



Delegated Report

Condition Discharge Application

Planning Application No: 20231190

Location: Hevercourt Residential Home, Goodwood Crescent, Gravesend, Kent

Description: Application for the approval of conditions 3(a)(b)(c)(d)(e) and 4 attached to planning permission 20211215 relating to details of 3(a) tree protection measures, (b) programme for erection of protective measures (c) (i) ground levels, (ii) excavation positions, (iii) drainage details and drainage strategy report and (iv) hard surfacing and sub bases, (d) contractors compound and (e) proposed works to trees and (4) code of construction practice.

Applicant: Mr S Gilmour

Site Visit Date: Desktop assessment

Submitted Documents/Plans

Application form

Report to satisfy Conditions 3 & 4

Drawing no. Arbtech AIA 01 Rev. A (Arboricultural Impact Assessment)

Drawing no. Arbtech TPP 01 Rev. A (Tree Protection Plan)

Arboricultural Method Statement Rev. A (November 2023)

Drawing no. 539121-101 Rev. A (Manhole Schedule)

Drainage Strategy Report (Document no. 531921, Issue B, dated 27 March 2023)

Drawing no. 539121-100 Rev. C (Proposed Drainage Layout)

Drawing no. 539121-103 Rev. A (Drainage Construction Details)

Drawing no. 539121-105 Rev. C (External works)

Drawing no. 539121-02 Rev. C (Ground Floor- South Bedwing Bedrooms 18-21 (showing foundations below))

Drawing no. 539121-03 Rev. C (Ground Floor- North-west Bedwing Bedrooms 1-13 / Lounge (showing foundations below))

Drawing no. 539121-04 Rev. C (Ground Floor- Part Plan The Street (showing foundations below))

Drawing no. 539121-05 Rev. C (Ground Floor: East Bedwing Bedrooms 14-17 (showing foundations below))

Drawing no. 539121-06 (External Works Courtyards 1 & 2)

Construction Management Plan (Rev 1 – 15/2/23)

Addendum to Construction Management Plan dated 4 July 2023 (Traffic signs and delivery times)

Relevant Planning History

Reference	Description	Decision	Decision Date
20230356	Application for approval of conditions 3 and 4 attached to planning permission reference number 20211215 relating to details of all trees to be retained and removed in the form of an arboricultural impact and method statement and detailed drawings (3) and	Refused	06.09.2023

	Code of Construction Practice covering all environmental impacts of this development (4).		
20211215	Single storey 'wing' extensions to north, east, south and west elevations to provide 21 new ground floor ensuite bedrooms, increasing the total number of ground floor bedrooms by 23 (including converting 2 existing staff rooms to bedrooms) from 11 to 34 (and from 41 bedrooms in total to 64), plus additional care home facilities, together with internal and external alterations including a new entrance and entrance canopy to the south elevation, external courtyards, a new compound area, 7 additional car parking spaces and landscaping.	Permitted	02.08.2022
20180682	Erection of north, south and west wing single storey extensions to existing care home to provide 16 additional rooms, communal spaces, an increase in parking area and the erection of a new entrance canopy.	Permission	05.09.2019

Development Plan

Gravesham Local Plan Core Strategy (2014)

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

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) 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 (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 12 – Achieving well-designed and beautiful places

Consultations, Publicity and Representations

Consultees

GBC Environmental Protection

It is noted that this application was previously refused under 20230356. Under this application comments from Environmental Protection were that subject to some minor clarification regarding delivery times, the Construction Method Statement (CMS) was acceptable. No details regarding the CMS appear to have been

submitted with this application so it is assumed that the matter was resolved. If that is not the case, please let us know.

There are no comments to make regarding Condition 3 as this area of work does not fall within our remit

GBC Highways

The drainage design including SUD's would appear to be satisfactory and would be a matter for Building Regulations to check in detail.

GBC Service Manager (Housing Operations)

No comments received.

Officer's Analysis

Condition 3 (Arboricultural Impact and Method Statement)

Condition 3 states as follows:

Notwithstanding the submitted plans and particulars, no site clearance or development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of all trees to be retained and removed in the form of an arboricultural impact and method statement and detailed drawings, including:

- (a) the specification and position of fencing and other measures such as temporary surfacing, for the protection of the roots and crown spread of trees, groups of trees and other vegetation to be retained on and adjoining the site (including in the north-east corner of the application site). Protective fencing should accord with the recommendations of BS 5837:2005 'Trees in Relation to Construction';*
- (b) the programme for the erection and maintenance of protective fencing and the installation of any other protective measures; such programme will include details of supervision by an arboriculturist;*
- (c) details of any proposed alterations in existing ground levels and of the position of any proposed excavation and constructional details of any drainage, hard surfacing, foundations, walls and similar works within the protected area;*
- (d) details of contractors' compounds and areas for storage; and*
- (e) schedule of proposed tree works.*

The details contained in the approved arboricultural impact and method statements shall be thereafter implemented on site and the protective fencing and other protective measures shall be maintained during the course of construction.

Reason: To ensure that existing trees and other vegetation on the site are not damaged during development in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

The following documents and drawings set out the details required under this condition:

Report to satisfy Conditions 3 & 4

Drawing no. Arbtech AIA 01 Rev. A (Arboricultural Impact Assessment)

Drawing no. Arbtech TPP 01 Rev. A (Tree Protection Plan)

Arboricultural Method Statement Rev. A (November 2023)

Drawing no. 539121-101 Rev. A (Manhole Schedule)

Drainage Strategy Report (Document no. 531921, Issue B, dated 27 March 2023)

Drawing no. 539121-100 Rev. C (Proposed Drainage Layout)

Drawing no. 539121-103 Rev. A (Drainage Construction Details)

Drawing no. 539121-105 Rev. C (External works)

Drawing no. 539121-02 Rev. C (Ground Floor- South Bedwing Bedrooms 18-21 (showing foundations below))

Drawing no. 539121-03 Rev. C (Ground Floor- North-west Bedwing Bedrooms 1-13 / Lounge (showing foundations below))

Drawing no. 539121-04 Rev. C (Ground Floor- Part Plan The Street (showing foundations below))

Drawing no. 539121-05 Rev. C (Ground Floor: East Bedwing Bedrooms 14-17 (showing foundations below))

Drawing no. 539121-06 (External Works Courtyards 1 & 2)

Under the previous condition discharge application 20230356, the tree retention/removal details were the same as those submitted under planning application 20211215. However, within the Committee report for the 20211215 application, it was stated as follows:

- 6.41. *An arboricultural impact assessment, method statement and tree protection plan have been submitted with the current application, although these shows 16 trees being removed, rather than the 11 (within the building footprint) that were previously proposed to be removed. The additional trees to be removed would be in the north-east corner of the site. There does not appear to be any justification for the removal of these trees and their loss does not appear to be necessary given this area would not be built upon. In the assessment, trees T09 to T14 are recognised as healthy 'good' specimens and there would be no justifiable reason to remove these in the current application for the amenity of car parking or preserved season tree waste and general maintenance.*
- 6.42. *It is therefore proposed that the submitted tree information is not approved, and the matter be dealt with via a further condition requesting a further tree report and tree protection measures.*

Under condition application 20230356, no changes were proposed to the tree information submitted under planning application 20211215, regardless of the visual, environmental and residential amenity concerns raised. The condition application 20230356 was therefore refused on the following grounds:

The details submitted under condition 3 of planning permission 20211215 fail to address the concerns raised under the planning application with particular regard to the unjustified removal of existing healthy trees and lack of any replacement trees, contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014. The submitted details are therefore considered to be unsatisfactory in terms of the arboricultural impact and condition 3 cannot be discharged.

The details submitted under the current application now show the retention of trees T09 to T14. The details also set out protection measures, as well as drainage, hard surfacing, foundations etc, which are to be carried out under arboricultural supervision. No replacement trees are proposed under the submitted details, as these would be sought under condition 11, which relates to soft landscaping.

The submitted details are therefore considered to be satisfactory in terms of the arboricultural impact, in accordance with the reason for condition 3. The details are therefore acceptable and condition 3 can be discharged.

Condition 4 (Code of Construction Practice)

Condition 4 states as follows:

No development shall take place until a comprehensive Code of Construction Practice covering all environmental impacts of this development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details of hours of work during the construction period, delivery times for materials, parking of vehicles of site personnel and visitors, loading and unloading of plant and materials, storage of materials and wheel washing proposals. The development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice.

Reason: To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity

and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

The submitted document 'Construction Management Plan' (Rev 1 – 15/2/23) and 'Addendum to Construction Management Plan' dated 4 July 2023 (Traffic signs and delivery times) sets out the details required under this condition. These details are the same as those submitted under the previous case 20230356.

The originally submitted Construction Management Plan was amended to address minor environmental protection and highways concerns about delivery times and stop signage, and following these amendments, as previously determined, the proposed Construction Management Plan is considered to be acceptable in terms of managing the construction of the development.

The submitted details are considered to be satisfactory in terms of the free flow of traffic and the impact on amenity in accordance with the reason for condition 4. The details are therefore considered to be acceptable and condition 4 can be discharged.

Conclusion and Recommendation

The Local Planning Authority is satisfied with the details submitted in relation to planning permission 20211215 for the single storey 'wing' extensions to north, east, south and west elevations to provide 21 new ground floor ensuite bedrooms. It is considered that conditions 3 and 4 can be discharged in full and there are no further details required.

(See draft Decision.)

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	25 June 2024	Dated:	25 June 2024