



Delegated Report

Application No: 20230224

Location: Clifton Slipways, West Street, Gravesend

Description: Application for the approval of condition 4 attached to planning permission reference 20191122 (as amended by 20230155) Code of Construction Practice Strategy.

Applicant: Mr Ben Geering

Submitted Documents/Plans

Application form
Construction Environmental Management Plan

Relevant Planning History

20230155 Application for a non-material amendment to planning permission reference number 20191122 to allow change of description of development and changes to wording of condition 4 (Code of Construction Practice) to allow for phased approval.

Approved 6 March 2023

20191122 The erection of two buildings to provide a total of 227no. dwellings with associated vehicle parking, cycle storage, highway works, and landscaping. Building 1 comprises the erection of a 23 storey tower on the north side of West Street to provide 121no. dwellings with 1no business Unit (B1a) comprising 90 sqm of floor space at ground floor level; and Building 2 from four storeys to 12 storeys on the south side of West Street which will provide 106no. dwellings. The proposal includes the restoration and adaptation of the existing pier structure to provide public and private amenity space to include the erection of 16no. Business(B1a) units comprising a total of 510 sqm of floor space; and a cafe (A1/A3) comprising up to 60 sqm of floor space.

Approved 4 December 2020

Consultations, Publicity and Representations

Environmental Protection

This CEMP only appears to relate to the 'Installation of Foul and Surface water drainage to Stuart Rd development' with an end date of June 2023, and not the entire build project that Condition 4 relates to. In this respect, although the submitted document is quite detailed and comprehensive, it will need some additional information/amendments if it is intended to cover the whole project, as not all parameters as listed in Condition 4 have been covered.

It is recommended that the Condition NOT be discharged at this time until the above is clarified with the applicant.

The response was discussed with Environmental Protection who had not realised there had been a non-material amendment to the condition to allow it to be discharged in phases. They have subsequently responded to say they are happy for condition 4 to be discharged.

KCC Highways

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

I refer to the above planning application and having considered the development proposals and the effect on the highway network, raise no objection on behalf of the local highway authority.

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

GBC Highways Officer

I have no objections to the Code of Construction Practice; it is one of the best documents of this type I have seen. Unfortunately, there is another construction project in the area that may conflict with this proposal. The Kent County Council proposal to introduce Fastrack to Bath Street, may result in the closure of Clifton Road for the duration of the County works. Should this conflict occur then the route for accessing and exiting the site will need to be reviewed, but options are available and so does not raise any concerns at present.

Analysis

Condition 4 of states:

A comprehensive Code of Construction Practice Strategy, covering the environmental impacts from the clearance/construction phase of this development, shall be submitted to and approved, in writing, by the Local Planning Authority prior to commencement of the development of each phase or sub-phase. The development hereby permitted shall thereafter be carried out in accordance with the approved Code of Construction Practice Strategy. For the avoidance of doubt Code of Construction Practice Strategy shall include the following:

- a) Construction Logistics Plan (CLP);*
- b) Parking of vehicles of site personnel and visitors;*
- c) Storage of plant and materials;*
- d) Dust management controls;*
- e) Location and height of cranes and scaffolding;*
- f) Measures of minimising the impact of noise and, if appropriate, vibration arising from construction activities;*
- g) Predicted noise and, if appropriate, vibration levels for construction using methodologies and at locations agreed with the Local Planning Authority;*
- h) Scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;*
- i) Scheme for location and appearance security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;*
- j) Details of disposal of waste arising from the construction programme, including final disposal points (the burning of waste on the site at any time is specifically precluded);*
- k) Hours of operation*
- l) Smoke management controls;*
- m) Odour controls;*
- n) Road cleaning and wheel washing facilities;*
- o) An aspiration to utilise the River Thames for the transport of construction and waste materials to and from the site; and*
- p) Any other matters relevant to this particular site.*

Reason: To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

The information submitted within the Construction Environment Management Plan is acceptable and the condition can be discharged.

Recommendation:

Discharge

See draft Decision

Case Officer: A. Webster	Team Leader: Richard Hart
Signed: 	Signed: <i>R Hart</i>
Dated: 2 May 2023	Dated: 2 nd May 2023