

Delegated Report

Post Planning Committee

Application no:	20220432
Location:	Former Police Station, 133 Windmill Street, Gravesend, Kent.
Description:	Demolition of existing structures on site and the erection of 75 Retirement Living apartments for older people (comprising 48 no. 1-bed and 27 no. 2-beds) including communal facilities, access, car parking and landscaping.
Applicant:	Churchill Retirement Living

Reason for Report

The purpose of this report is to document the discussions that may have taken place between the agent and the Local Planning Authority (LPA) since the Planning Committee resolution on 28th September 2022

Resolved that application 20220432 be **APPROVED** subject to conditions, informatives and the completion of a section 106 legal agreement as set out in the report.

The report will outline the discussions which took place with the Agent and legal representatives involved in agreeing the planning conditions and the S.106 agreement.

Application Background

A full planning application was submitted by Churchill Retirement Living on 21.04.2022 for demolition of existing structures on site and the erection of 75 Retirement Living apartments for older people (comprising 48 no. 1-bed and 27 no. 2-beds) including communal facilities, access, car parking and landscaping.

The application went before Planning Committee on 28th September 2022 where the following resolution was agreed;

Resolved that application 20220432 be **APPROVED** subject to conditions, informatives and the completion of a section 106 legal agreement as set out in the report.

Planning Policy changes

There have been no changes within the planning policy framework or the GPDO which warrant this proposal being revisited, substantially reconsidered or being reported back to the planning committee since this planning application was considered at the 28th September 2022 Planning Committee.

There is an open consultation, running until 2 March 2023, for Levelling-up and Regeneration Bill: reforms to national planning policy

<https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

Officers consider that this consultation does not impact on the policy implications for this current live application.

Planning Conditions

As per the decision, the draft planning conditions and informatives were shared with the agent. The conditions were largely the same as those outlined in the committee report with a few minor changes to improve consistence and change the trigger of a number of conditions. Originally the following conditions were listed as pre-commencement conditions.

conditions 3, 5, 7, 8, 11 and 17

Through negotiations and taking a positive and proactive approach Condition 5,7,8 and 11 now have a trigger point of 'post demolition works'.

Information has been submitted for Condition 17 'removal and reinstatement of the memorial foundation stone' in advance of the decision being issued and this has enabled the condition to be reworded to clarify that the proposed works will conform with the submitted method statement and agreed trigger points.

On 15th February 2023 the agent agreed with the rewording of the trigger points for conditions 3, 5, 7, 8 and 11

Condition 3 (Code of Construction Practice) will be retained as a pre-commencement condition and in accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 19 of the Planning Practice Guidance, the Local Planning Authority agreed via email with the agent on 15th February 2023 to the pre-commencement condition.

Section 106 Agreement

Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended) commonly known as S.106 agreements, are a mechanism that we as a Council often use to secure financial contributions or other forms of mitigation to make a proposal acceptable.

The heads of terms were contained within the committee report reported to Planning Committee on 28th September 2022. The Head of Terms for the S.106 are as follows;

Obligation	Sum
Monitoring Cost	£500
Affordable Housing Contribution (in lieu of on-site provision)	£56,090
GBC Leisure	£43,910
SAMMS	£20,691
Total Figure:	£121,191
Trigger Point	Prior to Occupation

Gravesham's legal shared service were instructed on 31st October 2022 and have been working to secure the above contributions.

All of the contributions have been secured as initially requested and the S.106 has been signed.

Additional Third Party Comments

The LPA has received no additional 3rd party comments since the 28th September 2022 Planning Committee meeting.

Procedural Note

Under the provisions of the Town and Country Planning (Development Management Procedure) Order 2015, an extension of time to determine the application was agreed between parties up to and including the 17th February 2023.

Recommendation:

Permission subjection to the agreed planning conditions and completed S.106 agreement.

See draft Decision

Case Officer:	Richard Hart	Team Leader:	Wendy Lane
Signed:	<i>R Hart</i>	Signed:	<i>Wendy Lane</i>
Dated:	15th February 2023	Dated:	15th February 2023