

Delegated Report

Minor Material Amendment Application

Planning Application No:	20220915
Location:	Former Gravesend and North Kent Hospital (M Block), Clifton Road, Gravesend, Kent
Description:	Application for a minor material amendment to planning permission reference no. 20190504 (following planning permission reference no. 20220487 for non-material amendment to allow the change of description to: Conversion of existing building with a side extension and a roof extension, the construction of a new residential building to provide residential units (class C3) consisting of one bed, two bed and three bed homes, together with associated car parking, motorcycle and cycles spaces alongside amenity space, private gymnasium and waste and space in Class E as flexi use space) to allow: amendments to Block M only (conversion building), including amendments to unit mix, internal layouts and parking, introduction of additional private and shared amenity space, elevational changes and amended material palette.
Applicant:	Strawberry Star SL1 Limited
Site Visit Date:	7 September 2022

Submitted Documents/Plans

Covering letter dated 19 August 2022 from Newsteer

Application form

Drawing no. 2244_0900 Rev. A (Sitewide Ground Floor Plan Block M S73 (Block L & T Consented))

Drawing no. 2244_0901 Rev. A (Sitewide First Floor Plan Block M S73 (Block L&T Consented))

Drawing no. 2244_0915 Rev. A (Site Location Plan, Existing & Consented Site Block Plan with S73 Block M)

Drawing no. 2244_0920 Rev. A (Ground and First Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0922 Rev. A (Second & Third Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0924 Rev. A (Fourth & Fifth Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0926 Rev. A (Sixth & Seventh Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0928 Rev. A (Eighth & Ninth Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0930 Rev. A (Tenth & Roof Plan Block M S73 (Block T Consented))

Drawing no. 2244_0950 Rev. A (East Elevation Block M S73 (Block T Consented))

Drawing no. 2244_0951 Rev. A (West Elevation Block M S73 (Block T Consented))

Drawing no. 2244_0952 Rev. A (North and South Elevations Block M S73 (Block T Consented))

Drawing no. 2244_0960 Rev. A (Section A-A Block M S73 (Block L Consented))

Drawing no. 2244_0961 Rev. A (Section B-B Block M S73 Existing Context)

Drawing no. 2244_0970 Rev. A (West Street Scene Block M S73 (Block L & T Consented))

S73 Drawing List Rev. A dated 21/07/2022

S73 Planning Statement ref. 2022-067 by Newsteer dated August 2022

S73 Design Addendum by RM_A

Air Quality Assessment by Entran (Rev. 1.1 dated 19/08/2022)

S73 Application Transport Note August 2022 (ref. 11405168) by Entran

Internal Amenity Assessment by Behan (ref. 20223730 dated 3 August 2022)

Affordable Housing Statement by Newsteer dated July 2022
 Noise Assessment for Planning by inacoustic (dated 19 August 2022)
 Update Preliminary Ecological Appraisal by Corylus Ecology (dated 30 August 2022)
 Fire Strategy Report by Hoare Lea (Rev. 01 dated 23 August 2022)
 Overheating Assessment by Waterstone Design (Rev. 1 dated 19/08/2022)
 Letter dated 26 July 2022 from Swale and Thames Survey Company re. Archaeological Desk-Based Assessment under planning permission 20190504
 Letter dated 19 July 2022 from Lustre Consulting re. Phase 1 Desk Study under planning permission 20190504
 Letter dated 29/07/2022 from Herrington Consulting Ltd re. Flood Risk and Sustainable Drainage Assessment under planning permission 20190504

Relevant Planning History

Reference	Description	Decision	Decision Date
20220487	Application for non-material amendment to planning permission reference number 20190504 to allow the change of description to: Conversion of existing building with a side extension and a roof extension, the construction of a new residential building to provide residential units (class C3) consisting of one bed, two bed and three bed homes, together with associated car parking, motorcycle and cycles spaces alongside amenity space, private gymnasium and waste and space in Class E as flexi use space.	Approved	26.05.2022
20190504	Conversion of existing building with an 11 storey side extension and a single storey roof extension, the construction of a new residential building ranging from 3-6 storeys to provide 115 residential units consisting of 47 one bed units, 59 two bed units and 9 three bed units, together with associated parking for 69 cars, 6 motorcycles and 212 cycles, amenity space, private gymnasium and waste and a B1, D1 and D2 flexi use space.	Permission	17.02.2022
20160670	Outline application (with all matters other than access reserved), for the demolition of a former hospital block and erection of up to 80 residential units and flexible B1/D1/D2 ground floor unit, and associated works including construction of podium, car and cycle parking, refuse and cycle storage and landscaping.	Permission	18.01.2018
20100343	Erection of 2.4 metre high palisade security fencing around 'M' block building including double entrance gates on the Clifton Road elevation.	Refused	23.06.2010
20050005	Alterations to the car parking area, entrance area and generator area to that previously permitted under planning permission reference number GR/2003/670 for 11.02.2005 the erection of a new community hospital.	Permission	11.02.2005
20030764	Application for Conservation Area Consent for the demolition of all the Hospital buildings south of Bligh Road and part of the M block annexe north of Bligh Road in connection with the erection of a new Community Hospital.	Permission	15.10.2003
20030670	Erection of a new two-four storey Community Hospital comprising outpatients, 12 rehabilitation beds, 10 intermediate care beds, community dental services,	Permission	10.10.2003

	diagnostic services, minor injuries unit, closer to home teams, specialist nurses, direct access teams, Social Services day care centre, 80 Social Services beds and associated offices; formation of day care centre drop-off layby in Bath Street; erection of a religious pavilion in the central courtyard; demolition of part of the existing M block annex to provide two level decked car parking; laying out of and alterations to the existing car parking and alterations to the existing vehicular access onto Bath Street.		
19940483	Change of use of the former physiotherapy building to a day care nursery.	Refused	10.11.1994
19930552	Removal of existing precast concrete and grp cladding panels along with existing upvc windows. New steel secondary structure fixed to existing concrete frame to support new cladding and windows to the Maternity block.	Permission	08.11.1993
19910334	Section 64 Determination as to whether planning permission is required for the erection of a mobile data antenna on the roof of the M ward block.		22.05.1991
19900449	Display of 3 no. 48-sheet advertisement hoardings fronting Clifton Road and Bath Street.	Refused	26.06.1990
19860558	Circular 18/84 consultation for the erection of a lift enclosure on the north side of the out-patients department building	Permission	29.09.1986
19800407	Erection of external fire escape at the south-east corner of the main hospital building	Permission	26.06.1980
19780421	Use of land and formation of a temporary car park	Temporary Permission	25.07.1978

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS05 – Gravesend Town Centre Opportunity Area
- CS07 – Economy, Employment and Skills
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS13 – Green Space, Sport and Recreation
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- CS18 – Climate Change
- CS19 – Design and Development Principles

Gravesham Local Plan: First Review (1994)

- LT6 – Additional Open Space on New Housing Development
- T1 – Impact of Development on the Highway Network
- T2 – Channelling of Traffic onto the Primary and District Distributer Network
- T3 – Development Not Well Related to the Primary and District Distributer Network
- T5 – New Accesses onto Highway Network
- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

Given Gravesham's current inability to demonstrate a 5 year housing land supply, 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 2021. 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 2021 at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF 2021, paragraph 181)
- Sites of Special Scientific Interest;
- Green Belt;
- Local Green Space;
- Areas of Outstanding Natural Beauty;
- Irreplaceable habitats;
- Designated heritage assets (and other heritage assets of archaeological interest, see NPPF 2021, 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 121(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.

National Planning Policy Framework (2021)

- 2 – Achieving sustainable development
- 5 – Delivering a sufficient supply of homes
- 6 – Building a strong, competitive economy
- 7 – Ensuring the vitality of town centres
- 8 – Promoting healthy and safe communities
- 9 – Promoting sustainable transport
- 11 – Making effective use of land
- 12 – Achieving well-designed places
- 14 – Meeting the challenge of climate change, flooding and coastal change.
- 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance

- SPG2 – Residential Layout Guidelines including Housing Standards Policy Statement October 2015 (2020)
- SPG4 – KCC Parking Standards (2006)
- Technical Housing Standards – Nationally Described Space Standard (2015)

Consultations, Publicity and Representations

External Consultees

Environment Agency

We have no comments to make on this planning application as it falls outside our remit as a statutory planning consultee. Please refer to the 'When to consult the Environment Agency' document for guidance on when to consult us.

Please note: If the application at a later stage proposes the use of non-mains drainage, we will need to be re-consulted.

Non planning consents

Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.

If you feel we should assess this planning application in more detail due to local issues/opportunities please email KSLPLANNING@environment-agency.gov.uk.

Health and Safety Executive

The proposed development site does not currently lie within the consultation distance of a major hazard or major accident hazard pipeline and therefore the HSE does not need to be consulted on any developments on this site.

Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

KCC Biodiversity

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

If planning permission is granted, we advise that a condition securing the implementation of ecological enhancements is attached. A breeding bird informative should also be included with any granted planning permission.

It should be ensured that developer contributions for an increase in dwellings within the zone of influence of relevant designated sites are accurate.

Breeding Birds

The buildings on site may support breeding birds, as such an informative is recommended should planning permission be granted to avoid breaches of wildlife legislation.

Breeding birds – suggested informative wording

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 between 1st March and 31st August (the main nesting bird season) in particular¹, could contain active nests, unless a survey carried out immediately prior to the clearance of suitable nesting habitat has been undertaken by a competent ecologist and has shown that nesting birds are not present.

Therefore, the clearance of suitable nesting habitat should take place outside the main nesting bird season, or only be carried out following a nesting bird check immediately prior to clearance, that shows that the nesting habitats are not in active use by nesting birds.

Ecological Enhancements

One of the principles of the National Planning Policy Framework is that “opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”. There are opportunities within the designs to incorporate habitats and features to provide ecological enhancements to the site. The submitted ecology report provides useful recommendations regarding this and these recommendations should be considered.

We advise that measures to enhance biodiversity are secured as a condition of any granted planning application. Suggested wording is provided below:

Prior to first occupation and in tandem with Condition 19 (soft landscaping) of the granted permission for application 20190504, details of a scheme for the protection and enhancements of biodiversity, including bat and bird boxes, use of native species in landscaping and incorporation of features beneficial to wildlife wherever possible within and around the perimeter of the site, together with details of the timing/phasing of the respective elements forming the scheme and proposed management arrangements, shall be submitted to and approved in writing by the LPA. The approved scheme shall be fully implemented prior to the occupation of the final dwelling and thereafter maintained.

North Kent Sites

The development is within the zone of influence (6km) of The Swale Special Protection Area (SPA) and Wetland of International Importance under the Ramsar Convention (Ramsar Site) and the North Kent Strategic Access Management and Monitoring Strategy (SAMMS) enables developments to strategically mitigate for additional recreational impacts on the designated sites and to ensure that adequate means are in place to secure the mitigation before first occupation.

It is our understanding that the number of dwellings/ units proposed is slightly different from application 20190504. Therefore, it is our view that the appropriate assessment should be updated to reflect these changes.

It should also be noted that certain species such as feral pigeon can nest all year round and that these species are protected whilst nesting at any time of year. In instances where all year-round nesters could be present, it would be sensible to undertake a nesting bird check prior to clearance at any time of year. An ecologist can advise further.

KCC Highways and Transportation

This is an amendment to the previous consented scheme and in highway terms the impact of the amendments is to reduce the number of flats in the conversion building from 63 units to 61 and to reduce the parking provision of those flats from 20 to 12 spaces.

Whilst this is a substantial reduction in parking provision, the location of the development is close to the town centre, railway station and bus hub. It is within an easy walking / cycling distance of most facilities. The Kent Residential Parking Standards (IGN3) specifies a maximum of 1 space per flat unit and therefore whilst there is a reduction, it still complies with those standards and therefore a highway objection cannot be justified. The cycle parking provision complies with the Kent Standard (SPG4).

No objection is therefore raised to this application by the Highway Authority provided the previous conditions relating to highways are retained.

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.

Kent Fire and Rescue Service

Following my assessment of Fire and Rescue Service emergency access provisions for application number 20220915 - SCON3 I would like to make the following observations:

- As long as the proposed development is designed in accordance with the Fire Strategy Report Rev 0.1 held on your portal, specifically in accordance with paragraph 6.3 and Table 5, the access for the fire and rescue service would be considered satisfactory under the above act.

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.

National Highways

Notice is hereby given that National Highways' formal recommendation is that we offer no objection.

We have assessed the documents submitted with the application. We had no objection to the original application. We are content that the proposed minor amendments in connection with Block M, resulting in a slight reduction in dwellings, also means that the traffic generated will not have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN (the tests set out in DfT Circular 02/13, especially paras 8 to 11 and MHCLG NPPF2021 especially paras 110 to 113).

Natural England

No objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites (European sites).

Natural England considers that this advice may be used for all applications that fall within the parameters detailed below.

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as North Kent Special Protection Areas (SPA). It is anticipated that new residential development within this zone is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts through a strategic solution which we have advised will in our view be reliable and effective in preventing adverse effects on the integrity of the relevant European Site(s) from such impacts associated with such development. The strategic solution may or may not have been adopted within the local plan but must be agreed to by Natural England.

Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing adverse effects on the integrity of the relevant European Site(s) from recreational impacts for the duration of the development proposed within the relevant ZOI.

However, the application of these measures to avoid adverse effects on site integrity from recreational impacts associated with development proposed within the relevant ZOI should be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended). In this regard, Natural England notes the People Over Wind Ruling by the Court of Justice of the European Union that mitigation may not be taken into account at screening stage when considering 'likely significant effects' but can be considered at appropriate assessment.

Providing that the appropriate assessment concludes that the measures are 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 likely significant effects identified (on this or other protected sites) as requiring to be considered by your authority's appropriate assessment, Natural England indicates that it is likely to be satisfied that your appropriate assessments will be able to ascertain that there will be no adverse effect on the integrity of the European Site (from recreational pressure in view of its conservation objectives). Natural England will likely have no further comment regarding the Appropriate Assessment, in relation to recreational disturbance.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications where the outline permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

Southern Water

The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water, before the layout of the proposed development is finalised.

- The water distribution mains requires a clearance of 6 metres on either side of the water distribution mains to protect it from construction works and to allow for future access for maintenance.
- No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water distribution mains without consent from Southern Water.
- No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public water distribution mains.
- All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works.

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.

No discharge of foul sewerage from the site shall be discharged into the public system until offsite drainage works to provide sufficient capacity within foul network to cope with additional sewerage flows are complete. Southern Water is currently in process of designing and planning delivery of offsite sewerage network reinforcements. As previously advised Southern Water seeks to limit the timescales to a maximum of 24 months from a firm commitment of the development.

The submitted surface water drainage information shows no flows greater than existing levels has been connected to the system proving the betterment (limiting the rate of existing brownfield rate to a minimum 50% of the existing brownfield runoff rates) of the surface water system which is acceptable by Southern Water. The developer will be required to provide a topographical site survey and/or a CCTV survey with the connection application showing the existing connection points, pipe sizes, gradients and calculations confirming the proposed surface water flow will be no greater than the existing contributing flows.

The submitted drainage layout drawing No. HC-2262-501 indicates surface water being connected to public sewer through proposed permeable paving which is not acceptable to Southern Water. The design of drainage should ensure that no land drainage or groundwater is to enter public sewers network.

The supporting documents make 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 Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

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

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.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Internal Consultees

GBC Environmental Protection

Having reviewed the revised reports and statements of confirmation in relation to noise, air quality, transport and contaminated land, I can confirm that Environmental Protection has no objection to the amendments. The reports indicate that there is no detrimental effect as a result of the changes. It is recommended that any conditions that were included in relation to these matters in the original planning decision are re-iterated.

In addition, it is noted that although impact on air quality (as detailed in the revised Air Quality Assessment) is predicted to be insignificant in the operational phase, a Damage Cost Assessment was undertaken to provide a sum of £23,281.04. This was to be utilised for the following:

- All gas fired emissions to meet a standard of <40mgNO_x/kWh; and
- 1 Electric Vehicle charging point per dwelling with dedicated parking or 1 charging point per 10 spaces (unallocated parking).

There is no mention of this in the original Decision. In keeping with the Council's aspirations and goals in tackling and reducing air quality in the district as a whole, it would be beneficial to include reference to this if possible.

GBC Highways

This is a town centre location, so there is no objection to a reduction in car parking. There may however be merit in the applicant considering access to a car club by either exploring the possibilities independently or by combining with other residential developments within the town centre to obtain the critical mass to support a car club investing in the area. Even if this results in a parking space or two being dedicated to car club use.

Given the low car parking provision, any travel package supplied to residents should include details of local car hire companies if there isn't a car club as well as information on public transport and local cycle routes and parking.

GBC Parking and Highway Officer

The only comment I would have relates to the amount of parking. I'm not sure 69 spaces between 115 residential properties is anywhere near enough. There is not on-street capacity in the vicinity to offer permits to properties and should the new Civic Centre go ahead, we would also be without West Street Car Park which is already really limited and often busy because there is the similar issue with other developments along West Street that do not have enough parking for the number of residential properties. Although I believe there would be parking within that development, it's likely that we'll instantly see any staff that currently park in Parrock Street would migrate to the new car park.

GBC Private Housing

We can confirm Private Sector Housing have no comments to relay in relation to our housing legislations and regulations. We believe the proposed scheme is currently out of our remit with Planning requirements and Building Regulations taking precedence.

GBC Waste and Recycling

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

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

Neighbouring properties

The application has been advertised by individual neighbour letters to 528 properties and on site. The consultation periods expired on 26 and 30 September 2022 respectively.

One letter of representation has been received with the following comments:

- Parking spaces a good idea
- Building homes makes the area noisy and adds to the humidity of the river.

Local Ward Councillors were also consulted, and no responses were received.

Officer's Analysis

Proposal

This application seeks permission for a minor material amendment to planning permission reference no 20190504 (following planning permission reference no. 20220487 for non-material amendment to allow the change of description to: Conversion of existing building with a side extension and a roof extension, the construction of a new residential building to provide residential units (class C3) consisting of one bed, two bed and three bed homes, together with associated car parking, motorcycle and cycles spaces alongside amenity space, private gymnasium and waste and space in Class E as flexi use space) to allow: amendments to Block M only (conversion building), including amendments to unit mix, internal layouts and parking, introduction of additional private and shared amenity space, elevational changes and amended material palette.

Condition 2 of planning permission 20190504 states as follows:

2. *The development hereby permitted shall be carried out in accordance with the following approved plans;*

Application Form Dated 05/03/2020 REVISED;

Drawing no. M-B-P1 Revision B (Proposed Ground Floor Site Layout Plan) REVISED;

Drawing no. M-B-P2 Revision C (Proposed First Floor Site Layout Plan) REVISED;

Drawing no. M-B-P3 Revision B (Existing Ground and First Floor Plan M Block) REVISED;

Drawing no. M-B-P4 Revision B (Existing Second and Third Floorplan M Block) REVISED;

Drawing no. M-B-P5 Revision B (Existing Fourth and Fifth Floorplan M Block) REVISED;

Drawing no. M-B-P6 Revision B (Existing Sixth and Seventh Floorplan M Block) REVISED;

Drawing no. M-B-P7 Revision B (Proposed Ground and First Floorplan M Block) REVISED

Drawing no. M-B-P8 Revision B (Proposed Second and Third Floorplan M Block)

REVISED;

Drawing no. M-B-P9 Revision B (Proposed Fourth and Fifth Floorplan M Block) REVISED;

Drawing no. M-B-P10 Revision B (Proposed Sixth and Seventh Floorplan M Block)

REVISED;

Drawing no. M-B-P11 Revision B (Proposed Eighth and Ninth Floorplan M Block) REVISED;

Drawing no. M-B-P12 Revision B (Proposed Tenth and Roof Floorplans) REVISED;

Drawing no. M-B-P13 Revision B (Existing East Elevation M Block) REVISED;

Drawing no. M-B-P14 Revision B (Existing North and South Elevation M Block) REVISED;

Drawing no. M-B-P12 Revision B (Proposed Tenth Floorplan and Roof Plan M Block)

REVISED;

Drawing no. M-B-P15 Revision B (Existing West Elevation M Block) REVISED;

Drawing no. M-B-P16 Revision B (Proposed East Elevation M Block) REVISED;

Drawing no. M-B-P17 Revision B (Proposed North and South Elevation M Block)

REVISED;

Drawing no. M-B-P18 Revision B (Proposed West Elevation M Block) REVISED;

Drawing no. L-B-P19 Revision C (Proposed First Floorplan L Block) REVISED;

Drawing no. L-B-P20 Revision C (Proposed Second Floorplan L Block) REVISED;

Drawing no. L-B-P21 Revision C (Proposed Third Floorplan L Block) REVISED;

Drawing no. L-B-P22 Revision C (Proposed Fourth Floorplan L Block) REVISED;

Drawing no. L-B-P23 Revision C (Proposed Fifth Floorplan L Block) REVISED;

Drawing no. L-B-P24 Revision C (Proposed Clifton Road Elevation L Block) REVISED;

Drawing no. L-B-P25 Revision B (Proposed East Elevation L Block) REVISED;

Drawing no. L-B-P26 Revision B (Proposed South Elevation L Block) REVISED;

Drawing no. L-B-P27 Revision C (Proposed West Elevation L Block) REVISED;

Drawing no. L-A-P30 Revision A (Site Location Plan, Existing and Proposed Block Plan)

REVISED;

Drawing no. ML-B-P28 Revision C (Proposed Clifton Road Elevation) REVISED;

Drawing no. ML-B-P29 Revision C (Proposed Stuart Road Elevation) REVISED;

Drawing no. ML-B-P30 Revision B (Proposed Section A-A) REVISED;

Drawing no. ML-B-P31 Revision B (Proposed Section B-B) REVISED;

Drawing no. ML-B-P32 Revision B (Proposed Section C-C) REVISED;

View C (1) Car Park Entrance (REVISED);

View D (1) Clifton Road/Stuart Road (REVISED);

Planning Statement by Tetlow King Planning (May 2019);

Design and Access Statement;

Design and Access Statement Appendix 1;

Transport Statement by Entran (March 2020) REVISED;

Noise Assessment by In Acoustic (April 2019);

Urban Design Assessment by Rummey Design (May 2019);

Landscape Design Document by Rummey Design (March 2020);

Landscape Design Document by Rummey Design (June 2019);

Affordable Housing Statement by Tetlow King Planning (May 2018);

Phase 1 Desk Study by Lustre Consulting (April 2019);

Preliminary Ecological Appraisal by Corylus Ecology (29 April 2019);

Daylight and Sunlight Study by Right of Light Consulting (May 2019);

Archaeological Desk-Based Assessment by Swale and Thames Archaeological Survey Company (07 May 2019);

Air Quality Assessment by Entran (29 April 2019); and

Flood Risk and Sustainable Drainage Assessment (May 2019).

And pursuant to any conditions contained herein after and there shall be no deviation there from, save with the prior written consent of the Local Planning Authority.

Reason: *For the avoidance of doubt and in the interests of proper planning.*

The originally approved scheme (20190504) comprised two elements: a conversion of the existing building (M Block) and a new building development on the remainder of the site. The minor amendments proposed under the current application focus on M Block. No changes to the tower or other new-build elements are proposed. All changes proposed within the conversion block through this application are designed to tie in with future changes to the tower.

The submitted Planning Statement puts forward that the proposed amendments seek to improve the overall deliverability of the scheme whilst working within the constraints of the existing structure. These amendments were developed following receipt of additional information related to the existing structure. With this new information, the proposal seeks to amend the internal layout of M Block; propose a minor increase in height (approximately 0.35m) to the seventh floor roof extension; reduce the number of homes in this building by 2; and provide enhanced internal and external communal amenity space for future residents.

External design changes are also proposed. Where the consented scheme proposes inset balconies, the scheme now seeks to retain the horizontal lines of the existing building while adding projecting balconies.

The proposal seeks to retain the M&E tower, while modernising the space around it to provide a high-quality amenity space. In addition, the proposal provides a modest reduction in parking in the under-croft area while improving facilities such as an enhanced bike store and electric vehicle charging.

The specific changes to the relevant drawings and approved documents include the following:

- Reduction of 2 units, from 63 to 61 units, with a mix of 40 x 1 beds, 21 x 2 beds.
- Relocation of residential amenity (internal spaces) to top floor M&E tower
- Addition of rooftop external communal amenity space
- Amendments to ground floor to provide required plant space to serve the whole scheme
- Reduction in parking within the ground floor of conversion block – from 20 spaces to 12 spaces
- Amendments to bike stores to provide secure internal, dedicated cycle stores

- Addition of below ground sprinkler tank for commercial unit (within tower block)
- Flat layouts revised to accommodate and retain existing structural walls
- New internal core layout to be compliant with building regulations Part B.
- Removal of inset balconies on the east elevation (replaced with projecting balconies)
- Re-elevate all conversion block elevations with new window openings and proportions.
- Amended external material palette consisting of brick, glass fibre reinforced concrete panels, corrugated perforated metal balustrades and M&E tower cladding.

Principal Issues

Given the established principle of residential development on this site and the nature of the proposed changes, the main issues to consider in the determination of this application involve design, amenities for future occupiers, and highways, as well as Section 106 matters.

Reduction in Housing Numbers

The 20190504 permission included 115 residential units consisting of 47 one bed units, 59 two bed units and 9 three bed units. M Block housed 63 of these units comprised of predominantly 1b2p and 2b3p units, while also providing two 3 bed units. There is a 2 unit reduction proposed under the current scheme, largely to allow for the introduction of additional shared amenity space for residents at the 6th and 7th floors. As a result of this change to the residential mix, the current proposal removes both 3 bed units previously proposed.

The table below shows the comparison of the consented and proposed unit types in M Block:

Unit Type	Consented	Proposed	Change
1b2p	35	40	+5
2b3p	24	13	-11
2b4p	2	8	+6
3b4p	1	0	-1
3b5p	1	0	-1
Total Units	63	61	-2

Whilst a reduction in units is proposed, this only involves two units and the proposal would still offer a substantial contribution towards meeting local housing need and, accordingly, it is considered that this weighs in support of the application and would be in line with the housing need policies in the Core Strategy 2014 (Policies CS02 and CS05).

Design, Character and Appearance

Section 12 of the NPPF 2021 relates to achieving well-designed places and sets out the Government's requirements in relation to design issues. Paragraph 126 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 119), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF. Relevant to this proposal, paragraph 124 of the NPPF states that developments that makes efficient use of land should be supported, taking into account the identified need for different

types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

In a similar vein, Policy CS14 of the Core Strategy 2014 sets out that new housing development is expected to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need to create sustainable and balanced communities. Policy CS15 of the Core Strategy 2014 seeks to achieve a minimum density for residential development in the urban area of 40 dwellings per hectare (dph), subject to the overriding consideration that development achieves good design and does not compromise the distinctive character of the area.

The design of the current proposal for has evolved from the original outline permission. It is simplest to visualise the changes with comparisons between the original approved and now proposed elevations of M Block:

Approved East Elevation



Proposed East Elevation



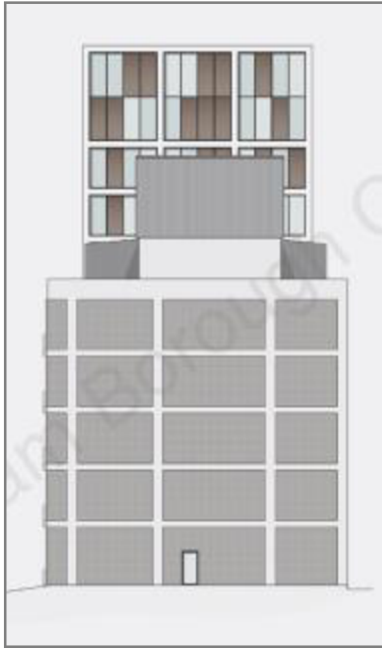
Approved West Elevation



Proposed West Elevation



Approved South Elevation



Proposed South Elevation



The north elevation onto Clifton Road is not included as a tower extension is proposed to be attached to this elevation, which is not part of the amendments under this application.

The current consent for M Block includes stripping off the existing cladding panels and re-cladding the retained concrete structure with precast concrete panels, with curtain wall glazing and inset glass balconies. Oxidised brass perforated screens are used in a staggered layout across the elevations.

The elevations are composed of a defined plinth, mid and top that are accentuated and articulated with three primary materials: glass reinforced concrete cladding, brick and perforated, corrugated metal cladding:

Proposed materials:



The south wall of the building will be simpler with a prominence of grey brick panels between white fine string course banding. The M&E plant tower on the top of the building will be clad in light bronze aluminium cladding with a generously proportioned window.

The external changes to the scheme create a 'busier' façade, particularly with the addition of projecting balconies. However, the existing building composition is maintained with a double storey plinth, a main body and a crown. The original horizontal and vertical articulation of the building is retained by emphasising the floor banding, the use of vertical piers and a structured window grid. The proposed materials suggested appear to be acceptable, but specific details of these will be required to ensure a high quality scheme.

A small increase in the height of the building is also proposed to accommodate insulation for the flats on the 6th floor, and to accommodate the turf and landscaping proposed at roof level for the communal amenity space now proposed here. The increase specifically relates to the 6th floor addition; the parapet height of the existing building will be retained.

On this basis, the proposed elevational changes would not detract from the original form of the building and would therefore be acceptable and would comply with the requirements of the aforementioned policies.

Amenity of Future Occupiers

The original 20190504 scheme includes for 63 units across 7 floors within M Block, with a central stair core providing access to 11 units per floor, with an additional 7 on the 6th floor and one on the 7th floor within the M&E tower. There was no private amenity space at the 6th or 7th floor.

Under the current scheme, further information has been considered relating to the location of structural walls and columns central to the integrity of the building, and this information has led to the reorganisation

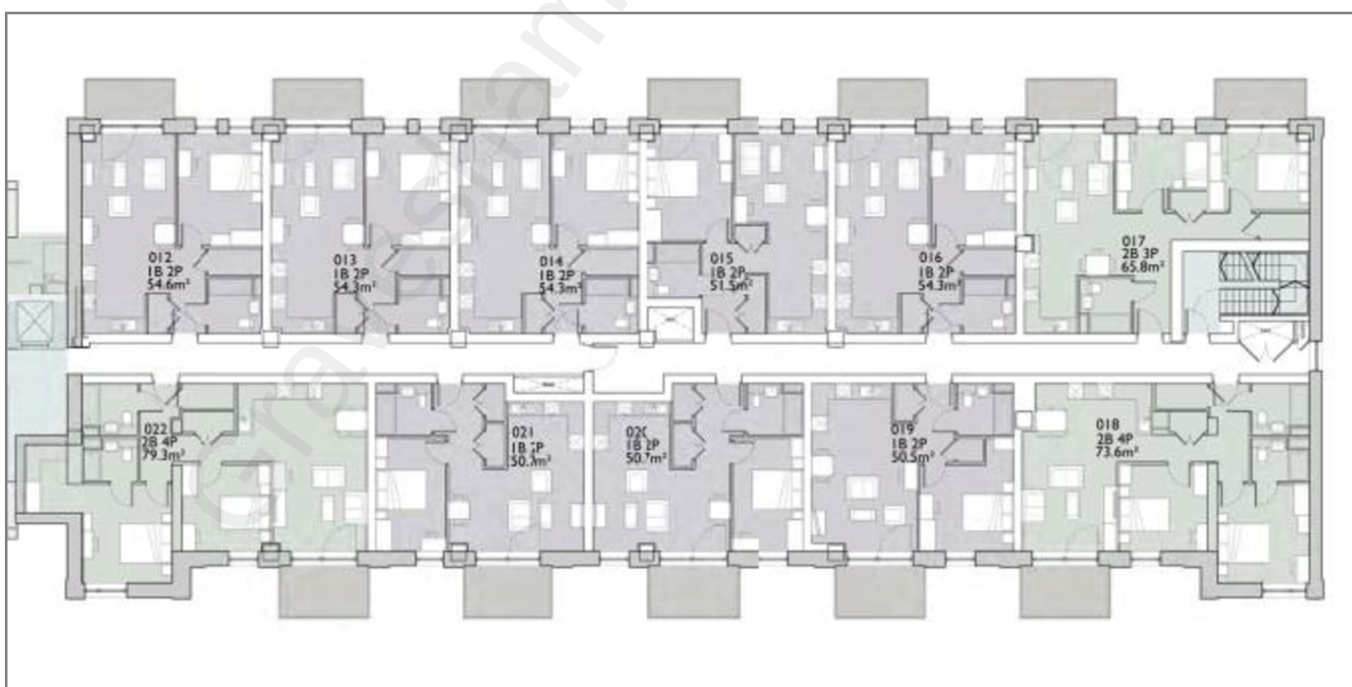
of the internal arrangement of the proposed units. The proposal relocates the central stairwell to the building's southern end, where the existing lift core is positioned.

As projecting balconies rather than inset balconies are now proposed, the overall size of the units is improved, and light would be increased to the flats.

20190504 Approved typical floor plan:



Current proposed typical floor plan:



As before, all flats would continue to meet the size standards set out in the Nationally Described Space Standards 2015, including circulation space and bedroom floor areas:

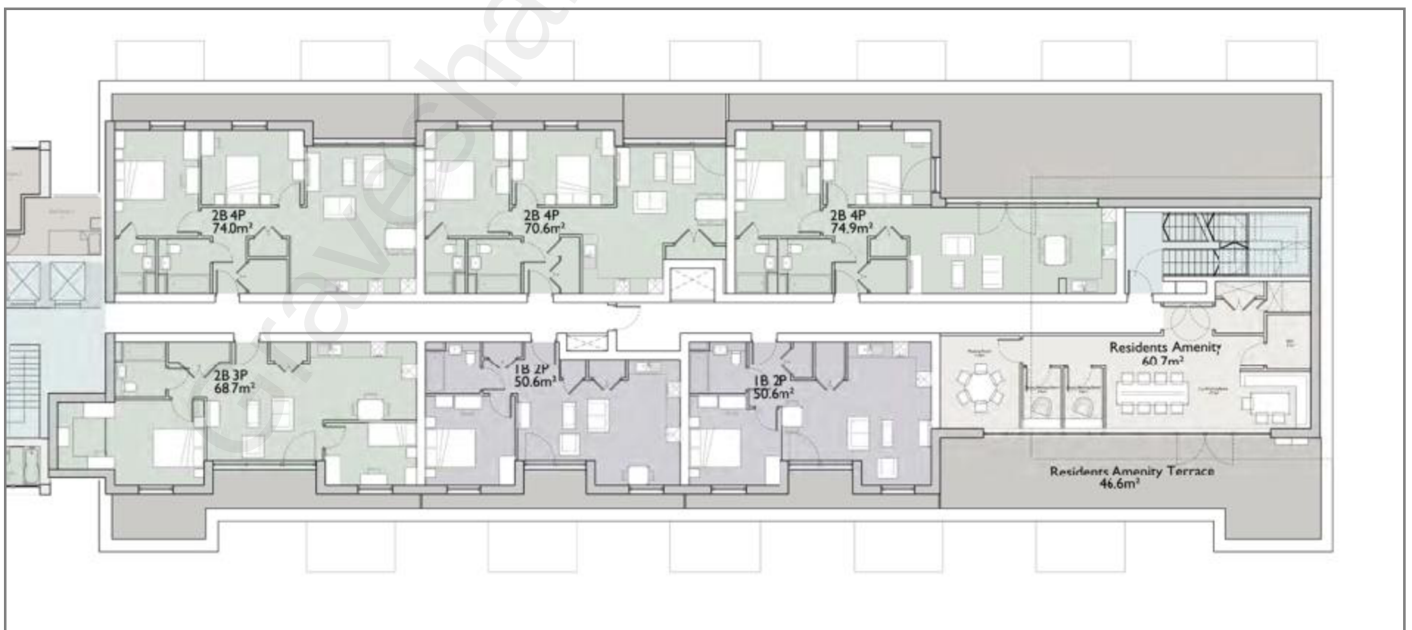
	1b 2p	2b 3p	2b 4p
NDSS	50 sqm	61 sqm	71 sqm
Proposal	50.7 sqm– 54.6 sqm	65.8 sqm – 68.7 sqm	74.0 – 79.3 sqm

In terms of amenity provision, the flats have access to projecting balconies, and on the 6th floor an internal residents' amenity space is proposed, as well as a residents' amenity terrace, and on the 7th floor a further external residents' amenity space is proposed in the form of a roof garden as well as a further internal residents' amenity space within the M&E tower. In total, this equates to 506 sqm of communal amenity space and 521 sqm of private amenity space.

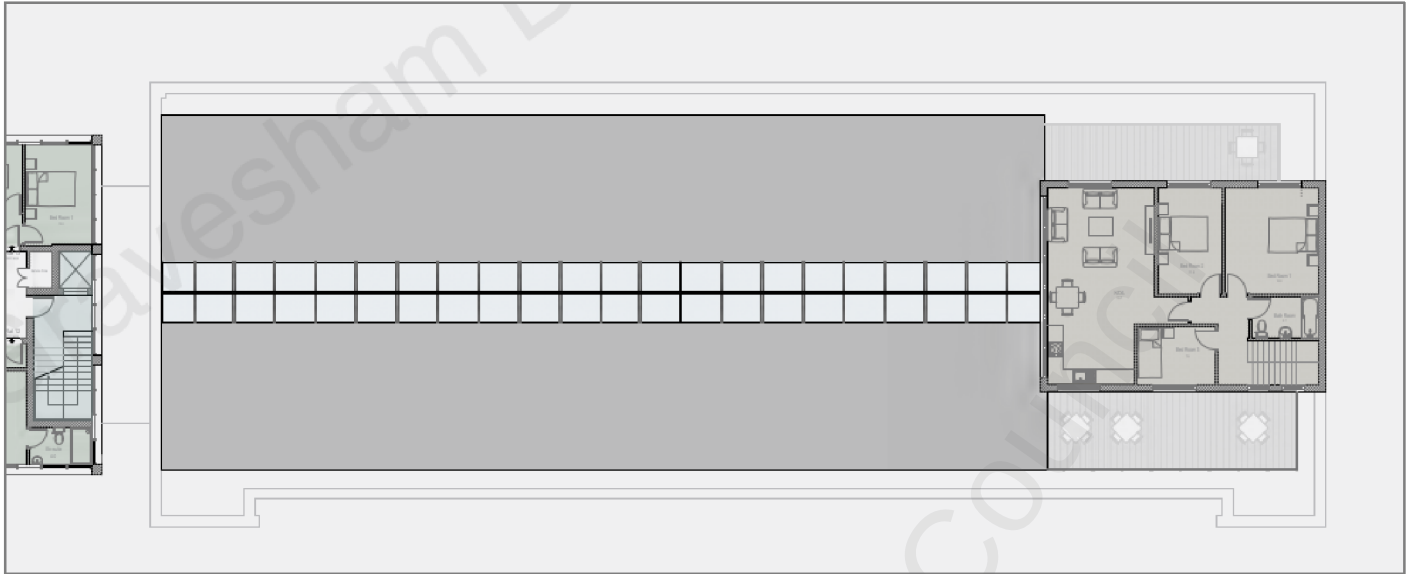
20190504 Approved 6th floor:



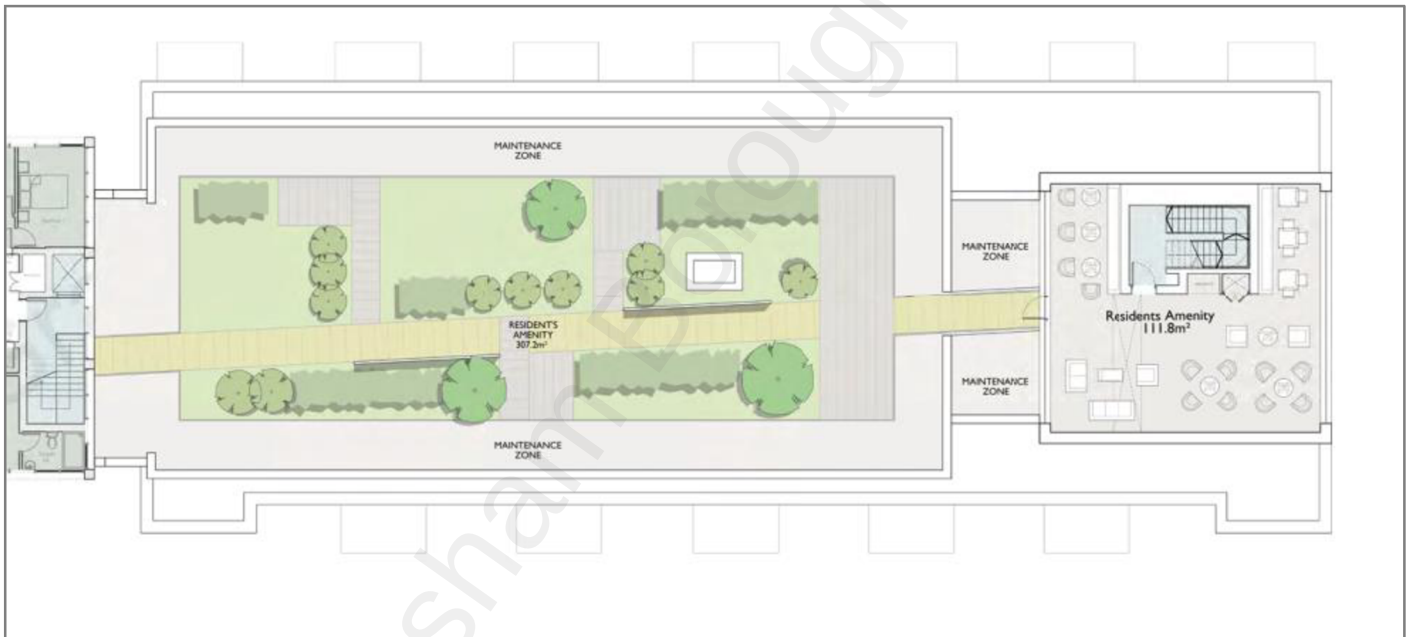
Current proposed 6th floor:



20190504 Approved 7th floor plan:



Current proposed 7th floor plan:



The communal and private amenity space provision is therefore considered to be acceptable.

In terms of daylight and sunlight, an additional assessment has been carried out, which concludes that the units will achieve good access to sunlight and excellent levels of daylight that will distribute throughout the rooms efficiently within each of the proposed units in compliance with BRE Guidelines.

Overall, the amended flat layouts and amenity provision for future occupiers are considered to be of an acceptable standard and in line with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF 2021.

Neighbouring Amenity

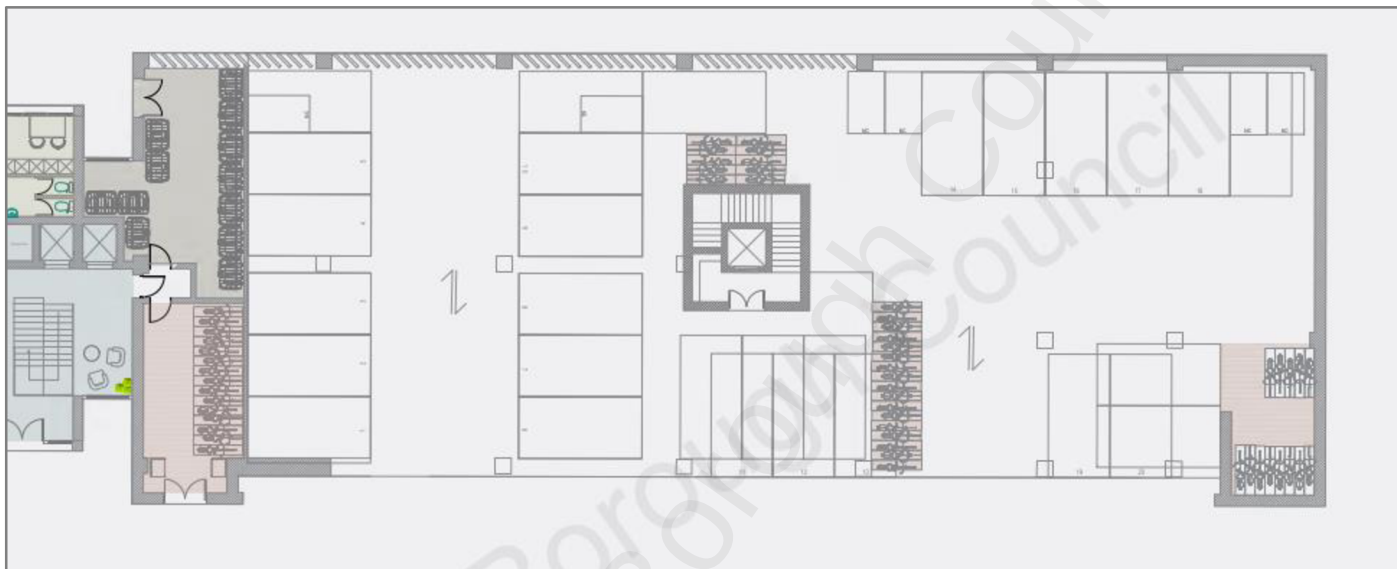
Previously, there were no neighbour amenity issues raised with regards to the residential conversion of M Block and the proposed changes will not have any additional impact on neighbours to alter this perspective.

Highways and Parking

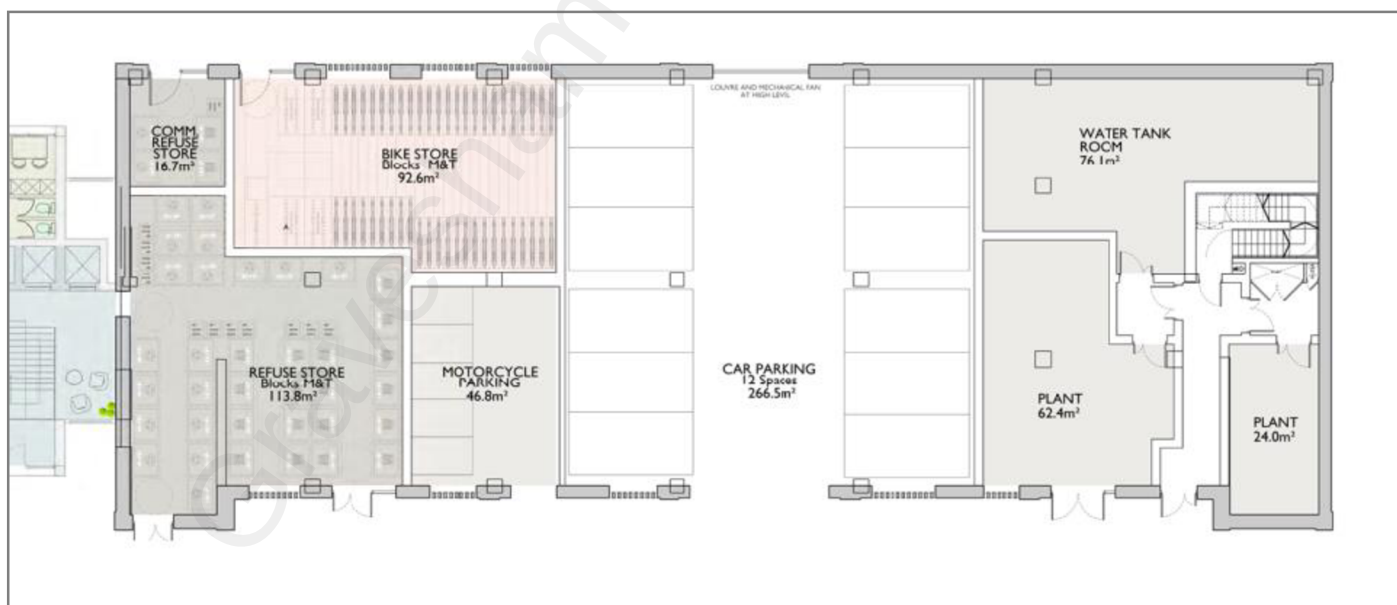
The 20190504 permission provides 20 car parking spaces, 6 motorcycle spaces and bike storage for 212 bikes as well as access to the central stairwell and refuse store.

At the ground floor of M Block, the changes proposed under the current application centre around the relocation of the stair core. This proposed space now includes 12 car parking spaces (suitable for provision of EV charging), 6 motorcycle parking spaces, a secure cycle store/room for 105 bikes, two refuse stores, sufficient plant space to serve the building and a sprinkler tank – sized to serve M Block and the commercial unit located in the tower.

20190504 Approved ground floor plan:



Current proposed ground floor plan:



Whilst there is a fairly substantial reduction in parking provision, the location of the development is close to the town centre, railway station and bus hub. It is within an easy walking / cycling distance of most facilities. There is therefore no objection to the proposed reduction in car parking. The cycle parking provision also complies with the Kent Standard (SPG4).

Due to the proposed reduction in the number of dwellings, the traffic generated by the development will not have an unacceptable impact on the safety, reliability and/or operational efficiency of the road network. No objection is therefore raised with regards to parking and highway safety, and the proposed amendments are considered to comply with Policy CS11 of the Core Strategy 2014 and paragraph 111 of the NPPF 2021. The previous conditions relating to highways matters should be retained.

Any Other Material Planning Considerations

Ecology

Policy CS12 of the Core Strategy 2014 states that there will be no net loss of biodiversity in the Borough. The additional ecological information submitted is satisfactory.

There was no ecology condition within the previous permission. If planning permission is granted, it is advised by KCC's Biodiversity Officer that an additional condition securing the implementation of ecological enhancements should be attached. A breeding bird informative should also be included with any granted planning permission. On this basis, the proposal would therefore comply with Policy CS12 of the Core Strategy 2014 and paragraph 174 of the NPPF 2021.

Environmental Protection

The revised reports and statements of confirmation in relation to noise, air quality, transport and contaminated land have been reviewed, and there are no objections to the amendments. The reports indicate that there would be no detrimental effect as a result of the changes. It is recommended that any conditions that were included in relation to these matters in the original planning decision are re-iterated.

In addition, it is noted that although impact on air quality (as detailed in the revised Air Quality Assessment) is predicted to be insignificant in the operational phase, a Damage Cost Assessment was undertaken to provide a sum of £23,281.04. This was to be utilised for the following:

- All gas fired emissions to meet a standard of <40mgNO_x/kWh; and
- 1 Electric Vehicle charging point per dwelling with dedicated parking or 1 charging point per 10 spaces (unallocated parking).

There is no mention of this in the original Decision; air quality comments were not provided. In keeping with the Council's aspirations and goals in tackling and reducing air quality in the district as a whole, it would be beneficial to include reference to this, and therefore this should be included in an additional condition to ensure the recommendations in the submitted report are carried out. On this basis, the proposal would therefore comply with Policy CS19 of the Core Strategy 2014 and paragraph 185 and 186 of the NPPF 2021.

Refuse arrangements

There are two refuse stores proposed under the amendments to the 20190504 scheme: one commercial and one residential. This is suitable provision proposed for the number of properties within M Block and this amendment is considered acceptable. The proposal would therefore comply with Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF 2021.

Affordable Housing

The original permission 20190504 provides a total of 115 residential units. The affordable housing contribution for the application is 16 units due to the inclusion of the conversion of M Block within the proposal, which qualifies for Vacant Building Credit. As the current application relates purely to M Block, the proposed changes to the application have no impact on the affordable provision, which is to be provided elsewhere on the site. The loss of two private units within M Block would therefore mean that there would be no loss of affordable housing on the site.

Section 106 Agreement

The previous application 20190504 was permitted subject to a Section 106 Agreement (S106), which included affordable housing provisions, and contributions for the following:

1. SAMMS;
2. Improvements to Cygnet Leisure Centre or a new 3G artificial turf pitch;
3. Increasing the capacity of Mayfield Grammar School and Chantry Primary School;
4. Improving services and facilities at Gravesend Adult Education Centre;
5. Additional staff and resources to accommodate attendees at Gravesham Youth Hub;
6. Renewing bookstock and enhancing the provision of digital services at Gravesend Library;
7. Improvements and increased services to support new clients at the Age UK Fleming Resource Centre;
8. Upgrading the existing crossing at Bath Street or a similar location.

The contributions should be paid before the commencement of development. A travel plan is also to be submitted and approved at least three months prior to occupation.

The S106 has a clause at 5.18 relating to S73 Consents, which sets out that in the event any S73 consent is granted after the date of the Deed, the obligations in the deed shall relate to and bind the S73 consent, and the definitions of application, planning permission and development shall be construed to include reference to the planning application for the S73 consent, the S73 consent itself and the development permitted by the S73 consent. On this basis, no variations to the original S106 are required. An informative should be added to any forthcoming permission to reference this clause.

Conditions

As no conditions on planning permission 20190504 have yet been discharged, the original conditions on the permission will be re-imposed as originally set out, with the changes discussed above to conditions 2 (plans), as well as additional conditions relating to ecological enhancements and air quality. Some minor re-wording and re-ordering of the conditions for consistency is also necessary.

Conclusion and Recommendation

The proposed alterations to the approved plans are minor in the context of the wider approved scheme and are considered to be acceptable in terms of the design and impact on the character and appearance of the M Block building and surrounding area, and with regards to residential amenity, parking and highways, environmental protection and ecology matters. The proposal would therefore comply with the requirements of the relevant policies in the Gravesham Local Plan Core Strategy 2014 and the NPPF 2021.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	22 November 2022	Dated:	25 th November 2022