



Delegated Report

Planning Application

Application no:	20220633
Location:	Ellenor Coldharbour Road Northfleet Gravesend
Description:	Minor material amendment application for variation of conditions 8 and 9 attached to planning permission reference no. 20190756, as subsequently amended by planning permission reference no. 20211398, for expansion and refurbishment of the existing Ellenor Hospice; to allow a phased development of the site in respect of the submission of details of materials, surface treatments and boundary treatments and in respect of details of external lighting.
Applicant:	Mr Tim Hammond, Ellenor
Site Visit Date:	Desktop; previous visit 17 September 2019

The Site and Surroundings

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

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

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

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

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

The Hospice adjoins an open field to the east now being developed by Vistry Group (Bovis) and Persimmon Homes for the construction of 400 homes. To the north and at the rear of the site is Marks Square where there is a mix of terraced and semi-detached two storey, including Council owned dwellings. There is layby in Coldharbour Road opposite the entrance into the hospice car park. There is a bus service (service

306/308) that runs along Coldharbour Road and into Morrison's.

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



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





Relevant Planning History

Planning Application History

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

20030791	Erection of extension to canopy on main entrance and a conservatory on the south-eastern elevation.	Permission	05.11.2003
20040111	Erection of single storey extension to and conversion of existing stores to form two conference rooms, reception area and wc accommodation.	Permission	13.04.2004
20061060	Erection of a two-storey extension on western side elevation to form a lift shaft and construction of an open canopy at the main entrance.	Permission	22.01.2007
20070674	Erection of single storey extension on the eastern corner to provide three additional patient bedrooms.	Permission	18.09.2007
20100006	Erection of single storey extensions to form day therapy room, dining room and sacred space.	Permission	04.03.2010
20100657	Application for non-material amendment to planning permission reference number 20100006 relating to the erection of single storey extensions, for the amendment of the external materials from zinc cladding to render, omission of the grass roof and details of an amended landscaping scheme.	Permission	12.10.2010
20130761	Installation of externally mounted chiller unit at the rear.	Permission	23.09.2013
20170643	Retention of an existing portacabin and siting of 1no. Portacabin - both for a temporary three-year period.	Temporary Permission	29.08.2017
20190756	Expansion and refurbishment of the existing Ellenor Hospice to provide 12 en-suite rooms consisting of a single storey extension at the eastern end to provide 5 single en-suite rooms with amenity space and nurses space together with 7 refurbished rooms within the existing hospice layout; construction of two storey addition on south side for offices, meeting rooms for well-being centre and improved outpatient facilities; provision of ambulance access from Marks Square; alterations and extension to existing car parking layout and provision of external storage and sub-station	Permission	23.10.2019
20201363	Renewed temporary planning permission (limited to 5 years) for the continued siting of 2no. existing Portacabins to provide training, meeting and lecture facilities at Ellenor Hospice	Temporary Permission	28.04.2021
20211398	Minor material amendment application for variation of conditions 2, 10, 13, 14 and 16 attached to planning permission reference no. 20190756 for expansion and refurbishment of the existing Ellenor Hospice; to allow for phasing of the project, amendment of the design to accommodate measures to improve ventilation including minor increase in height, amendment to plant enclosure, various external amendments to doors,	Permission	

	fenestration, fencing and hard surfaces etc., and relocation of parking due to anomalies in ownership areas.		
20220705	Application for approval of condition 7 (i)(ii) attached to planning permission reference number 20211398 relating to the Specification for an Archaeological Brief.	Pending Consideration	
20220796	Application for approval of conditions 3(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l) and (m) and 6 attached to planning permission reference number 20211398 relating to the details of (3(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)(k)(l)(m) code of construction conduct and (6) proposal of foul and sewage disposal.	Pending Consideration	

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

Proposal

This application is for variation of conditions 8 and 9 attached to planning permission reference no. 20190756, as subsequently amended by planning permission reference no. 20211398, for expansion and refurbishment of the existing Ellenor Hospice; to allow a phased development of the site in respect of the submission of details of materials, surface treatments and boundary treatments and in respect of details of external lighting.

Submitted Plans and Documents

Application Form

Covering letter (ref JAC/13537) from David Hicken Associates, received 13.06.2022

Detail of the Proposals

The covering letter says:

The proposed amendments are requested in order to allow an operational start to the development in phases, rather than requiring the submission of details for all individual parts of the proposal before any development can take place.

Development Plan and other related Planning Policies and Guidance

The Development Plan for Gravesham currently comprises:

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

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

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

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

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

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS10: Physical and Social Infrastructure
Core Strategy Policy CS11: Transport
Core Strategy Policy CS12: Green Infrastructure
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles
Core Strategy Policy CS20: Heritage and the Historic Environment
Core Strategy Policy CS21: Land at Coldharbour Road Key Site

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 proposal:

Policy T1: Impact of Development on the Highway Network
Policy T5: New Accesses onto Highway Network
Policy P3: Policy for Vehicle Parking Standards
Policy TC7: Other Archaeological Sites

Review of Local Plan

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

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

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

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

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

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

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) July 2021 is a material consideration. The following paragraphs are specifically highlighted as being of importance to the consideration of the development proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered.

Section 2, Paragraphs 7 - 14: Achieving sustainable development

Section 4, Paragraphs 38 - 59: Decision Making

Section 9, Paragraphs 104 - 113: Promoting Sustainable Transport

Section 12, Paragraphs 126 - 136: Achieving well-designed places

Section 14, Paragraphs 152 - 173: Meeting the Challenge of Climate Change, Flooding and Coastal Change

Section 15, Paragraphs 174 - 188: Conserving and Enhancing the Natural Environment

Section 16, Paragraphs 189 - 208: Conserving and Enhancing the Historic Environment

The National Planning Practice Guidance (NPPG)

Planning Practice Guidance (<http://planningguidance.planningportal.gov.uk/>) supports and clarifies areas in the NPPF. It contains guidance on assessing housing need; design; public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things. The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

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

Supplementary Planning Guidance and other Documents

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

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

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

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

Consultations, Publicity and Representations

Internal Consultations

Ward Councillors

No comments received

Publicity and Representations

The application was advertised on site under Article 15. In addition, notification was sent to 22 neighbouring properties.

The expiry date for the receipt of representations was 15 July 2022. No representations have been received.

Planning Analysis and Appraisal

Introduction

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

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

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

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

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

It was stated that the existing temporary portacabin on the site, which provides training, meeting and office space, will be removed as part of the scheme. The proposed two storey extension of the southern side of the existing building would provide replacement offices, training and meeting rooms for staff, allowing refurbishment of the existing building to provide improved outpatient facilities. The application had been submitted following extensive pre-application discussions, where proposals for a very bulky and modern extension on the Coldharbour frontage were rejected following design advice provided by Design South East.

The works to implement the planning permission have not yet commenced.

In 2021 planning permission was granted under re 20211398 for variation of conditions 2, 10, 13, 14 and 16 attached to planning permission reference no. 20190756 for expansion and refurbishment of the existing Ellenor Hospice; to allow for phasing of the project, amendment of the design to accommodate measures to improve ventilation including minor increase in height, amendment to plant enclosure, various external

amendments to doors, fenestration, fencing and hard surfaces etc., and relocation of parking due to anomalies in ownership areas.

That application involved some minor design and layout changes including to the car parking layout.

Assessment of Current Proposal

In this current application the changes are to the wording of conditions 8 and 9 attached to planning permission reference no. 20190756, as subsequently amended by planning permission reference no. 20211398, for expansion and refurbishment of the existing Ellenor Hospice; to allow a phased development of the site in respect of the submission of details of materials, surface treatments and boundary treatments and in respect of details of external lighting.

No additional plans have been provided.

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

Therefore, it is not necessary to reconsider the fundamental planning considerations and to only focus on whether the amendments to conditions are acceptable if the development is to be brought to fruition through a phased approach and taking into account any new and relevant consultee responses. The application seeks the rewording to condition numbers 8 and 9 only.

In respect of condition 8 the proposed amendment states that materials for all building works must be approved before the building to which the details relate is built above slab level.

Condition 8 - Current wording

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

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

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

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

Condition 8 - Proposed wording

8. Notwithstanding the details shown in the application form, approved drawings or the Design and Access and Planning Statements the following details including, where appropriate, samples of the external facing materials and finishes for each individual building or works of surfacing, shall be submitted to and approved in writing by the Local Planning Authority before any building work above ground level is undertaken for the building to which the details relate, or prior to the laying of the hard surface to which the details relate, or prior to the erection of any fences or construction of any walls to which the details relate.

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

gardens areas

(v) Proposed boundary treatments and retaining structures

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

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).

In respect of condition 9 the proposed amendment states that lighting for each building must be approved before the building to which the details relate is built above slab level.

Condition 9 - Current wording

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

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

Condition 9 - Proposed wording

9. Notwithstanding the details shown in the approved drawings full details of any new external lighting to the site, buildings and car park as amended, including details of the re-siting of any existing lighting for each building, shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works on the building to which they relate, or for external lighting that is freestanding, prior to the installation of any new lighting.

The lighting shall be implemented in accordance with the approved details for each building prior to the occupation of the building for which the details relate.

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

It is considered that the proposed variation of conditions is reasonable and suitable in order to allow a phased development of the site.

Conclusions, Balancing Exercise and Recommendation

This application for minor material amendments to the permitted scheme for expansion and refurbishment of the existing Ellenor Hospice, to allow for changes are to the wording of conditions 8 and 9 attached to planning permission reference no. 20190756, as subsequently amended by planning permission reference no. 20211398, for expansion and refurbishment of the existing Ellenor Hospice; to allow a phased development of the site in respect of the submission of details of materials, surface treatments and boundary treatments and in respect of details of external lighting, has been fully considered and assessed and subject to consultation and publicity.

There have been no material adverse comments from consultees and no neighbour/publicity responses.

It is considered that the proposed variation of conditions is reasonable and suitable in order to allow a phased development of the site.

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

Planning permission is therefore recommended subject to revised planning conditions.

Recommendation:

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

CONDITIONS AND REASONS:

Time Limit Condition

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

Reason: In pursuance of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans and Particulars

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

Application Form, as amended

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

Covering letter from David Hicken Associates received 13.06.2022 (ref JAC/13537)

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

Existing Plans

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

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

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

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

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

Revised Proposed Plans

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

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

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

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

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

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

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

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

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

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

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

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

Revised Documents

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

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

Original Retained Documents

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

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

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

Pre-Commencement and Associated Conditions

Construction

Code of Construction Conduct

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

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

- (a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery
- (b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery
- (c) A Construction Traffic Management Plan covering:
 - Routeing of delivery vehicles to and from the site
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - The hours of operation for construction traffic and timing of deliveries
 - Type and location of wheel washing and chassis cleaning facilities
 - Temporary traffic management/signage
- (d) Details of the location of the proposed construction compound
- (e) Details of security fencing
- (f) Details of stockpile areas for building materials or for fill or removed 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 public footpaths
- (l) Details of temporary construction or security lighting; and
- (m) Monitoring and review provisions with the Local Planning Authority.

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

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

Hours of Construction

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

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

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

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

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

Contamination

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

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

Drainage

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

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

Archaeology

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

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

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

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

Post Commencement and Pre-Occupation Conditions

Materials

8. Notwithstanding the details shown in the application form, approved drawings or the Design and Access and Planning Statements the following details including, where appropriate, samples of the external facing materials and finishes for each individual building or works of surfacing, shall be submitted to and approved in writing by the Local Planning Authority before any building work above ground level is undertaken for the building to which the details relate, or prior to the laying of the hard surface to which the details relate, or prior to the erection of any fences or construction of any walls to which the details relate.

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

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

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

Lighting

9. Notwithstanding the details shown in the approved drawings full details of any new external lighting to the site, buildings and car park as amended, including details of the re-siting of any existing lighting for each building, shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works on the building to which they relate, or for external lighting that is freestanding, prior to the installation of any new lighting.

The lighting shall be implemented in accordance with the approved details for each building prior to the occupation of the building for which the details relate.

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

Transportation and Vehicle Parking

Car Parking Provision

10. Prior to the first occupation of any part of the development hereby permitted or in accordance with a timetable to be first agreed in writing by the Local Planning Authority, the area shown on the Proposed Site Plan (Drawing No P0299-RHP-ZZ-XX-DR-PL-A-1005-S2-Proposed_Site_Plan-Phase 1- P3) as enlarged and altered vehicle parking area and the associated access and turning areas shall be formed, surface drained and marked out, with any necessary resurfacing and draining undertaken, and thereafter shall be kept available at all times for such use, and no development whether or not permitted by the Town and

Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to that Class in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, shall be carried out on that area of land or in such a position as to preclude the use of or access to the reserved vehicle parking and turning area.

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

Cycle Provision

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

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

Travel Plan

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

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

Electric Vehicle Provision

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

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

Ecology and Biodiversity

Ecology Mitigation

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

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

Timing of Vegetation Clearance

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

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

Landscaping and Trees

Soft Landscaping Scheme

16. Notwithstanding the landscaping details accompanying the application as shown in the approved drawings or as set out in the Arboricultural Survey Report by Phlorum Limited February 2019 and Arboricultural Impact Assessment by Phlorum Limited November 2021 and prior to the first occupation of any part of the development hereby approved, full details of the proposed soft landscaping shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. The scheme shall demonstrate that native species and ecological enhancement features will be included within the site as detailed within Preliminary Ecological Appraisal (Phlorum, October 2021). Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of any part of the development hereby approved. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with trees or plants of a similar size and species during the next available planting season.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented and maintained in the long term in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Retention and Protection of Trees

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

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

Ongoing Conditions - Use of the Development

Use of the Development - Offices

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

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

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

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

INFORMATIVES:

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

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

2 DEVIATION FROM THE APPROVED PLANS

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

3 BUILDING REGULATIONS AND PARTY WALL ACT 1996

This decision **DOES NOT** imply any consent which may be required under the Building Regulations or under any enactment or provision other than Section 57 of the Town and Country Planning Act 1990. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996. This legislation is not taken into account when determining a planning application and independent advice should be taken in this regard.

4 PRE-COMMENCEMENT CONDITIONS

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

It is agreed that the requirements of those planning conditions (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site.

5 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because

planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

6 SOUTHERN WATER ADVICE

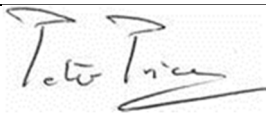
A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

7 HUMAN RIGHTS IMPLICATIONS

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

Case Officer:	Mr Peter Price	Team Leader:	Faye Hobbs
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Signed:		Signed:	
Dated:	08 August 2022	Dated:	08 August 2022

File Location: H: Plan/Typing/General/Peter/Delegated Reports/Uniform - 20220633 - Delegated Report - Ellenor Coldharbour Road Northfleet - Minor Material Amendment to 20190756 as amended by 20211398 to allow for phasing re details of materials, surface treatments and boundary treatments and external lighting.

Gravesham Borough Council