



Delegated Report

Discharge of conditions

Planning Application No: 20230183

Location: 5A The Parade Wrotham Road Meopham Gravesend

Description: Application for the approval of conditions 3 and 4 attached to planning permission 20211564 relating to the external facing materials, colours and finishes to be used in the construction of the development hereby permitted, and including all surface treatments, boundary treatments, and refuse and waste disposal, and external lighting.

Applicant: Mr Halil Ersunger

Site Visit Date: 02 March 2023

Submitted Documents/Plans

Application for approval of details reserved by condition form; and Drawing no. 21-29-20 A Details of materials and external lighting.

Superseded Documents/Plans

Drawing no. 21-29-20 Details of materials and external lighting.

Procedural issues

It is noted that there are some aspects of the development, as built, that do not appear to be in accordance with the approved plans/details for planning permission reference 20211564. These issues have been brought to the attention of the applicant and the GBC Planning Enforcement Team. Despite this, it is possible to assess and determine the current application.

Due to the submission of additional information, the description of the proposed development was amended from 'Application for the approval of conditions 3 and 4 attached to planning permission 20211564 relating to details of materials and lighting.' to that shown above.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211564	Change of use and conversion of first floor from commercial (Class E) to residential (Class C3), and erection of a two storey rear extension and loft conversion with front and rear dormers to create enlarged commercial unit on ground floor together with bin and cycle storage, and 2 x studio and 2 x 1 bedroom self-contained flats on first and second floors.	Permitted	07.03.2022

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS19 – Development & Design Principles

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.

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

GBC – Environmental Protection Team (Regulatory Services)

Initial response:

Only Condition 4 (lighting) is relevant to Environmental Protection. There is only a single light controlled by PIR. This is acceptable. The Condition can be discharged.

Second response:

It's noted that there are now 3 spotlights. These are controlled by sensor/PIR. In this respect, that's fine in this location and I have no objection. Happy for the Condition to be discharged.

GBC – Waste & Recycling Manager

Initial response:

I have reviewed the above planning application and can confirm that I am happy with the refuse provision for this site.

From studying the plans, there is sufficient bins for the domestic waste collection and access to the bins store appears to be good.

Just a reminder that the purchase of the bins is down to the developer, the waste management team at the Council can assist.

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

Second response:

The different types of bins need to be kept separate so reducing the likelihood of commercial waste being mixed with the domestic waste.

Officer's Analysis

Planning permission reference 20211564 was granted for a change of use and conversion of the first floor

of the application site from commercial (Class E) to residential (Class C3) and the erection of a two storey rear extension and loft conversion with front and rear dormers to create an enlarged commercial unit on ground floor together with bin and cycle storage. The residential accommodation comprised of two studio flats and two, one bedroom self-contained flats, located on the first and second floors of the building.

This application seeks to discharge conditions 3 and 4 of planning permission 20211564, which read as follows;

3. *Notwithstanding the details relating to the materials and finishes as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, additional details (and samples where requested by the Local Planning Authority) of all the external facing materials, colours and finishes to be used in the construction of the development hereby permitted, and including all surface treatments, boundary treatments, and refuse and waste disposal arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the extended retail floorspace hereby permitted is first brought into use.*

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).*

4. *Prior to the first occupation of the development hereby approved, details of all proposed external lighting of the site shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details before the extended retail floorspace hereby permitted is first brought into use. No additional lighting shall thereafter be installed on the site or extended building without the grant of further specific planning permission from the Local Planning Authority.*

Reason: *In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 Gravesham Local Plan Core Strategy (September 2014).*

The submitted details for condition 3 show;

- Marley plain concrete roof tiles to the dormer cheeks, white painted render on the rear elevations, Eurocel 'Coastline' composite cladding (Anthracite grey) to the first floor on the front elevation.
- Tarmac paving at the rear to match existing and no new boundary treatments.
- Four x 240 litre refuse bins located within a bin store at the rear of the building and one 1100 litre refuse bin for recyclable waste for the residential units and one 1100 litre refuse bin for the ground floor commercial occupier.

The submitted details for condition 4 show;

- Three black Lap Weyburn outdoor LED floodlights with PIR sensors located on the rear and side/rear elevations of the building.

Design, Character and Appearance

The proposed facing materials would not be out of character with the existing building or the parade of shops as a whole. Grey cladding and white render is already in place, in close proximity to the application site. As the following images illustrate;



Whilst tarmac surfacing is not an ideal material, it matches with the surroundings and would not be significantly visually detrimental to the surrounding area at the rear of the site.

The proposed external lighting is small and subtly located and would not detract from the character of the building or the surrounding area.

Overall it is considered that the proposed facing materials and external lighting would match with the existing building and its surroundings and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

Amenity of Future Occupiers

The GBC Waste & Recycling Manager has advised that the capacity and location of the proposed waste storage is acceptable and that the commercial and residential bins are to be kept separate. Two separate large bins are proposed but they are located in close proximity to each other at the rear of the site. Due to size restrictions in this area and the need to provide accessible vehicle parking, it would not be possible to physically separate the large commercial and residential bins. Therefore the occupiers of the units would be responsible for ensuring that commercial waste is not mixed with domestic waste.

Overall it is considered that the proposed refuse arrangements would be acceptable in capacity and location and would not detract from the residential amenity of future occupiers. As such, they would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

Neighbouring Amenity

The GBC Environmental Protection Team (Regulatory Services) has not raised an objection to the proposed external lighting. The lighting is sensor controlled and would not detract from the living conditions of surrounding occupiers.

Overall it is considered that the proposed external lighting would not be detrimental to residential amenity and would be in line with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

Any Other Material Considerations

It is noted that the wording of condition 3 requires the submission and approval of the information before any above ground works commence at the application site but that the development is well under way. The GBC Planning Enforcement Team have been made aware of this issue but do not object to the determination of this application. In the event that the submitted details are not considered acceptable, the breach of condition can be investigated.

Conclusion & Recommendation

The Local Planning Authority is satisfied with the external facing materials, surface treatment, refuse storage and lighting details submitted in relation to planning permission reference 20211564 and as such, conditions 3 and 4 of that permission can be discharged.

(For detailed conditions and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	22 March 2023	Dated:	23 March 2023