



Delegated Report

Submission of Details Application

Planning Application No: 20240546

Location: Azila Dean Lane Harvel Gravesend

Description: Application for approval of conditions 4, 6 and 7 attached to planning permission reference number 20240239 relating to details of Condition (4) Tree and hedgerow protection measures, Condition (6) Biodiversity enhancement plan and Condition (7) External Lighting.

Applicant: Mr. T Harrar

Planning permission for 'Demolition of existing workshop and garage buildings and erection of replacement garage and new outbuilding.' was granted on 21st May 2024 under application reference 20240239. This was subject to a number of conditions including condition no. 4, 6 and 7, which this application seeks to discharge.

Submitted Documents/Plans

Application Form
01 – Site Location Plan and Existing Block Plan
01 A – Proposed Landscaping, Lighting and Tree Protection Plan
Land Registry Plan
Cover Letter
Cover Letter (Updated Drawing)

Relevant Planning History

Reference	Description	Decision	Decision Date
20240239	Demolition of existing workshop and garage buildings and erection of replacement garage and new outbuilding.	21.05.24	Permitted

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 4 – Decision-making
- Section 8 – Promoting healthy and safe communities
- Section 12 – Achieving well-designed and beautiful places
- Section 13 – Protecting Green Belt land
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- Technical Housing Standards – nationally described space standard (2015);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)
- The Kent AONB Management Plan 2021-2026
- Design for Gravesham – Design Code (2024)

Other Relevant Guidance

- Kent County Council Vehicle Crossing: - Guidance and Self-Assessment (2018)
- Driveway Dropped Kerb Guidance
- Front Driveway Guidance

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

Only Condition 7 (External Lighting) is relevant to Environmental Protection in respect to the impact on residential amenity only.

The downward orientated LED luminaires chosen are considered acceptable. They are fitted with a 2-minute timer/motion sensor so use of light will be minimal and unlikely to impact on neighbouring residential premises.

There is no objection to this condition being discharged.

KCC Biodiversity

Comments received 06.08.24

The applicant has submitted additional information for the discharge of the following conditions 4, 6 and 7 attached to application 20240239. We are satisfied that sufficient information has been provided to discharge the conditions.

Condition 4 - The applicant has provided information in updated proposed landscaping, lighting and tree protection plan drawing (GSP 11/7/24) for suitable tree and hedgerow protection measures. A safe materials storage area has clearly been identified and labelled on the plan. A note on this plan instructs that trees are to be inspected and any remedial works undertaken by a tree surgeon. This is sufficiently detailed information to discharge condition 4.

Condition 6 - The Proposed Landscaping, Lighting and Tree Protection Plans (GSP updated 11/7/24) and supplementary information (GSP 12/7/24) showed a range of features to be included in application site, with instructions for management.

The bat boxes were shown on the plan and additional information has been provided regarding positioning. Information on height and aspect has been provided which will ensure these are correctly installed. We would like to point out that durable box material such as woodcrete is preferred over wooden ones, which have less longevity.

The two owl boxes for tawny owls are planned, shown placed in trees outside the red line boundary. Information has been provided on height and aspect for correct positioning and these have been shown to be within the applicant's ownership. They will need to be maintained thereafter by the applicant.

Enhancement plans for the trees and hedgerow along Dean Lane are clearly shown on the plan with appropriate native species for gap filling to enhance the habitat. The hedgerow gap planting has instructions for planting and maintenance provided in the documentation. A wild flower area is shown on the plan and the accompanying letter has instruction for planting with plugs and seeds with appropriate species included for the North Downs area. The requested detail on planting and aftercare has been provided in the supplementary information.

Condition 7 The proposed lighting is shown to be placed in a sensitive location away from hedgerow or trees, onto hardstanding areas. The proposed light fitting projects downwards and is fitted with motion sensor and timer. This information and detail provided is sufficient to discharge condition 7.

Comments received 02.08.24

The applicant has submitted information for the discharge of the following conditions 4, 6 and 7, attached to application 20240376. We are satisfied that sufficient information has been provided to discharge condition 4 and 7.

To discharge condition 6, we require further information on the owl box location ownership to satisfy that the enhancement measure can be maintained long term.

Condition 4 - The applicant has provided information in proposed landscaping, lighting and tree protection plan drawing (GSP 11/7/24) for suitable tree and hedgerow protection measures. A safe materials storage area has clearly been identified and labelled on the plan. A note on this plan instructs that trees are to be inspected and any remedial works undertaken by a tree surgeon. This is sufficiently detailed information to discharge condition 4.

Condition 6 - The Proposed Landscaping, Lighting and Tree Protection Plans (GSP updated 11/7/24) and supplementary information (GSP 12/7/24) showed a range of features such as owl and bat boxes, wildflower area and native species hedgerow gap infill.

Enhancement plans for the trees and hedgerow along Dean Lane are clearly shown on the plan with appropriate native species for gap filling to enhance the habitat. The hedgerow gap planting has instructions for planting and maintenance provided in the documentation. A wild flower area is shown on the plan and the accompanying letter has instruction for planting with plugs or seeds with appropriate species included for the North Downs area, with longer term management measures.

The bat boxes were shown on the plan and information provided regarding positioning. Information on height and aspect which will ensure these are correctly installed. We would like to point out that durable box material such as woodcrete is preferred over wooden ones, which have less longevity.

The two owl boxes for tawny owls are planned, shown placed in trees outside the red line boundary. Information has been provided on height and aspect for correct positioning but it is unclear if the box

locations are within the applicant's ownership. We request further information on land ownership for the tree locations chosen for owl boxes, to provide reassurance that future management of the owl boxes is viable.

To discharge condition 6 we require further information on the owl box location ownership to satisfy that the enhancement measure can be maintained long term.

Condition 7 - The proposed lighting is shown to be placed in a sensitive location away from hedgerow or trees, onto hardstanding areas. The proposed light fitting projects downwards and is fitted with motion sensor and timer. This information and detail provided is sufficient to discharge condition 7.

Comments received 28.06.24

The applicant has submitted information for the discharge of the following conditions 4, 6 and 7. We have sufficient information to discharge condition 7 and require further information for condition 4 and 6.

Condition 4 - The applicant has provided information (GSP letter, June 24) for tree protection measures along Dean Lane and also to the NW corner of the site to protect hedgerow and trees. These measures have been outlined on a plan (GSP, June 24) with the associated buildings for demolition shown and instructions and diagrams for fencing erection given. Demotion is stated to operate outside of the root protection area (RPA) or use ground protection before works start. Machinery is instructed to work backwards to avoid impact to the RPA. This has partially discharged this condition.

The second paragraph of condition 4 above requires safe storage of materials and a materials storage area needs to be allocated on site. Additionally, a tree surgeon needs to be instructed for a tree inspection and complete any necessary works. This can be through amendments with additional notes on the plan or the accompanying information and be resubmitted for approval to the LPA.

Condition 6 - The Proposed Landscaping, Lighting and Tree Protection Plan (GSP June 24) show a range of features to be included in application site. Nine bat boxes are shown on the plan with examples of a number of box types are shown on the accompanying letter (GSP). We would like to point out that durable boxes are preferred over wooden ones, which have less longevity.

Two owl boxes for tawny owls are also shown, placed in trees outside the red line boundary but it is unclear if this location is within the applicant's ownership. We require further information on ownership and future management of the owl boxes. The condition requires information for the aspect and height of these features as they are important to provide the right conditions for a successful mitigation measure. For the applicant's information bat boxes are to be placed above 4m, away from light sources, facing a southerly aspect. The owl box entrance should face East/NE/SE, be placed 5-8m above ground, away from the prevailing wind and not be in direct sunlight. This installation information needs to be included in either the plan or accompanying information and resubmitted to the LPA for approval.

Enhancement plans for the trees and hedgerow along Dean Lane are clearly shown on the plan with appropriate native species for gap filling to enhance the habitat. A wild flower area is shown on the plan and the accompanying letter has instruction for planting with plugs and seeds with appropriate species included for the North Downs area. No planting instructions have been provided for the hedgerow/tree enhancements and no aftercare instructions have been provided for either wildflowers or tree/hedgerow. This can be provided by annotating the landscape plan and providing additional notes in the accompanying information and be resubmitted for approval to the LPA.

Condition 7 - The proposed lighting is shown to be placed in a sensitive location away from hedgerow or trees, onto hardstanding areas. The proposed light fitting projects downwards and is fitted with motion sensor and timer. This information and detail is sufficient to discharge condition 7.

Officer's Analysis

Condition 4

Tree and Hedgerow Protection Measures

4. No development approved by this permission shall be commenced until details of tree and hedgerow protection measures during construction, is submitted to, and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

No vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected area(s). All temporarily stored building materials shall be isolated within hardstanding areas and raised off the ground. 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 protect and enhance existing species and habitat on the site in the future in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

Assessment of details submitted to discharge condition 4

The Proposed Landscaping, Lighting and Tree Protection Plan provided details the position of tree protection fencing to the front of the site and to the rear of the dwellinghouse. A diagram of the fencing to be used has been provided indicating its structure and 2m height above ground level and secure by uprights and scaffold clamps. The agent has also confirmed that the storage areas identified on the plan are on areas of hardstanding, which would comply with the requirements of the condition. It is considered that the detail provided would meet the requirements of the condition in full and in doing so would ensure that trees and other vegetation to be retained are not damaged during construction works and to protect and enhance existing species and habitat on the site, in accordance with the reason for the condition. Condition 4 can be discharged.

Condition 6

Biodiversity Enhancements

6. Before three months from the date on which the works commence, a Biodiversity Enhancement Plan including details of how the development will offset biodiversity loss/enhance biodiversity will be submitted to, and approved in writing by, the local planning authority. The information submitted shall include the proposed target species, the make and model of any boxes, location information such as height, aspect, surrounding habitat, detailed planting schedules and relevant management to ensure the habitat is suitable for the target species. The details will include; native and wildlife-friendly planting, integrated bat and bird bricks and/or durable boxes, and hedgehog holes in any close board fencing. The approved measures will be implemented and retained thereafter.

Reason: In the interests of visual and residential amenity and to protect and enhance existing species and habitat on the site in the future in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Paragraph 186 of the National Planning Policy Framework (2023).

Assessment of details submitted to discharge condition 6

The Proposed Landscaping, Lighting and Tree Protection Plan provided details the position of 9 bat boxes, 2 Owl boxes and 2 bat friendly lights. KCC Biodiversity have supported the discharge of this condition in their latest comments. It is considered that the details provided to discharge this condition are acceptable and would meet the aims of the condition; in the interest of visual and residential amenity and to protect and

enhance existing species and habitat on the site. Condition 6 can be discharged.

Condition 7

External Lighting

7. Before three months from the date on which the works commence, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details. The details submitted shall include, a plan showing the location of the lighting, confirmation that the lighting would be downward facing and on a motion sensor. The external lighting shall follow the recommendations within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'

Reason: In the interests of visual and residential amenity and to protect and enhance existing species and habitat on the site in the future in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Paragraph 186 of the National Planning Policy Framework (2023).

Assessment of details submitted to discharge condition 7

The Proposed Landscaping, Lighting and Tree Protection Plan provided details the position of 2 bat friendly, motion detection, lights with downward projection. Both the GBC Environmental Protection Team and KCC Biodiversity have advised that the downward facing lights in this position would be acceptable in meeting the aims of the condition; in the interests of visual and residential amenity and to protect and enhance existing species and habitat on the site in the future. Condition 7 can be discharged.

Conclusion & Recommendation

The details provided to discharge these conditions are considered to be acceptable and therefore the recommendation is that conditions; 4, 6 and 7 of 20240239 are discharged.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	12th August 2024	Dated:	12 August 2024