

Delegated Report

Planning Application

Application no:	20221225
Location:	Garages Rear Of Osney Way Car Park Lower Higham Road Gravesend Kent
Description:	Application for the approval of conditions 5, 7, 9, 10, 11, 12, 13, 14, 15, 22, 23 and 24 attached to the planning permission reference number 20211415 relating to components of a scheme to deal with the risks associated with contamination of the site (5) Archaeological field evaluation and any safeguarding measures to ensure preservation in situ of important archaeological remains (7), a Sustainable Surface Water Drainage management and maintenance plan (9), any proposed earthworks or changes to ground levels on the site (10), of all the external facing materials, colours and finishes to be used in the construction of the development (11), details of all proposed external lighting (12), full details of all boundary treatments (13), full details of the sustainability measures (14), a suitable noise impact assessment demonstrating compliance with the following requirements, including details of the glazing and ventilation strategy and their respective noise reduction values (15), design details of the proposed waste collection point and delivery point at the point of access to the site (22), full details of soft landscaping for the development (23), and full details of hard landscaping for the development (24).
Applicant:	Vij and Duggal
Site Visit Date:	Desktop only

Site Description and Surroundings

The site the subject of this planning application comprises 14 semi derelict lock up garages of brick construction with flat metal corrugated roofs and the ramped access to them situated in an urban area on the south side of Lower Higham Road Gravesend near its junction with Chalk Road. The application site also includes a small piece of land at the rear of the lock ups that is currently unused and overgrown and gated from an alleyway that runs between existing dwellings - The Brambles and No 1 Osney Way.

The garages are unused and there are signs of car dumping and anti-social behaviour (including extensive graffiti and damaged garage doors) within the garage court. The garages were built circa 1959/1960. The garages and access to them (*see photos below July 2020*) were apparently sold at Auction in February 2020 although at the time 7 were still let to tenants and used for lock up storage. More recently the garage doors to the lock ups have all been removed.

Inside the existing garage court



Ramped access to the garage court



There is a ramped access to the garages that runs along the west side of the Chalk Parish Hall. The Parish Hall is a large modern building that adjoins the site, immediately to the east of the garages. The access is part concrete and part roughly surfaced and accesses on to Lower Higham Road. There is a small enclosed/gated grass strip of land to the south of the garages, which does not appear to be a domestic garden although the applicant's D and A statement indicates it as the private garden of 'The Brambles'.

To the north of and adjoining the lock up garages is a Council owned public car park which is currently leased to the Parish Hall. This is a free car park which is height barriered and has an entrance into the car park from Lower Higham Road and an exit on to Osney Way to the west. The car park provides space for about 25 cars. The site is not within a Controlled Parking Zone (CPZ).

Public Car Park looking south



The Brambles side garden looking east to the garages and Hall



Also to the west is a two storey detached dwelling (The Brambles) fronting Osney Way. To the east of the Chalk Parish Hall is Pirrip Close which is a small cul de sac containing two terraces of modern two storey dwellings as well as access to rear garaging in the rear gardens of dwellings in Miller Road. Osney Way, also a narrow cul de sac, comprises a mix of modern two storey dwellings dating from the 1960's.

Opposite the car park on the north side of Lower Higham Road are a mix of two storey terraced and semi-detached dwellings including some new infill and with two small parades of local shops.

Lower Higham Road is a classified highway (C2). It is on a bus route - Gravesend to Chatham (Arriva service 190) via Chalk Road and A226 Rochester Road. Chalk Road is also separately classified as C369. There are double yellow lines parking restrictions in Lower Higham Road outside the site.

The site area for the garages including the access drive and land at the rear is 615m² (0.061 hectares) and the building area of the garages is 250m². The site area of the site is shown in the extract from the submitted OS red line plan below.

Planning History

Planning Applications

The site of the current Chalk Parish Hall to the east of the application site was the former site of a school building.

Relevant Previous Planning History

Lock Up Garage Site

Ref No	Description and Site	Decision	Date
TH/2/56/204	Proposed shop premises and 14 lock up garages	Permission	30.07.1956
TH/2/56/204A	Revised details of 14 garages.	Permission	28.05.1959
TH/2/72/310	Outline application for the erection of a three-storey block of 5 shops with 10 flats over. <i>(Note - The plans for the shops and flats relate to the adjoining Car Park site but with the lock up garages retained for parking by the occupants of the shops of flats)</i>	Refused <i>Appeal dismissed on 27 March 1974 on grounds of serious overdevelopment.</i>	21.12.1972
20201379	Demolition of 14 existing lock-up garages and the erection of 3 no three storey terraced houses, with associated parking, gardens, access, refuse and bike storage, and boundary treatments.	Permission subject to planning conditions	25.03.2021
20211415	Demolition of 14 existing lock-up garages and the erection of 4 no. three-storey terraced homes, with associated parking, gardens, access, refuse and bike storage, and boundary treatments.	Permission subject to planning conditions	17.02.2022

Proposal

This planning application is for approval of conditions 5,7,9,10,11,12,13,22,14,15,23,24,25 attached to the planning permission reference number 20211415 relating to components of a scheme to deal with the risks associated with contamination of the site (5) Archaeological field evaluation and any safeguarding measures to ensure preservation in situ of important archaeological remains (7), a Sustainable Surface Water Drainage management and maintenance plan (9), any proposed earthworks or changes to ground levels on the site (10), of all the external facing materials, colours and finishes to be used in the construction of the development (11), details of all proposed external lighting (12), full details of all boundary treatments (13), full details of the sustainability measures (14), a suitable noise impact assessment demonstrating compliance with the following requirements, including details of the glazing and ventilation strategy and their respective noise reduction values (15), design details of the proposed waste collection point and delivery point at the point of access to the site (22), full details of soft landscaping for the development (23), full details of hard landscaping for the development (24) and The biodiversity gains as proposed (25).

Submitted Plans and Documents

Application Form for Approval of Details Reserved by Condition

Condition 5:

STU5768-R01 Rev B_Part1
STU5768-R01 Rev B_Part2

STU5768-R01 Rev B_Part3
STU5768-R01 Rev B_Part4
05 DTS 7897 Lower Higham Road Gravesend

Condition 7:

265460_Eval_report (1.4)
Watching Brief – Written Scheme of Investigation

Condition 9:

82455 - 101 - P4 - Drainage Strategy
82455 - 102 - P2 - Drainage Construction Details
Maintenance Schedule

Condition 10:

82455 - 103 - P1 - Manhole and Pipe Schedule
82455 - 110 - P4 - External Works and Surfaces Finishes
82455 - 111 - P2 - External Works and Surfaces Finishes Construction Details 82455 - 201 - P2 -
Retaining Wall
FS 646_104
FS 646_105
FS 646_106
FS 646_200B

Condition 11:

21366 Goldsmith Mews_Discharge of Condition 11
Photograph of Sample Materials
Proposed Materials - Cedral Lap C62
Email confirming replacement of any reference to Hardie Ocean Blue material with Cedral Lap C62

Condition 12:

21366 Goldsmith Mews_Discharge of Condition 12

Condition 13 & 22:

21366 Goldsmith Mews_Discharge of Conditions 13 and 22 Rev B
Hedgehog Hole Specification Sheet

Superseded:

~~21366 Goldsmith Mews_Discharge of Conditions 13 and 22~~

Condition 14:

Goldsmith Mews - Energy Statement - July 2022
Goldsmith Mews - Part L Report - June 2022

Condition 15:

11917.RP01.AAR.1.13072022.SCC.Rev1 Ecodan_PUZ-WM_50-60-85-112_V_H-
A_A_Service_Manual_OCH727_Ecodan_PUZ-
WM85VAA_Monobloc_Air_Source_Heat_Pump_Product_Information_Sheet
Sonair- Ventilation Systems Sales Brochure
21366-OSM-ZZ-ZZ-DR-A-111 Rev P02 - Proposed First Lighting Power Ventilation Plan
21366-OSM-ZZ-ZZ-DR-A-112 Rev P02 - Proposed Second Lighting, power and ventilation Plan

Condition 23, 24, 25:

2021-07 Drawing Register_REV_02_031022
2021-07_L-ZZ-00-100_GA_REV02

2021-07_L-ZZ-00-101_SURFACE FINISHES PLAN_REV02
2021-07_L-ZZ-00-102_LEVEL PLAN_REV02
2021-07_L-ZZ-00-105_PLANTING PLAN_REV02
2021-07_L-ZZ-00-500_PAVING KERBS EDGING DETAILS_REV02
2021-07_L-ZZ-00-501_PLANTING DETAILS_REV02
2021-07_L-ZZ-00-502_BIKE SHED DETAILS_REV02
2021-07_L-ZZ-00-600 Rev 02 PLANTING SCHEDULE
2021-07_L-ZZ-00-700 SPECIFICATION_REV01

Superseded:

~~2021-07_L-ZZ-00-600 PLANTING SCHEDULE~~
~~2021-07_L-ZZ-00-600 Rev 01 PLANTING SCHEDULE~~

Development Plan and other related Planning Policies and Guidance

The Development Plan for Gravesham comprises: -

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

Local Planning Guidance

Gravesham Local Plan Core Strategy, September 2014

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

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS11: Transport
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles
Core Strategy Policy CS20: Heritage and the Historic Environment

Gravesham Local Plan First Review 1994

The following remaining saved policies are relevant to the consideration of this proposal:

Policy TC7: Other Archaeological Sites
Policy T1: Impact of Development on the Highway Network
Policy T2: Primary and District Road Network
Policy T5: New Accesses onto Highway Network
Policy P3: Vehicle Parking Standards

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 1st Review (1994) general conform with the National Planning Policy Framework (2021), the Council will also seek to replace these.

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

The following paragraphs in the National Planning Policy Framework (NPPF) July 2021 are specifically highlighted as being of importance to the consideration of the application proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered. Reference to the national planning guidance is also considered in the analysis section of this report.

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 development:

- 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

Consultations - Internal

GBC Highways Development Management Officer

I have no objections to the choice of materials or the location of the gate.

GBC Private Sector Housing

We can confirm Private Sector Housing have no comments to relay in relation to our housing legislations and regulations. We believe the proposed scheme is currently out of our remit with Planning requirements and Building Regulations taking precedence.

GBC - Environmental Protection Team (Regulatory Services)

Only conditions 5 (Contamination), 12 (lighting) and 15 (noise impact assessment) are relevant to Environmental Protection. In respect of these, comments as follows:

- *Condition 5 - Contamination*

The methodology and findings of the Soiltechnics Ground Investigation Report (October 2022) (which has included intrusive investigation as required by the condition) is fine. The investigation and updated Conceptual Site Model have concluded that in terms of potential contaminant linkages, the risk is low and I agree with this. Based on this, no further investigation work is required, and no remediation is needed.

A detailed UXO investigation has also been undertaken in accordance with Condition 5, the content of which is fine and includes risk mitigation measures.

Condition 5 can be fully discharged.

- *Condition 12 - Lighting*

The external lighting is low level, low wattage and upward lighting is minimal. In this respect, impact on the local area should be minimal. It is recommended that the condition be fully discharged,

- *Condition 15 - Noise*

The methodology of the Acoustic Assessment Report undertaken by RBA Acoustics is acceptable. However, the conclusions of the report are in essence seeking a variation of the requirements of the Condition so are not in fact achieving what the Condition stipulates.

With regards to plant noise, Condition 15 requires that plant noise be 10dB below background noise levels. As the background noise levels are very low at night-time, it will be very difficult to achieve 10dB below at the nearest existing residential premises, so the proposal is to achieve background or as low as possible. BS4142 does in fact advise that where background night-time noise levels are low, absolute levels are more relevant/appropriate.

With regards to noise levels at the new residential receptors, again, BS8223:2014 specifies internal (bedroom) noise levels of 35dB Laeq (daytime) and 30dB Laeq (night-time) whereas the report is asking for daytime levels of 45dB Laeq and night-time levels of 40dB Laeq. This is with partially opened windows and measured at 1m externally from the windows. With windows closed, the levels internally will be reduced and are likely to be within the limits of BS8223 with the proposed glazing specification. Due to the presence of the Chalk Parish Hall, where it is understood that various functions do take place, it is imperative that residents of this new development are not impacted by this or it will result in nuisance complaints to the council. I would advise that alternative mechanical ventilation is provided so that residents don't have to open windows to prevent overheating.

With regards to the ASHP units, the units proposed to be used are well within specified limits.

Based on the above, I would recommend that the Condition is not discharged at this stage add you may wish to consider whether the applicant should seek a variation of the Condition in order to remove the 10db below background specification (BS4142).

Officer Note: Following additional details provided following the original comments, it was ascertained that the details would not constitute requiring a variation of condition. The Environmental Protection Officer also commented as follows on 28th April 2023:

*'Thanks for the additional information confirming the Sonair ventilation will be fitted to all bedrooms on the façade of the Parish Hall and the plans showing the fitting location. Based on this, the requirements of parts a) and b) of the condition have been met (part c) has been dealt with previously) . **Condition 15 can be fully discharged.**'*

KCC Heritage

Field evaluation of the site was undertaken by Wessex Archaeology in the summer of 2022 and the submitted document is helpful in demonstrating that the top of the chalk natural was in a condition that suggested that there had been no truncation by modern development, and therefore the potential for archaeology to have survived elsewhere on the site is good. The field evaluation was limited to one small trench, as little of the site was accessible due to the existing garages.

I would be happy to recommend that part (i) of **Condition 7** could be discharged and that given the results of the evaluation that part (ii) should take the form of an archaeological watching brief during groundworks for which a Written Scheme of Investigation will need to be submitted.

I hope that this is helpful and would be happy to discuss further. If the client's archaeological contractor can send me a draft WSI for the watching brief, I will be pleased to comment on it before it is formally submitted to Gravesham Borough Council.

Officer Note: Following the original comments a Written Scheme of Investigation was submitted and reviewed by KCC Heritage who commented the following on 6th April 2023:

'Thank you for consulting us on the submission of the Written Scheme of Investigation (WSI) for an archaeological watching brief (Wessex Archaeology 265461.01) in relation to part (ii) of Condition 7 of planning permission reference number 20211415. I would be happy for the WSI to be formally approved and for the archaeological watching brief to be undertaken accordingly.'

GBC Waste

No comments received

Ward Councillors

No comments received

Consultations - External

KCC Biodiversity

In respect of **condition 13** recommends that hedgehog highways are included within any close board fencing to enable movement of terrestrial species through the site.

In respect of **condition 23** recommends that additional information on the species to be planted within the site is required prior to the discharge of the condition.

The landscaping plan details that the lawn will be planted with meadow species and while we are supportive of the principle of this we do not think it is very practical as the residents are likely to mow the lawn regularly therefore preventing the flowers from flowering and setting seed.

We recommend that a flowering lawn mix is used instead as this can be cut more regularly but will enable flowers/grasses to set seed and provide a greater benefit to biodiversity.

Over ¾ of the plants within the green roof mix are non-natives. We would encourage the mix to be updated to include a larger proportion of native species within the species mix.

The cherry and hazel tree are both non-native varieties. We recommend that native versions of those trees are used within the planting scheme.

In respect of **condition 25** comments that the submitted landscaping plan has confirmed that bird boxes and a log pile will be installed within the site.

Officer Note: Following additional details, KCC Biodiversity requested further changes to the scheme on 1st February 2023. Following further alterations, KCC Biodiversity offered the following additional comments on 20th February 2023:

'Condition 13 states; Notwithstanding the details relating to the boundary treatments as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, full details of all boundary treatments, including their design, height and materials, to the dwellings hereby permitted and the access thereto including similar details of any vehicular or pedestrian gates to the access and communal areas of the site 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 dwellings hereby permitted are first occupied. Thereafter, and notwithstanding the provisions of Article 3 of and Class A of Part 2 of Schedule 2 to 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, no additional gates, fences, walls or other means of enclosure shall be erected on the site without the grant of further specific planning permission from the Local Planning Authority.

We recommend that hedgehog highways are included within any close board fencing to enable movement of terrestrial species through the site.

Condition 23 states: Notwithstanding the details as shown in the Landscape Strategy (Revision 01) by Maude Pinet and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping for the development 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. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following the first occupation of the development.

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 type during the next available planting season. Gravesham Borough Council

We have reviewed the updated planting schedule and we are satisfied with the proposed amendments.

The original landscaping plan detailed that the lawn will be planted with meadow species and while we are supportive of the principle of this we do not think it is very practical as the residents are likely to mow the lawn regularly therefore preventing the flowers from flowering and setting seed. An updated planting schedule has been submitted and a lawn mixture has been proposed – we advise that while this seed mix is less beneficial to biodiversity it is more likely to establish and be maintained.

When we originally commented we raised concerns that over ¾ of the plants within the green roof mix were non natives. The planting mix was updated to detail that a meadow mix will be planted on the roof but due to concerns that it could not be managed appropriately the planting plan has been updated to confirm that sedums will be planted on the roof.

The updated planting list has confirmed that the planting mix includes all 4 native sedums and as such we are satisfied the proposed planting is appropriate. The green roof should require minimum management.

The plan has been updated to confirm that native species of cherry and hazel will be planted within the site.

We are satisfied that the condition can be discharged.

Condition 25 states; The biodiversity gains as proposed including the bird boxes and insect 'hotels' as shown in the submitted Landscape Strategy (Revision 01) by Maude Pinet shall be fully implemented prior to the first occupation of the development hereby permitted, and shall thereafter be retained and maintained in perpetuity.

The submitted landscaping plan has confirmed that bird boxes and a log pile will be installed within the site.'

KCC Flood and Water Management

KCC Flood and Water Management advised that the development falls outside of LCC's remit as statutory consultee and offered no further comments on the scheme.

Publicity and Representations

None required for discharge of planning conditions

Planning Analysis and Appraisal

Introduction

Planning permission was granted by the Borough Council to application reference 20211415 for demolition of 14 existing lock-up garages and the erection of 4 no. three-storey terraced homes, with associated parking, gardens, access, refuse and bike storage, and boundary treatments on 17 February 2022.

The development has yet to commence.

This planning application is for approval of conditions 5,7,9,10,11,12,13,22,14,15,22,23,24,25 attached to the planning permission reference number 20211415

The Conditions to be discharged are relating to components of a scheme to deal with the risks associated with contamination of the site (5) Archaeological field evaluation and any safeguarding measures to ensure preservation in situ of important archaeological remains (7), a Sustainable Surface Water Drainage management and maintenance plan (9), any proposed earthworks or changes to ground levels on the site (10), of all the external facing materials, colours and finishes to be used in the construction of the development (11), details of all proposed external lighting (12), full details of all boundary treatments (13), full details of the sustainability measures (14), a suitable noise impact assessment demonstrating compliance with the following requirements, including details of the glazing and ventilation strategy and their respective noise reduction values (15), design details of the proposed waste collection point and delivery point at the point of access to the site (22), full details of soft landscaping for the development (23), full details of hard landscaping for the development (24) and The biodiversity gains as proposed (25).

The relevant conditions are as follows:

Condition 5 - Contaminated Land

5. The above ground works of the development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the Local Planning Authority:

- 1) A site investigation, based on the findings of the submitted Ground Investigation Report from soiltechnics, ref STT5362-G01 dated June 2021, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This is to include a detailed UXO assessment.
- 2) A Remediation Method Statement (RMS) based on the site investigation results and the detailed risk assessment at (1). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- 3) Prior to occupation, a Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (2). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto, or taken from, the site. Any material brought onto the site shall be certified clean.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall thereafter be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 174 of the National Planning Policy Framework (2021) and to accord with Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

Analysis and Comments

The Environmental Protection Team have supported the details provided to discharge condition 5. The details provided are considered to appropriately ensure that the development does not contribute to, or is not put at unacceptable risk from, or would be adversely affected by, unacceptable levels of water pollution, in line with the objectives of this condition.

Recommended: Discharge condition 5

Condition 7 - Archaeology

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:

- i. Archaeological field evaluation works in accordance with a Written Scheme of Investigation (WSI) and timetable, which has been submitted to and approved in writing by the Local Planning Authority; and
- ii. Following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate evaluation of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with adopted Gravesham Local Plan Core Strategy Policies CS19 and Policy CS20 and saved Gravesham Local Plan First Review Policy TC7 and the National Planning Policy Framework (NPPF).

Analysis and Comments

KCC Heritage have recommended discharge of both part i and part ii of condition 7. It is considered that the objectives of condition 7 have been appropriately met. The watching brief (which includes the Written Scheme of Investigation) and evaluation report have appropriately evaluated the archaeological implications of the approved scheme, and necessary mitigation measures.

Recommended: Discharge condition 7

Condition 9 - Sustainable Surface Water Drainage - Management and Maintenance

9. Notwithstanding the details set out in the Flood Risk and Drainage Strategy (ref 2914, Issue 5, Revision 4) dated November 2021 by Herrington Consulting Limited, a Sustainable Surface Water Drainage management and maintenance plan shall be submitted for the written approval of the Local Planning Authority before the commencement of any above ground works on the site. The surface water drainage scheme shall thereafter be implemented in full prior to first residential occupation of the development and thereafter maintained and managed in accordance with the approved scheme.

Reason: To ensure that any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 167 of the NPPF and its associated Non-Statutory Technical Standards.

Analysis and Comments

KCC Drainage have raised no comments.

Policy CS18 of the Core Strategy states:

5.14.40 The Council will seek to minimise the impact of drainage from new development on waste water systems. In particular, the Council will:

- Require that surface water run-off from all new development has, as a minimum, no greater adverse impact than the existing use; and*
- Require the use of Sustainable Drainage Systems on all developments where technically and financially feasible.*

The surface water drainage strategy provided indicates that the trial pit tests, show that the ground has a high level of permeability. The strategy states the following:

- The gravity drainage system will culminate at a bank of cellular attenuation tank wrapped in a permeable membrane. This will act as
- a soakaway and will cater for all storms up to and including a 1 in 100 year storm plus 40% for climate change.
- Within the car parking area reinforced gravel structures will be constructed which will offer a degree of treatment before allowing
- infiltration into the sub-strata. The reinforced gravel structure will also remove hydrocarbons, heavy metals and other pollutants before the
- runoff is discharged to ground.
- Permeable Resin bound vehicular grade surfacing will be constructed within the access driveway and pedestrian footpath. The sub
- base will provide treatment and infiltration to surface water run off.
- Upstream of the soakaway inspection chambers with a 300mm sump will be constructed. This will prevent debris from being washed
- into the soakaway, extending its lifespan.

The foul drainage system will discharge into the existing Southern Water foul sewer to the east of the site. Details of maintenance after construction were not initially provided. The Maintenance Schedule was provided upon request. The details are therefore considered to appropriately mitigate flood risk and protect water quality both at implementation and as part of ongoing maintenance.

Recommended: Discharge condition 9

Condition 10 - Submission of Details of Ground Levels and Floor Levels

10. Notwithstanding the details shown in the approved drawings or other supporting documents no works in connection with the development shall commence until full details of any proposed earthworks or changes to ground levels on the site including details of any earth retention measures have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of the development. For the avoidance of doubt the development shall not include the raising of any ground levels from the existing surface level of the existing garages and garage forecourt.

Reason: No such details have been submitted and to ensure the development contributes to local character and local visual amenity and protects the privacy and amenity of adjoining premises and pursuant to Policy CS19: Development and Design Principles of the Gravesham Local Core Strategy and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF).

Analysis and Comments

The details provided indicate that the existing ground levels would be retained. The existing site by its very nature is set higher than the road Higham road and so a ramp is required to access the site, but the sloping level of this is appropriate and the proposed scheme would not by reason of its levels result in harm to the local character and visual amenity. Nor would it harm the amenity of adjoining premises based on ground

levels alone.

Recommended: Discharge condition 10

Condition 11 - Materials

11. 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, 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 dwellings hereby permitted are first occupied.

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).

Analysis and Comments

The delegated report for the original planning application raised concerns regarding the 'garishness' of the colour of materials proposed. The detail submitted provided similar concerns. However, following discussions with the planning agent, photographs of the sample weatherboarding has been provided and the intenseness of the colour of the yellow is not as abrasive as they appear on the manufacturer website. The yellow planks appear similar to a light toned natural wood timber which would likely not be as dominating as the CGI images present. However, following discussions with the planning agent regarding the blue toned boarding, they have submitted an alternative material which is titled 'Cedral Lap C62 and confirmed in writing that this material would replace any reference to 'Hardie Ocean Blue', in the submitted documents. This material is a grey colour which would have a more subtle appearance, akin to the residential area that the buildings would be situated in. It is also likely that the colours will dull over time and progressively will become more reflective with the residential setting.

Recommended: Discharge condition 11

Condition 12 - Lighting

12. Prior to the first occupation of the development hereby approved, details of all proposed external lighting of the site and dwellings 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 dwellings are first occupied. No additional lighting shall thereafter be installed on the site of dwellings 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) and paragraph 185 of the National Planning Policy Framework (NPPF), 2021.

Analysis and Comments

Environmental Protection have recommended approval of this condition, stating that; '*The external lighting is low level, low wattage and upward lighting is minimal. In this respect, impact on the local area should be minimal.*' As such the proposed lighting is considered to not cause harm to residential amenity in line with the requirements of this condition.

Recommended: Discharge condition 12

Condition 13 - Boundary Treatments

13. Notwithstanding the details relating to the boundary treatments as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, full details of all boundary treatments, including their design, height and materials, to the dwellings hereby permitted and the access thereto including similar details of any vehicular or pedestrian gates to the access and communal areas of the site 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 dwellings hereby permitted are first occupied. Thereafter, and notwithstanding the provisions of Article 3 of and Class A of Part 2 of Schedule 2 to 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, no additional gates, fences, walls or other means of enclosure shall be erected on the site without the grant of further specific planning permission from the Local Planning Authority.

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) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

Analysis and Comments

KCC Biodiversity have recommended that hedgehog highways are included within any close board fencing to enable movement of terrestrial species through the site. Following this comment details of hedgehog holes were provided and have been included in close boarded fencing except that to the South of the site where there is a steep difference in levels.

With regard to the overall appearance of the boundary treatment, it would be residential in appearance, and would be reflective of the character of the area, without appearing intrusive. It would also use a mix of railing and fencing where appropriate which would provide a greater visual interest in appearance.

Recommended: Discharge condition 13

Condition 14 - Detailed Energy and Sustainability Statement

14. Notwithstanding the details shown in the approved drawings or other supporting documents, full details of the sustainability measures to be incorporated in the development hereby permitted (including in terms of renewable and low carbon energy and water supply and efficiency) shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development.

Reason: To ensure that the development of the site promotes sustainability measures, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS18 (Climate Change).

Submitted Details to discharge condition

Goldsmith Mews - Energy Statement - July 2022
Goldsmith Mews - Part L Report - June 2022

Analysis and Comments

The following section taken from policy CS18 lays out the requirements for minimising impacts of development on water supply and using renewable energy resources to reduce carbon emission.

Water Demand Management

5.14.41 The Council will seek to manage the supply of water in the Borough and reduce the impact of new development on the supply of potable water as much as possible. In particular, the Council will:

- Require all new homes to be built to at least level 3/4 of the Code for Sustainable Homes in terms of water use (105 litres per person per day consumption). Where it can be demonstrated that a development is unable to meet these standards, or the additional standards set out below, permission will only be granted if provision is made for compensatory water savings elsewhere in the Borough;
- Seek 5% of homes on Key Sites to act as exemplars by meeting level 5/6 of the Code for Sustainable Homes in terms of water use (80 litres per person per day consumption);
- Require all non-residential developments of 1,000 sq m and above to meet the BREEAM "excellent" standards of water efficiency and include provision for the collection of rainwater; and
- Support proposals to retrofit existing residential properties in ways which reduce water consumption.

Carbon Reduction

5.14.42 The Council will seek to reduce the overall carbon footprint of the Borough. In particular, the Council will:

- In the context of national policy on the transition to zero carbon development via amendments to Part L of the Building Regulations, require proposals for development of the Key Sites throughout the Borough and other major development elsewhere in the Gravesend Town Centre Opportunity Area to consider the potential and include proposals for low carbon and renewable energy generation, including combined heat and power. Where choosing not to do so, applicants must submit evidence which demonstrates that compliance is not technically or financially feasible or that improved fabric energy efficiency or an allowable solution results in improved carbon saving benefits;
- Support stand-alone decentralised, renewable or low carbon energy development where it is compatible with national policies for protecting the Green Belt and where it accords with policies in this plan, in particular those relating to Development and Design Principles, Transport, Green Infrastructure, and Heritage and the Historic Environment; and
- Support other proposals which lead to a reduction in carbon footprint including the retrofitting of existing homes and businesses, including local initiatives based on carbon off-setting via allowable solution

The below table shows how the scheme would meet the requirements of the policy and ensures that the development of the site promotes sustainability measures.

Requirement under Policy CS18	How will this be met?
105 litres per person, per day water consumption	The proposed sanitaryware specification details how the maximum per person, per day water consumption could be met based on average usage.
Include proposals for low carbon and renewable energy generation, including combined heat and power.	Passive design would ensure minimum heatloss. Air source heat pumps provided on each new dwelling. These would provide 100% of the heating to the homes.

Recommended: Discharge condition 14

Condition 15 - Noise Control

15. Prior to any above ground works, a suitable noise impact assessment demonstrating compliance with the following requirements, including details of the glazing and ventilation strategy and their respective noise reduction values, shall be submitted to and approved by the Local Planning Authority:

- a) The internal ambient noise levels in all habitable rooms of the residential dwellings shall not exceed the guideline LAeq values in Table 4 of BS 8233:2014
- b) The maximum internal noise levels in all habitable rooms should not normally exceed 45dB LAmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- c) Where relevant, the rating noise from fixed building services/mechanical plant/equipment associated with/in the vicinity of the development (e.g. the air conditioning unit or similar on the flank wall of the Parish Hall adjacent to the proposed development) shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

Any mitigation measures recommended in the noise impact assessment in order to meet the above criteria as agreed by the Local Planning Authority shall be implemented prior to first occupation of the development.

Where compliance with the above criteria will rely on closed windows, the development must include sufficient and suitable ventilation to affected residential dwellings by means other than opening windows to ensure that the internal noise levels required by the above conditions can be retained all year round.

Reason: In order to safeguard the living conditions of the future occupants of the residential units and pursuant to Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014) and paragraph 185 of the National Planning Policy Framework (NPPF), 2021.

Analysis and Comments

Initially concerns were raised by Environmental Protection for two main reasons. Firstly there was a discrepancy between the required internal bedroom noise and that which would be experienced, being higher than the requirement. The recommendation was that mechanical ventilation would be used to reduce this internal bedroom noise to appropriate levels. Details of this were provided and Environmental Protection have confirmed that this is now acceptable.

The second issue which arose was that the condition that the mechanical unit shall be at least 10dB below the existing background level. Environmental protection have advised that the existing background noise levels are very low so it would be difficult to achieve a lower noise level. It is for this reason that they suggested that a variation of condition may be required to deal with this issue. However, it is possible to make a reasonable assessment as part of this application that this requirement whilst not met, is unreasonable and so it would be unreasonable to refuse the application based on this issue alone where all other requirement of this condition and others are met. Environmental Protection have therefore recommended full discharge of this condition as it would meet the requirements of the condition, by safeguarding the living conditions of the future occupants of the residential units.

Recommended: Discharge condition 15

Condition 22 – Waste Collection and Delivery Point

22. Notwithstanding the details shown in the approved drawings and other supporting documents and before any above ground works commence, additional design details of the proposed waste collection point and delivery point at the point of access to the site shall be submitted for the approval of the Local Planning Authority; the details shall include a sign to be erected at the start of the drive prohibiting all vehicles except residents; the approved details shall be implemented before the first occupation of any part of the development and thereafter permanently retained.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles and section 12 (Achieving well-designed places) of the NPPF.

No comments received from waste and recycling team. The detail provided shows the position and appearance of a combine delivery point including security locker for each residence, Identification sign for 1 to 4 Goldsmith Mews and a sign indicating the road is private and to be used by residents only. The proposed delivery/signage point is in an appropriate position, visible from the street and to pedestrians and those in vehicles. Position of collection point is shown as an area marked on the ground and would be considered an appropriate position for bin collection.

Recommended: Discharge condition 22

Condition 23 - Soft Landscaping

23. Notwithstanding the details as shown in the Landscape Strategy (Revision 01) by Maude Pinet and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping for the development 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. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following the first occupation of the development. 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 type during the next available planting season.

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

Analysis and Comments

KCC Biodiversity have accepted the amended details (21/02/23) and the proposed details are considered to accord with a good standard of visual amenity and would meet the requirements of the policy.

Recommended: Discharge condition 23

Condition 24 - Hard Landscaping

24. Notwithstanding the details as shown in the Landscape Strategy (Revision 01) by Maude Pinet and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of hard landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall ensure the suitability of the surface treatments for the vehicle parking and turning areas within the site and the ramped access and its junction with Lower Higham Road ensuring that there is a bound surface that avoids the potential of loose material from spilling on to the highway.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity and highway safety in accordance with Policy CS11 (Transport) and Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network, of the Gravesham Local Plan First Review (November 1994).

Analysis and Comments

KCC Biodiversity have comments that the submitted landscaping plan has confirmed that bird boxes and a

log pile will be installed within the site.

The long ramp leading from the junction with Higham Road would be paved with vehicular grade bound resin (Permeable). The parking area to the front of the new dwellinghouses would use reinforced gravel with a permeable membrane and surfacing. There would be a timber deck and area of self-binding gravel in the rear gardens of each new dwellinghouse. The hard landscaping leaves an appropriate amount of residential soft landscaping. The bound surface of the ramp would prevent spillage of loose material onto the highway.

Recommended: Discharge condition 24

Condition 25 - Ecology/Biodiversity Provision

This condition was originally included in the description to be discharged. However as this is a compliance condition and does not require discharge, it has been removed from the proposal for this application, following confirmation from the planning agent.

Conclusions and Balancing Exercise

The details submitted pursuant to these conditions accords generally with national and local policy and notably policies CS11 (Transport) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy Framework (NPPF) 2021, Section 9: Promoting Sustainable Transport, Section 12: Achieving well-designed places, Section 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change and Section 15: Conserving and Enhancing the Natural Environment.

The queries and comments from the various consultees have been positively responded to by the applicants such that there are no overriding concerns with the detail as submitted and amended.

It is therefore recommended that approval be given to conditions 5, 7, 9, 10, 11, 12, 13, 14, 15, 22, 23 and 24 of planning permission reference number 20211415.

Recommendation:

APPROVAL subject to informatives

Case Officer:	Ms Lisa Williams	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	05/05/23	Dated:	09 May 2023