



Delegated Report

Discharge of Condition Application

Planning Application No: 20260099

Location: Side Garden Of 4 Golf Links Avenue Gravesend Kent

Description: Application for the approval of conditions 3, 4, 5, 6, 7, 8 and 9 attached to planning permission reference number 20220317 relating to a scheme detailing the proposed external facing materials (3), hard landscaping and boundary treatment (4), soft landscaping (5), cycle storage (6), parking visibility splays (7), Electric Vehicle Charging Point(s) (8), contaminated land survey (9).

Applicant: Mr Leon Christophilopoulos

Site Visit Date: Desktop assessment

Submitted Documents/Plans

Application form
Drawing no. 24091 04 B (Site Plan)
Ziggurat Discharge of Conditions Details List
Report on Ground Investigation (Ref: 13362, November 2024)

Relevant Planning History

Reference	Description	Decision	Decision Date
20220317	The demolition of existing garage and proposed erection of a 4 bedroom detached dwelling.	Permitted	17.05.2022

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS11 – Transport
- CS12 – Green Infrastructure
- CS19 – Development and Design Principles

National Planning Policy Framework (2024)

- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

Consultations, Publicity and Representations

External Consultee Responses

KCC Highways

Referring to the above description, it would appear that this development proposal does not meet the criteria to warrant involvement from the Highway Authority in accordance with the current consultation protocol arrangements. If there are any material highway safety concerns that you consider should be brought to the attention of the HA, then please contact us again with your specific concerns for our consideration.

Internal Consultee Responses

GBC Environmental Protection

The following comments are made with regards to Condition 9 – contaminated land.

The condition requires a contaminated land watching brief of the site in case any contamination is found during the groundworks/construction. The 'Report on Ground Investigation' does not relate to contamination, but is for geotechnical purposes for foundations etc.

The introduction of the report states 'This report specifically excludes comment or advice with regards to contaminated land or pollution related issues.'

Based on the submitted information, condition 9 cannot be discharged.

Neighbour Representations

As this is an application for the discharge of conditions there is no requirement to consult neighbouring properties.

Officer's Analysis

It should be noted that the development has largely been completed on site.

Condition 3 (Materials)

Condition 3 states as follows:

3. *Prior to the commencement of any above ground works, details and/or samples of all external facing materials to be used on the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.*

Reason: *In order to ensure an acceptable standard of development upon completion, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.*

A list of materials has been submitted in relation to this condition:

- Roof. Heritage Clay Plain Roof Tile - Clayhall Birchwood Mix www.heritagetiles.co.uk/index.php?p=tile-details-clayhall-birchwood-mix
- Walls. Monocouche Render (EWI-090) bright white www.monocouche.co.uk/render-systems/monocouche-xf
- Soldier headers above windows and chimney structure; Kassandra Multi Stock www.wienerberger.co.uk/product-range/bricks/kassandra-multi.html
- Hardie® Plank Fibre Cement Cladding www.jameshardie.eu/gb-en/products/hardie-plank
- Doors and windows. Black PVCu
- Roofline/RW goods. Black PVCu.

There is no prevailing character in terms of the appearance of the surrounding residential properties; there

is a mix of materials present in the area, including render, tile cladding, weatherboarding and brick. The materials are in keeping with this varied character, and in line with what was shown and approved in the original planning application.

It is considered that sufficient detail has been provided to satisfactorily discharge condition 3. The details ensure an acceptable standard of development, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 3.

Condition 4 (Hard landscaping and boundary treatment)

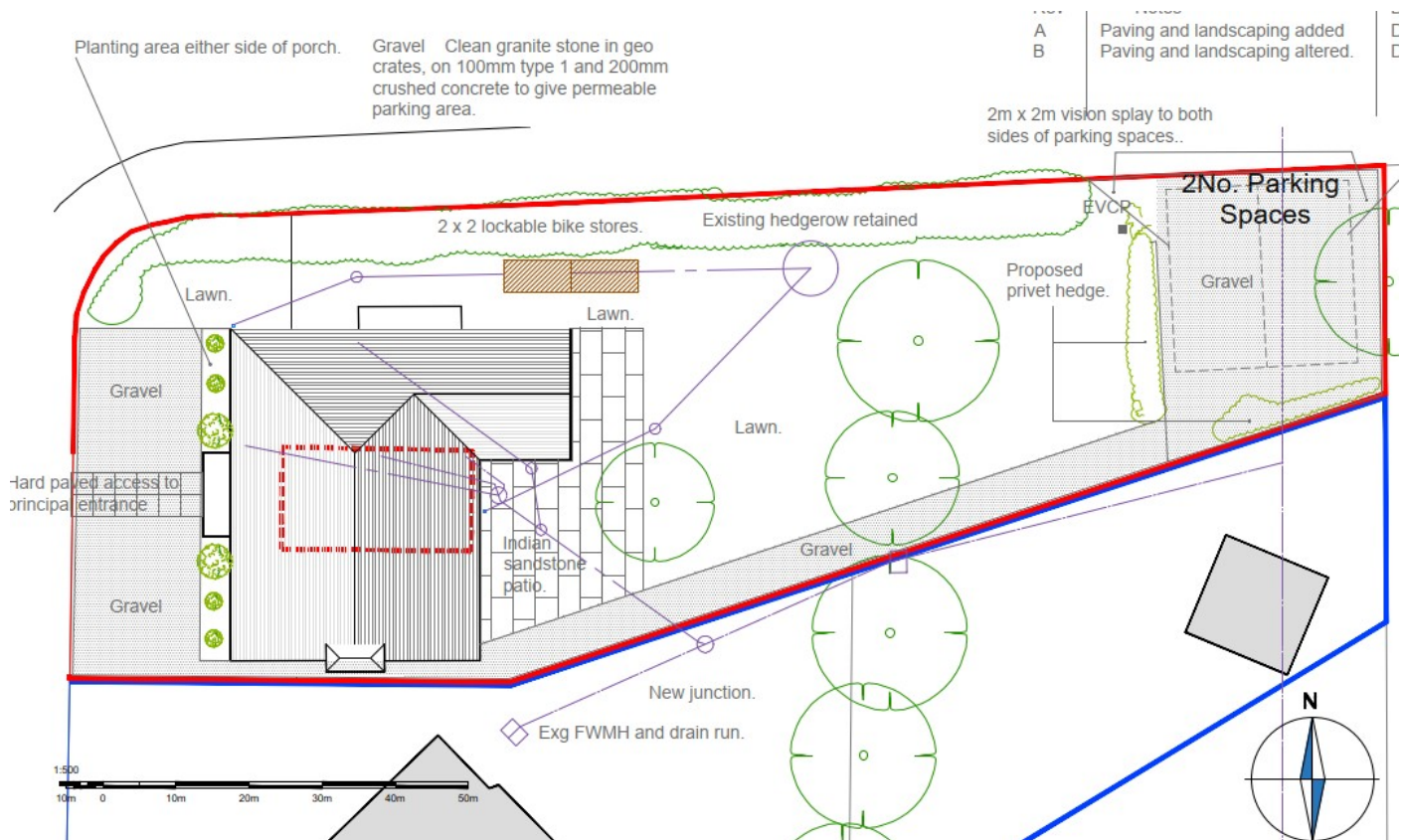
Condition 4 states as follows:

4. *Within three months of the development commencing a plan shall be submitted to the Local Planning Authority for approval showing details of hard landscaping and boundary treatment.*

Reason: *In order to protect and enhance the appearance and character of the site and locality in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.*

A site plan and list of materials has been submitted in relation to this condition. The list is as follows:

- Take down dilapidated timber fence to Golf Links Avenue (and garage etc).
- Between front boundary and entrance door/planters provide gravel area (granite stone), and also to footpath leading to rear parking spaces.
- Construct Indian Sandstone patio to rear of house:
https://universalpaving.co.uk/cdn/shop/files/Bufn_natural_indian_sandstone_paving_slabs.jpg?v=1684099033&width=1000
- Construct two permeable parking bays from Granite stone chippings
https://img.kingfisherdirect.co.uk/media/catalog/product/2/0/20mm_silver_granite.jpg?width=2160&height=2160&store=kingfisherdirect&image-type=image on geo-crates on geo textile membrane on 100mm type 1 hardcore on 200mm crushed concrete sub-base.
- Remove section of hedge and dwarf wall to Orchard Avenue to give access to parking areas.



There are no details of boundary treatments within the submitted details, but a new boundary treatment is visible on site, being closeboarded and slatted timber fencing and dwarf walls.





Along the side boundary, the existing low brick wall and hedge above has been retained. However, at the front of the new dwelling, a higher (more than 1m) slatted fencing has been installed. Such fencing is entirely out of keeping with the types of front boundary treatment found along the road, which largely consists of open gardens or low walls with planting behind. The front garden has been entirely gravelled over and whilst there are planting areas shown on the submitted site plan, the soft landscaping provision is token at best. The amount of hard landscaping is excessive and out of keeping with the character and appearance of the area. This fails to comply with Policy CS19 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 4. The submitted details for condition 4 cannot therefore be discharged and should be refused.

Condition 5 (Soft landscaping)

Condition 5 states as follows:

5. *The development hereby permitted shall not be occupied until the soft landscaping scheme shown on the approved drawings has been fully provided. Thereafter the approved soft landscaping scheme shall be implemented within the first planting season following the development first being brought into use. 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 a species of a similar size and species during the next available planting season.*

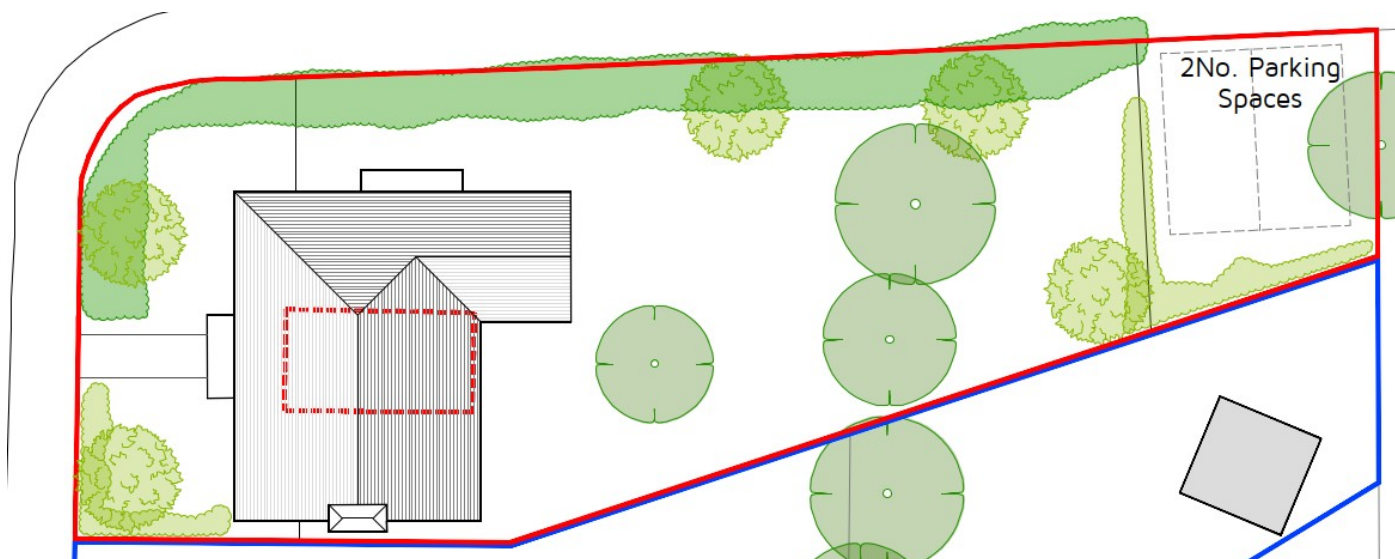
Reason: *In the interests of visual amenity and to ensure a satisfactory standard of appearance upon the completion of the development and to ensure no net loss of biodiversity in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.*

A site plan and list of planting has been submitted in relation to this condition. The list is as follows:

- Reinststate all rear areas to lawn where disturbed by build.
- Plant new privet hedge around car parking spaces to maintain privacy.
- To front of house, provide planting areas to either side of front porch beneath windows. Provide Cordolines and small Hebe's to each planter.

Whilst the soft landscaping details are acceptable for the side and rear garden, there is only a token provision at the site frontage, and this does not correspond to what was originally set out in the approved plans, where no parking was shown for the front garden in order to maintain the green treatment of the site, which corresponds with the character of the surrounding front gardens. This was recognised in the Officer report for the original application and was given as a particular reason for the landscaping conditions to be imposed. It has not been made clear why the front garden is entirely hard landscaped when sufficient space for parking is provided at the rear, but regardless of this, the submitted details are unacceptable.

Approved Plans 20220317:



The amount of hard landscaping, combined with the lack of soft landscaping at the site frontage is considered to be out of keeping in relation to the character and appearance of the area, contrary to Policy CS19 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 5. The details for condition 5 cannot therefore be discharged.

Condition 6 (Cycle storage)

Condition 6 states as follows:

6. *The development hereby permitted shall not be occupied until a scheme of cycle storage facilities incorporating 4 cycle parking spaces within a secure and weatherproof enclosure has been submitted to and approved in writing by the Local Planning Authority. These facilities shall be made available for use prior to the first occupation of the development hereby permitted and retained for use at all times thereafter.*

Reason: *In order to encourage options for sustainable travel in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014.*

A site plan and list of planting has been submitted in relation to this condition. The list is as follows:

- Secure cycle storage. 2 x [6x3 Bike Shed | Forest Pent Bike Store For Sale | Buy Sheds Direct](#)
- Dark stained timber boarding.

It is considered that sufficient detail has been provided to satisfactorily discharge condition 6. The details ensure options for sustainable travel, in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 6.

Condition 7 (Visibility splays)

Condition 7 states as follows:

7. *Before the access to the parking space hereby permitted is first brought into use 2.0m by 2.0m pedestrian visibility splays shall be provided at the back edge of the footway on either side of the vehicular access and thereafter no boundary wall, fence or other means of enclosure of obstruction exceeding 600mm in height shall be erected or placed within the visibility splays.*

Reason: *In the interests of highway and pedestrian safety and pursuant to Policy CS11 of the Gravesham*

Local Plan Core Strategy 2014 and saved Policy T5 of the Gravesham Local Plan First Review 1994.

The submitted site plan shows acceptable vision splays but the situation on site does not currently reflect the submitted plans. An informative should be added to the decision notice to remind the applicant of the requirement to provide the vision splays before the access to the parking space is first brought into use.

It is considered that sufficient detail has been provided to satisfactorily discharge condition 7. The details ensure highway and pedestrian safety, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 7.

Condition 8 (EVCs)

Condition 8 states as follows:

8. *Prior to the development hereby permitted first being brought into use, details of the provision of electric vehicle charging point(s) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.*

Reason: *In the interests of sustainability in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.*

The submitted site plan shows an electric charging point next to the rear parking spaces. It is considered that sufficient detail has been provided to satisfactorily discharge condition 8. The details ensure sustainability, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014, and the reason for condition 8.

Condition 9 (Watching Brief)

Condition 9 states as follows:

9. *The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. 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: *To prevent harm to human health and pollution of the environment in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.*

This condition does not require details to be submitted but did require a watching brief to be carried out during construction. The applicant has submitted a Ground Investigation report, which does not relate to contamination, but is for geotechnical purposes for foundations etc.

The introduction of the report states 'This report specifically excludes comment or advice with regards to contaminated land or pollution related issues.'

The submitted information is not relevant to the requirements of this condition and therefore it cannot be discharged.

Remaining Conditions

Conditions 10 and 11 are ongoing restrictions relating to openings in the flank elevations and C3 use and do not require details to be submitted.

Conclusion

The Local Planning Authority is not satisfied with the details submitted in relation to conditions 4 and 5 of planning permission 20220317 for the erection of a 4 bedroom detached dwelling on the basis that the proposals are out of keeping with the character and appearance of the area. These conditions cannot be discharged. Incorrect details have been submitted for condition 9 in relation to a watching brief.

Although the details of conditions 3, 6, 7 and 8 are acceptable, a split decision cannot be issued and these conditions are therefore still outstanding.

Recommendation

Refuse details.

(For reasons for refusal and informatives, see draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Mrs Faye Walsh
Signed:	<i>K. Parkin</i>	Signed:	<i>F Walsh</i>
Dated:	17th March 2026	Dated:	18 March 2026