ensure the development contributes to local character and local visual amenity and protects the privacy and amenity of adjoining premises and pursuant to Policy CS19: Development and Design Principles of the Gravesham Local Core Strategy and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF).

Materials

11. Notwithstanding the details relating to the materials and finishes as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, additional details (and samples, where requested by the Local Planning Authority) of all the external facing materials, colours and finishes 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 full accordance with the approved details before the flats or dwellinghouses hereby permitted are first occupied.

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).

External Lighting

12. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans full details of all proposed external lighting set out in a lighting management plan 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 and no additional external lighting shall thereafter be provided on the site without the prior written permission of the Local Planning Authority.

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 Gravesham Local Plan: Core Strategy (September 2014).

Noise Control

13. Within six months of the commencement of the development and before any occupations of any part of the development, a noise impact assessment shall be carried out and submitted to the Local Planning Authority for approval demonstrating that:

- The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
- The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- If relevant, the rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e., dwellings) when measured and assessed in accordance with BS4142:2014

Any works that are required to address the findings and recommendations of the noise impact assessment shall be implemented before the first occupation of any part of the development.

Reason: In order to limit the likelihood of noise nuisance occurring due to potentially poor construction/insulation and noise from traffic at Old Road East, and pursuant to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Boundary Treatments

14. Notwithstanding the details relating to the boundary treatments as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, full details of all boundary treatments, including their design, height and materials, to the dwellings/flats as hereby permitted including similar details to the communal areas of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before any of the dwellings or flats hereby permitted are first occupied. Thereafter and notwithstanding the provisions of Article 3 of and Class A of Part 2 of Schedule 2 to 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, no additional gates, fences, walls or other means of enclosure shall be erected on the site without the grant of further specific planning permission from the Local Planning Authority.

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 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Detailed Energy and Sustainability Statement

15. Notwithstanding the details shown in the approved drawings or other supporting documents full details of the sustainability measures to be incorporated in the development hereby permitted (including in terms of renewable and low carbon energy and water supply and efficiency) shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development.

Reason: To ensure that the development of the site promotes sustainability measures, in accordance with Policy CS18 (Climate Change) and Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Permitted Development Rights - Windows and Obscure Glazing

16. Notwithstanding the provisions of Article 3, and Part 1 Classes A and G of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to those Classes in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no window, door or other form of opening other than those shown on the approved drawings shall be formed in either the flank (side) elevations of the terrace of dwellings or the frontage block of flats, as hereby permitted, at any time.

Reason: In the interest of local residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits.

Permitted Development Rights - Extensions and Alterations

17. Notwithstanding the provisions of Article 3 of, and Part 1 Classes A, A-A, B, C and D of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to those Classes in any Order replacing, revoking or re-enacting that Order with or without modification), no enlargement improvement or other alteration of the dwellings hereby permitted, including the construction of an additional storey, an addition or other alteration to the roof of the dwellings or the erection or construction of a porch outside any external door, shall be constructed without the grant of a further specific planning permission from the Local Planning Authority having first been obtained.

Reason: In the interest of residential amenity in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits having regard to the limitations of the site.

Frosted Glass Screens to Balconies

18. For the avoidance of doubt the rear balconies to the proposed flats as hereby permitted shall be fitted with obscure glazing screens at all times and arranged in the manner shown in the approved drawings.

Reason: In the interest of residential amenity in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits having regard to the limitations of the site.

Highways Access and Parking

Parking Provision

19. Prior to the first occupation of the development hereby permitted the vehicle parking and turning areas, shall be formed, surfaced, drained and marked out in accordance with the details as shown in Drawing No 21-18-102 Rev K: Proposed Site Block Layout Plan showing Ground Floors; thereafter, and 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), saved Policy P3 of Gravesham Local Plan First Review (1994) and the adopted vehicle parking standards (SPG 4).

Cycle Parking Provision and Retention

20. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans full details of the cycle storage facilities for both the flats and the dwellinghouses shall be submitted to and approved in writing by the Local Planning Authority. The storage facilities should be secure and weatherproof and well-lit. The approved cycle facilities shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

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, Policy CS19: Development and Design Principles and the adopted vehicle parking standards (SPG 4).

Electric Vehicle (EV) Charging Points

21. The development hereby permitted shall ensure that at least 4 of the car parking spaces are provided with Electric Vehicle (EV) charging points and with the remainder provided with passive provision i.e., cabling / ducting. Each charging point should be able to accommodate a useable supply of 7kW. The layout shall ensure that the charging points are positioned in protected areas not vulnerable to damage. Such provision shall be implemented prior to the first occupation of the development hereby permitted, and thereafter 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.

Access Visibility Splays

22. Visibility splays of (43m x 2.4m x 43m) either side of the access as shown in the approved drawing (Drawing No 21-18-101 Rev F: Site Location Plan & Existing and Proposed Block Layout Plans) shall be provided before the access, parking and turning area hereby permitted is first brought into use and thereafter the visibility splays to the access shall be permanently retained and no boundary wall, fence or other means of enclosure or obstruction exceeding one metre in height shall be erected or placed within the visibility splays at any time.

Reason: In the interests of highway safety and pursuant to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 (Access to the Identified Highway Network) of the Gravesham Local Plan First Review (November 1994).

Pedestrian Visibility Splays

23. Before the access hereby permitted is first brought into use 2.0m by 2.0m pedestrian visibility splays shall be provided at the back edge of the footway on either side of the vehicular access and thereafter no boundary wall, fence or other means of enclosure or obstruction exceeding 600mm in height shall be erected or placed within the visibility splays.

Reason: In the interests of highway and pedestrian safety and pursuant to Policy CS11: Transport, of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network, of the Gravesham Local Plan First Review (November 1994).

Prohibition on Gates

24. No gates shall be installed across the reconfigured vehicular access to the site on to Old Road East or across the access drive serving the car parking area to the development, as hereby permitted, at any time.

Reason: In the interests of highway safety and to avoid vehicles waiting in the road while gates are opened or closed and pursuant to Policy CS11: Transport of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network of the Gravesham Local Plan First Review (November 1994).

Broadband

25. Before any above ground development commences details shall be submitted for the installation of fixed telecommunication infrastructure and High-Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure 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.

Reason: To provide high quality digital infrastructure in new developments as required by paragraph 114 of the National Planning Policy Framework (NPPF).

Landscaping and Trees

Soft Landscaping

26. Notwithstanding the details as shown in the submitted plans and supporting documents and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping for the development 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 incorporate the retention of existing trees as indicated in Drawing No 21-18-102 Rev K (Proposed Site Block Layout Plan showing Ground Floors). Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following the 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 type 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 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Tree Protection

27. All retained trees on the site and other vegetation shall be protected during construction in accordance with the tree protection measures as recommended in BSI Standards Publication BS 5837:2012 (Trees in relation to design, demolition and construction). No vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s). Upon completion of the construction works and before the first occupation of the development on the site the trees shall be inspected by a competent tree surgeon and any necessary works to tidy the trees and maintain their health shall be undertaken.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Hard Landscaping

28. Notwithstanding the details as shown in the submitted plans and supporting documents and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of hard landscaping and surface treatments for the development 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 first occupation of any part of the development 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 Policy CS11 (Transport) and Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network, of the Gravesham Local Plan First Review (November 1994).

Foundation Stone

29. The existing Church Hall Foundation Stone currently positioned in the west flank wall of the community hall building shall be carefully removed intact during the demolition works as hereby permitted and shall be protected on the site during the construction works and then subsequently relocated to an appropriate location on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority, unless other alternative arrangements can be made for the relocation offsite as also approved by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure the development makes a positive contribution to local character and distinctiveness, through historical interpretation, and in accordance with Policies CS19: Development and Design Principles and CS20: Heritage and the Historic Environment of the Gravesham Local Core Strategy (September 2014).

Communal Garden Area

30. Prior to the first occupation of any part of the development hereby permitted, the area shown in the approved drawing No 21-18-102 Rev K (Proposed Site Block Layout Plan showing Ground Floors) as shared patio and garden shall be laid out as a communal garden for future residents of the scheme and thereafter managed and maintained in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To secure measures for the long-term management and maintenance of the communal areas to ensure the development is of a satisfactorily high design standard during its lifetime and in accordance with adopted Local Plan Core Strategy Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

Ecology and Biodiversity

Bat Mitigation

31. From the commencement of works (including site clearance), all precautionary mitigation measures for bats shall be implemented in accordance with the details contained in the 'recommendations' section of the Preliminary Roost Appraisal (EcoAssistance November 2021).

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of CS12: Green Infrastructure of the Gravesham Local Plan Core Strategy Policy (September 2014).

Biodiversity Net Gain

32. Within six months of works commencing, details of how the development will offset biodiversity

loss/enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. This will include a native species-only landscape plan and integrated bird nest bricks. The approved details shall be implemented prior to the first occupation of the development and thereafter retained.

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of CS12: Green Infrastructure of the Gravesham Local Plan Core Strategy Policy (September 2014).

INFORMATIVES: -

1 STATUS OF SUBMITTED PLANS AND DOCUMENTS

Plans and Documents submitted for Approval

For the avoidance of doubt the following plans and documents were submitted in support of the application for approval and were taken into account in making the decision:

Application Form and Certificates

Drawing No 21-18-101 Rev F: Site Location Plan & Existing and Proposed Block Layout Plans

Existing Drawings

Drawing No 21-18-112: Existing Elevations

Proposed Drawings

Drawing No 21-18-102 Rev K: Proposed Site Block Layout Plan showing Ground Floors

Drawing No 21-18-103 Rev D: Flats - Proposed Ground and First Floor Plans

Drawing No 21-18-104 Rev D: Flats - Proposed Second and Roof Plans

Drawing No 21-18-105 Rev E: Houses - Proposed Floor Plans

Drawing No 21-18-106 Rev D: Sections

Drawing No 21-18-107 Rev G: Proposed House Elevations

Drawing No 21-18-108 Rev G: Proposed Site Sections & Elevations

Drawing No 21-18-109 Rev J: Proposed Site Sections & Elevations

Drawing No 21-18-110 Rev F: Proposed North & South Elevations - Flats

Drawing No 21-18-111 Rev E: Flats - Side Elevations & Cycle Store Plan & Elevations

Drawing No 21-18-115 Rev D: Proposed Site Roof & Drainage Plan

Drawing No 21-18-116 Rev A: Proposed West - East Sections through Site

Drawing no. 21-18-117: Section to Flats and No. 22 Boundary

Other Plans and Documents submitted for Approval

Drawing No 21-18-114 Rev B: Design and Access Statement, dated 25.05.2022

Drawing No 21-18-VSC Rev A: Calculation of Vertical Sky Component at adjacent window

Drainage Design Report Rev A by Hodel (Ref 21-080), dated 11 May 2022

Drawing No 21-080_C01A: Drainage - Engineering Layout

Hodel Drainage Drawing No 21-080_C02: Private Drainage Construction Details

Hodel Drainage Drawing No 21-080_C03: Geocellular Soakaway by Polystorm

Hodel Drainage Drawing 21-080_C04: P.C. Ring Catchpit Construction Detail

Response to KCC Flood and Water Management from Hodel -11 May 2022

Geo-Environmental Investigation Part 1 by Ground and Environmental Services Ltd (Document Ref No 12722, November 2021)

Preliminary Roost Appraisal Milton Mount Scout Hut by Eco Assistance (Ref 601 - 30.11.21)

Plans and Documents submitted for Information

For the avoidance of doubt the following plans and documents were submitted in support of the application for information and were taken into account in the determination of the application:

Drawing No 21-18-113 Rev B: Planning Statement, dated 25.05.2022

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 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.

This has involved extensive discussions and negotiations during the processing of the planning application in a collaborative manner in order to address the various consultation responses and neighbour concerns.

The original proposals were also the subject of a pre-application enquiry that enabled issues and concerns to be identified at an early stage prior to the submission of a planning application.

5 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.

6 LIGHTING ADVICE

The applicants are advised of the following advice from Gravesham Borough Council Environmental Protection:

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

7 KENT COUNTY COUNCIL (KCC) 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>.

Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

8 UTILITIES

It should not be automatically assumed that permission will be given for utility services to be placed within the public highway, and early contact should be made with Kent County Council at roadworkswest@kent.gov.uk. This will enable a proper consideration of available options in order that the optimum solution can be determined.

9 REFUSE - OPERATIONAL REQUIREMENTS

Houses

The refuse and recycling storage requirements for the development for each dwelling are as follows:

- Refuse - 1 x 180ltr bin (grey body/grey lid)
- Recycling - 1 x 240ltr bin (grey body/green lid)
- Food waste - 1 x 23ltr caddy per property for (Black body / orange lid) with an individual 1 x 5ltr kitchen caddy (Silver body and lid)

The Council offers an 'opt-in' garden waste service collected via a 240ltr or 140ltr bin. The take up of the service is extremely high therefore space should also be allocated to accommodate an additional bin.

All houses are required to have an individual collection and must not be provided with communal collection arrangements.

Flats

Flats are generally serviced by communal bin stores. Bin stores should be large enough to accommodate and manoeuvre sufficient 1100 litre refuse and recycling Eurobins for the number of dwellings in each block.

The following provision is required

- Refuse - 1 x 1100ltr bin per 6 flats
- Recycling – 1 x 1100ltr bin per 6 flats with special recycling lid
- Food Waste – 1 x 140ltr bin per 10 flats with an individual 5ltr caddy per flat

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

Cost

It is the developer's responsibility to provide the bins although the Gravesham Borough Council waste management team will happily assist the developer if required. Delivery is 4-8 weeks once payment has been made

Collections

Collections from sites will not occur until containers are in place

Please note that collection for refuse and recycling are now once every two weeks with food waste collected weekly. Collection is from the front entrance to the property adjacent to the road or footpath.

Other Matters

GBC waste management team advise that the driveway will need to take a 26t vehicle and the Council will not accept any liability for any damage caused by the vehicle.

10 KENT POLICE CRIME PREVENTION DESIGN ADVICE

The applicants are encouraged to incorporate or address all the matters raised in the design advice from Kent Police Designing Out Crime Officer (Ref:20211092 /CAEH/G-250, dated 5th October 2021) with regard to Crime Prevention Through Environmental Design (CPTED) and are recommended to ensure the use of Secured by Design (SBD) Homes 2019.

11 KENT FIRE AND RESCUE SERVICE

Kent Fire and Rescue Service advise that:

The Design and Access Statement dated 25-05-2022 that supersedes statement 31-01-2022 states that the distance of the furthest part of any flat from the road via the front entrance is within 45m, so full firefighting access is provided.

As per previous correspondence, please confirm though that although 'off-site' access to the proposed buildings can be achieved, once on site there is also available vehicle access and turning facilities for a pump appliance to within 45m of every point of the footprint of the proposed "4" x new houses at the rear of the site.

Applicants should be aware that in the event of planning permission being granted the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

Southern Water advise as follows:

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 planning application form makes 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 Sewers for Adoption (Appendix C) and CIRIA guidance available here:

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

[ciria.org/Memberships/The SuDS Manual C753 Chapters.aspx](https://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.

Please note: There is private water communication pipe within the site.

The design of the proposed basements and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide adequate protection to basements from the risk of flooding.

Southern Water request that:

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.

Southern water advise that 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.

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.

13 ENVIRONMENT AGENCY (EA) ADVICE

The EA advise:

The site history indicates medium polluting potential from previous use which always flags significant concerns about land contamination. The site is also underlain by an aquifer, meaning there is also a risk of pollution to water resources. The EA need to ensure that the proposals, with associated foundation and drainage designs and the required ground disturbance, will not cause an unacceptable risk to the aquifer. The EA guidance on groundwater protection (formerly known as GP3) states that:

- '1. We expect developers to provide adequate information to statutory bodies when submitting their proposals, so that the potential impact on groundwater resources and quality can be adequately assessed. Developers should be prepared to supply specific relevant data to allow the risk to groundwater to be assessed.
2. We expect developers to comply with any relevant statutory codes of good practice and to have due regard to our advice and guidance, and to other reputable standards and guidance. This applies particularly to the handling, use, storage and treatment of substances that can potentially result in an unacceptable input to groundwater.'

This is supported by paragraph 178 ground conditions and pollution of the NPPF which states that planning decisions should ensure that adequate site investigation information, prepared by a competent person, is available to inform assessments.

The EA refer the applicant to the 'Managing and reducing land contamination: guiding principles (GPLC)' page which provides guidance for the land contamination risk management process.

The EA note that infiltration SuDS are proposed, and the details need to ensure protection of controlled waters. This location is sensitive as it is Source Protection Zone 1 and located above a Principal aquifer.

14 SMOKE CONTROL AREA

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 by emailing: air.quality@gravesham.gov.uk

15 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 3,7,8 and 10) 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.

16 NAMING AND NUMBERING

As a result of the changes to this land/property, 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, and the schedule of charges is enclosed, which should be used for your application. Please submit the application and the requisite fee in accordance with the guidance on the form. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.local.gravesham.gov.uk/>

Case Officer:	Mr Peter Price	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	26 August 2022	Dated:	31 August 2022