

SUMMARY REPORT

Application Ref:	20211215
Site Address:	Hevercourt Residential Home Goodwood Crescent Gravesend Kent
Application Description:	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.
Applicant:	Mr Stephen Gilmour, Hevercourt Limited
Agent:	MKA Architects Ltd
Ward:	Woodlands
Parish:	Non-Parish Area
Decision due date:	9 th December 2021
Publicity expiry date:	19 November 2021
Decision Level:	Planning Committee – 27 July 2022
Reason for referral:	Councillor Call-in
Recommendation:	APPROVAL subject to conditions.

Summary of Reasons for Recommendations

The proposal is deemed to comply with local and national planning policy and subject to the planning conditions as set out in this report permission is recommended.

MAIN REPORT

1. Site Description and Surroundings

- 1.1. Hevercourt Residential Home was constructed during the 1960's and has been operating on the site ever since.
- 1.2. The home is registered with the Care Quality Commission to provide spaces for 46 residents but currently operates at a capacity of 43 residents, as several double rooms are used as single bedrooms and some bedrooms have been converted into lounge space.
- 1.3. The building has a central 3 storey block with projecting wings that have been added

over the years. The care home currently provides 41 bedrooms in total, including 11 bedrooms at ground level, 15 bedrooms at first floor level, and 15 bedrooms at second floor level. The care home is set within a spacious, landscaped plot with mature trees and shrubs around the site boundaries. There are areas of car parking to the east and south of the main building.

- 1.4. The site is in a residential area and is accessed from Cheltenham Close, immediately off Goodwood Crescent. It lies on the northern side of Cheltenham Close, with the flank of No. 2 and the rear gardens of Nos. 10-14 Cheltenham Close to the western boundary, and the flank of No. 49 and the rear gardens of 83-85 Goodwood Crescent to the eastern boundary. There are playing fields to the north of the site.
- 1.5. The site lies in the urban area where Local Plan Core Strategy Policy CS02 prioritises development, as it is a sustainable location for development.



2. Planning History

<u>Application No.</u>	<u>Description</u>	<u>Status</u>	<u>Decision</u>
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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
20100512	Erection of single storey extension to form an enlarged laundry room.	Permitted	26.07.2010
20000325	Retention of the extension at the rear for replacement pump enclosure for disabled lift.	Permission	08.05.2001
19840741	Erection of single storied extension to dining room KCC GRANTED PERMISSION 12.11.1984 (CONDITIONS)	No objection	26.09.1984
TH/2/65/14	Erection of Old Peoples Home.	Permitted	25.3.1965

3. Proposal

- 3.1. The application seeks full planning permission for single storey 'wing' extensions to the 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. The proposal also makes provision for 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.
- 3.2. The proposed extensions will be laid out around two external courtyards and a figure of 8 circulation space.
- 3.3. The existing and proposed west 'wing' will accommodate 13 new ensuite bedrooms (plus 11 which are existing). This extension will have a pitched roof up to approximately 5.6m high. The new east and south wings will provide an additional 4 ensuite bedrooms each. There will also be 2 existing staff rooms that will be converted to bedrooms. The northern end of the ground floor will accommodate a new lounge area, hairdressing salon and WC facilities for residents. The south and east wing extensions will have flat roofs up to approximately 3.8m high.
- 3.4. The extensions will result in an increase in the footprint of the building of 732m². Amenity space would be retained around the building, and would include two external courtyards.
- 3.5. In total, 34 ensuite bedrooms will be accommodated on the ground floor (11 at present) and this will result in a net increase of 23 new ensuite bedrooms to provide a total of 64 bedrooms within the home altogether, which currently has 41 bedrooms.

- 3.6. The main entrance, currently situated on the eastern side of the main building, will be relocated to the south elevation and a new entrance canopy will be installed above, which will continue through the complex and around the courtyards. All three new wings will open up into the new reception area at the new entrance, and the circulation route that will provide access to the courtyard areas.
- 3.7. The proposed materials include red facing bricks and cream stack bond brick panels, together with grey zinc cladding.
- 3.8. A replacement compound is also proposed to the eastern side of the building, together with 7 new parking spaces to provide a total of 31 onsite car parking spaces, including 2 disabled spaces, staff and visitor parking.
- 3.9. Two new external courtyards will be created, and circulation spaces expanded, with a new internal 'street' and a 'figure of 8' route linking the buildings.
- 3.10. No changes are proposed to the upper floors of the building or the existing vehicular access.

4. Planning Policy, Development Plan and other Material Considerations

Development Plan

- 4.1. The Development Plan for Gravesham currently comprises:

Gravesham Local Plan Core Strategy and Policies Map, September 2014;
Saved policies in the Gravesham Local Plan First Review, November 1994;
The Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016, revised 2020).

- 4.2. The relevant policies for this proposal are as follows:

Gravesham Local Plan Core Strategy 2014

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS14 – Housing Type and Size
- CS19 – Design and Development Principles

Saved Policies in the Gravesham Local Plan First Review 1994

- T1 – Impact of Development on the Highway Network
- T5 – Access to the Identified Highway Network
- P3 – Vehicle Parking Standards

- 4.3. Paragraph 33 of the NPPF 2021 sets out that 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.
- 4.4. 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 First Review 1994 generally conform with the NPPF 2021, the Council will also seek to replace these saved policies via the emerging Local Plan.

Other Material Considerations

National Planning Policy Framework 2021

- Section 2 – Achieving sustainable development
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment

Supplementary Planning Guidance (SPG)

- SPG2 – Residential Layout Guidelines (2020)
- SPG4 – KCC Parking Standards (2006)

5. Consultations and Publicity Responses

Neighbouring properties

5.1. The application was advertised by individual neighbour letters to 14 properties, and on site. The consultation periods expired on 9 and 19 November 2021 respectively. There have been 3 representations in total, objecting on the following grounds:

- Size of development within a low-density built-up area – considerable increase in size of facility and an overdevelopment and over-intensification of the site of the site.
- Failure to respect local context – scale and proportion of buildings are out of character.
- Detrimental impact on local character and amenity.
- The flat roof design of the south wing is an improvement on the street scene, but no consideration has been given to the impact on neighbours from other wings or from other aspects.
- Movement of entrance will impact on enjoyment of private outside space.
- Little space for landscaping.
- Close proximity of west wing to properties in Cheltenham Close.
- The development will have a dominating impact on residents' right to the quiet enjoyment of their property under human rights act.
- Great concern over safeguarding trees, shrubs and hedgerows which act as a boundary and buffer.
- Removal of trees would have a dramatic and negative impact on amenity and character of area and biodiversity.
- Increase in demand for parking and additional traffic on surrounding quiet residential roads.
- Increase in noise and disturbance.
- Increased light pollution from building.
- Lack of meaningful community engagement in the design process.
- Disruption during construction – consideration should be given to lessening impact on residents.

Internal/External Consultations

GBC Environmental Protection Team (Regulatory Services)

No objection subject to the following conditions: watching brief, code of practice on construction/demolition and noise control; and informatives: drainage/sewerage, lighting, and electric vehicle charging points.

GBC Highways Officer

In principle there are no objections to the proposal. The car parking layout access largely remains unchanged, just more spaces added at the cost of landscaped ground and the turning area relocated to the end of the aisle. Parking guidance is for a maximum number of spaces, one space per six residents and one space for every two staff unless they are resident in which case it would be one space per member of staff. However, there is no indication that the number of staff will increase.

Reference is made to the provision of additional cycle parking, but there are no details, although these can be conditioned.

Clarification is requested on the exact number of bedrooms that will be available as 15 on the first and second floors plus the 21 proposed on the ground floor results in 51 bedrooms and not the 46 suggested, although alterations on the upper flows could result in the reduction of bedrooms on these levels.

GBC Parks and Open Spaces

The previous and current arborist reports from ARBTECH have been reviewed.

In their own omission, trees T09 to T14 are healthy 'good' specimens and we find no justifiable reason to remove these in the current application (Jan 2022) for the amenity of car parking or preserved season tree waste and general maintenance.

Before (November 2018):

 This image cannot currently be displayed.

After (January 2022):



These provide shelter, privacy to the residents and habitat to birds and wildlife so would contest or reject the application based on this.

The other works outlined that fall within the grounds of the proposed building extension we are happy that they are removed, as long as there is provision for 3:1 replacement 'standard' trees to be located within a mile radius of the Hevercourt Care Home. This can be planted and managed through GBC horticulture department.

KCC Flood and Water Management

Initial comments were as follows:

We have reviewed the Planning Statement and documents submitted and unfortunately the surface water drainage strategy is incomplete. We would therefore recommend the application is not determined until a complete surface water drainage strategy has been provided for review. A drainage strategy submission must comprise:

- A drainage proposal schematic or sketch which is not supplied.
- A clear description of key drainage features within the drainage scheme (e.g. attenuation volumes, flow control devices etc.)

- Information to support any key assumptions (e.g. impermeable areas, infiltration rates etc.)
- Supporting calculations to demonstrate the drainage system's operation and drainage model network schematic
- Drainage strategy summary form (from our Drainage and Planning Policy Statement)
- Consideration of key questions and / or local authority planning policy requirements.

We would expect to see the drainage the drainage system modelled using 2013 FeH rainfall data in any appropriate modelling or simulation software. Where 2013 FeH data is not available 26.25mm should be manually input for the M5-60 value, as per the requirements of our latest drainage and planning policy statement (June 2017); the unadjusted FSR dataset should not be used.

This should ideally include outputs for the 1, 30 and 100 year storm events including the 20% and 40% climate change allowances being applied.

Where there is any exceedance of the drainage network above the 30 year event, an exceedance plan should be provided illustrating where exceedance occurs and the extent and depth of flooding. Exceedance must be controlled within the site boundary.

As part of the site is of brownfield nature a full drainage asset survey will be required to ascertain the location, type, size and condition of any surface water sewers that are to be utilised within the proposed design.

Following the submission of a drainage strategy and re-consultation, further comments were submitted as follows:

Kent County Council as Lead Local Flood Authority have reviewed the Drainage Strategy Report prepared by vkhp Consulting dated 22 February 2022 and agree in principle to the proposed development.

The proposals seek to utilise downpipes from roofs and underground piped networks leading to an attenuation tank with infiltration to ground.

Should your authority be minded to grant permission for the proposed development, we recommend conditions are attached including the submission of a detailed drainage strategy and verification report

This response has been provided using the best knowledge and information submitted as part of the planning application at the time of responding and is reliant on the accuracy of that information.

KCC – Heritage

The site lies within an area of multi-period archaeological potential. However, it is considered unlikely that the proposed works will have a significant archaeological impact and there are no further comments to make in this case.

Kent Police - Designing Out Crime Team

Whilst it is acknowledged this application relates to an extension to an existing building, it is advised:

1. Site security be reviewed i.e. CCTV, alarms and boundary treatments in order to ensure the areas is safe and secure for the users.
2. We recommend there be sufficient access control installed to prevent any unauthorised personnel having access to any of the ground floor rooms or accompanying corridor.
3. Parking areas must be well lit and designed to minimise the opportunity for crime with maximum natural surveillance from “active” windows. SBD or Sold Secure ground anchors to help address vehicle crime are recommended for Motorbikes, Mopeds, Electric bikes and similar.
4. Windows on the ground floor must meet PAS 24: 2016 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated as toughened glass alone is not suitable for security purposes. For glazed curtain walling and window walls, PAS 24:2012 or STS 204 Issue 3: 2012, or LPS 1175 Issue 7:2010 Security Rating 1, or LPS 2081 Issue 1:2014 Security Rating A.
5. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, this can be achieved via planting of prickly plants or knee rails outside of windows.
6. If the points above are not addressed, they can affect the development, the neighbourhood and local policing. Current levels of reported crime have been considered.

Southern Water

Initial investigations indicate that Southern Water can provide foul sewage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

Initial investigations indicate that there are no public surface water sewers in the area to serve this development. Alternative means of draining surface water from this development are required. This should not involve disposal to a public foul sewer and should be in line with the Hierarchy of H3 of Building Regulations with preference for use of soakaways.

The planning application form makes reference to drainage using Sustainable Drainage Systems (SuDS). Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance.

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Land uses such as general hard standing that may be subject to oil/petrol spillages should be

drained by means of appropriate oil trap gullies or petrol/oil interceptors.

We request that should this planning application receive planning approval, informatives relating to the above should be attached to the consent.

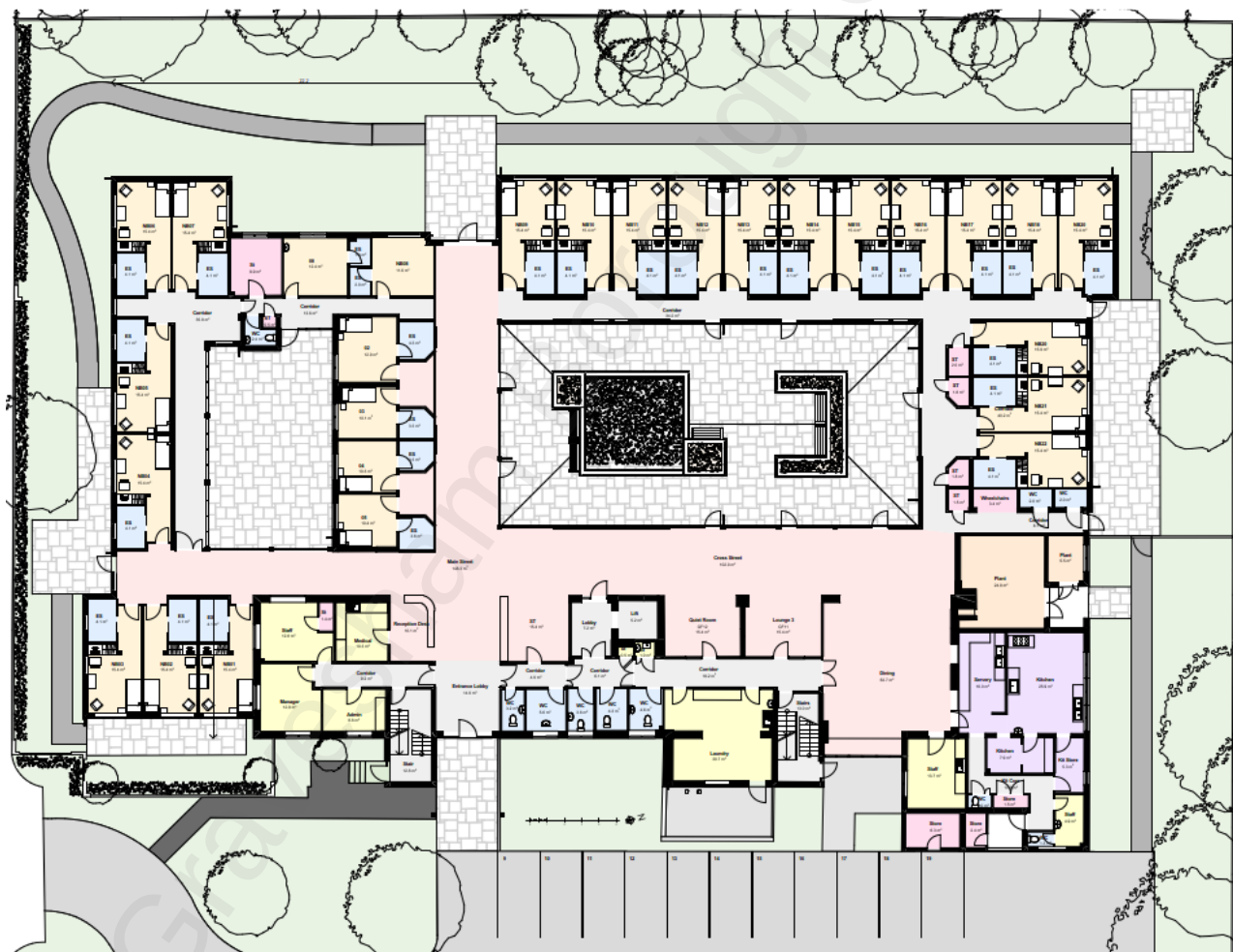
6. Planning Analysis and Service Manager (Planning) Comments

Background

6.1. Under planning application 20180682, permission was granted to extend the care home with single storey extensions to the north, west and south with a focus around two internal courtyards and remodelling of the ground floor to provide a total of 27 bedrooms, which was an increase of 16 bedrooms at ground floor.

6.2. Car parking on the site was also increased from 24 to 30 spaces.

20180682 Proposed Ground Floor Plan



6.3. Kent County Council's accommodation strategy for social care projects set out that by 2021 Gravesham required an additional capacity of 56 residential dementia care units. This proposal went directly towards meeting this required need.

6.4. The design was also deemed acceptable, and the proposal was judged to have an acceptable impact on the amenity of surrounding properties as the extensions were single storey. Overall, there was no conflict with local or national planning policy.

6.5. This permission does not expire until September 2022.

Principle of Development

- 6.6. As established with the previous application, the principle of the intensification and extension of the care home is deemed to be acceptable. The site lies within the urban area, where development is prioritised due to its sustainable nature. Policy CS02 of the Core Strategy 2014 seeks to achieve this by promoting regeneration through prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area. Paragraph 119 of the NPPF 2021 promotes the effective use of land in meeting the need for homes and other uses, and objectively assessed needs should be accommodated in a way that makes as much use as possible of previously developed or 'brownfield' land, which the application site is judged to be.
- 6.7. Policy CS14 of the Core Strategy 2014 states that 'sheltered housing and extra care housing for people with special needs will be supported on suitable sites in areas with access to a range of services that provide for the needs of future occupants'. It is considered that as the site is an established care home that has been in operation since the 1960s, the use has been clearly established on site and if there is an opportunity to increase the capacity of this care home, planning policy would support this, subject to there being no conflict with other local and national planning policies.
- 6.8. The key issues to be considered with this application are therefore:
- Design and impact on character and appearance of surrounding area;
 - Residential amenity;
 - Highway impacts and parking;
 - Drainage; and
 - Trees and landscaping.

Design, Character and Appearance

- 6.9. Section 12 of the NPPF 2021 relates to achieving well-designed places and sets out the Government's requirements in relation to design issues. Paragraph 126 emphasises the importance of achieving high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 6.10. Paragraph 130 of the NPPF 2021 seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 of the Core Strategy 2014 reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.
- 6.11. Whilst it is recognised that development which makes effective use of land should be supported (paragraph 119), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF. Relevant to this proposal, paragraph 124 of the NPPF states that developments that makes efficient use of land should be supported, taking into account the identified need for different types of housing, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

- 6.12. The current scheme is similar to the current extant scheme. It provides three extensions to the east, south and west of the existing building. There are currently 11 bedrooms on the ground floor and the proposed extensions (together with the incorporation and updating of existing ground floor spaces) will increase the number of bedrooms to 34. The 20180682 permission provided 27 ground floor bedrooms; a difference of 7 bedrooms.

Proposed Ground Floor Plan:



- 6.13. The main differences between the two schemes are as follows:

Application 20180682	Current Proposal
Demolition of southwest single storey block	Retention of southwest single storey block
27 ensuite bedrooms total (ground floor)	34 ensuite bedrooms total (ground floor)
3 ensuite bedrooms to north wing	Longe, hairdressing salon and WC to north wing
6 new on-site car parking spaces	7 new on-site staff and visitor car parking spaces including 2 disabled spaces
Pitched roof to new south wing	Flat roof to new south wing
No change to east elevation	Extension to east elevation and remodelling of existing compound

- 6.14. As before, the amount of built development on the site would be considerably increased. However, the main extensions would be located within the confines of the site, and the scale of the proposed extensions at single storey are considered to be appropriate and subservient to the main building.
- 6.15. The western and northern extensions would retain pitched roofs that are reflective of the main building and also surrounding residential buildings. These would be largely obscured from public view by existing boundary treatments and parts of the existing building. These extensions are largely identical to those granted under the previous scheme but have been extended to the north by approximately 1.5m. The existing single storey addition to the west is also now proposed to be retained, and the proposed extensions will connect to this.

20180682 Proposed West Elevation:



Current Proposed West Elevation:

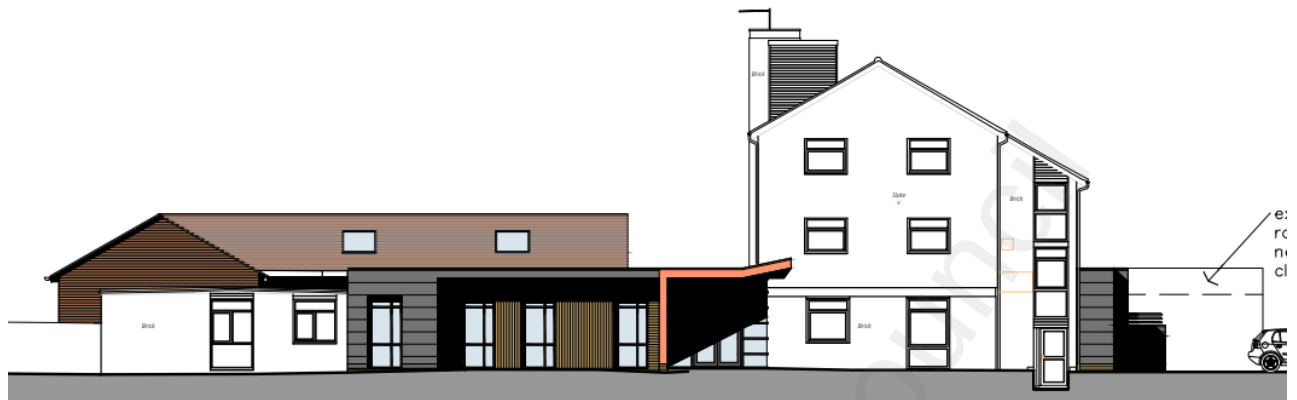


- 6.16. Where the proposed extensions will be more visible on the southern and eastern sides of the main building, low profile flat roofs are proposed, which will replicate and balance with existing single storey elements. The southern extension will also provide a clear entrance to the building from the road. The eastern extension will be positioned between two existing vertical projections and will absorb the existing compound area, which will help enhance the appearance of this side of the site.

20180682 Proposed South Elevation:



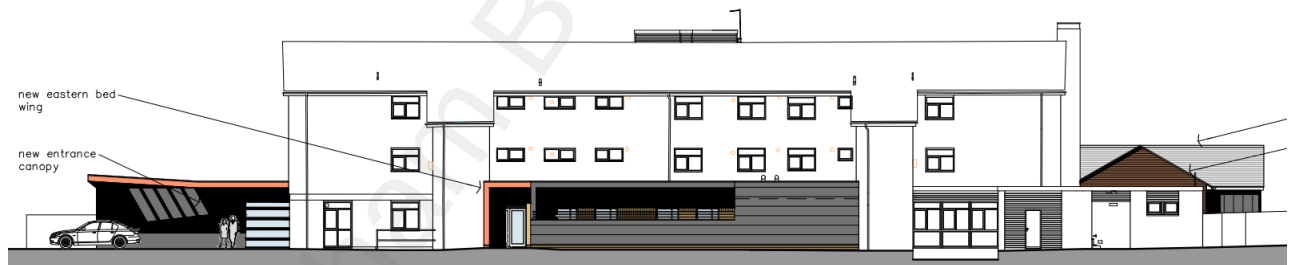
Current Proposed South Elevation:



20180682 Proposed East Elevation:



Current Proposed East Elevation:



- 6.17. The proposed layout improves internal circulation and amenity space is retained within and around the building. In particular, the external courtyards are an improvement on the current situation, as they will provide safe garden spaces for residents to access on their own.
- 6.18. As the proposed extensions would be within the confines of the existing care home site and relatively low in scale they would not be out of context or character with the existing buildings on the site and within the surrounding area. The proposed extensions are located a sufficient distance away from the site boundaries (a minimum of 5m to the north and south, and a maximum of 9m to the west) to retain a sense of space around the site.
- 6.19. As previously considered, to help address neighbours' concerns and to ensure a high-quality development, conditions will need to be included on any forthcoming planning permission for details of materials and hard and soft landscaping, to include the retention of trees.

- 6.20. Overall, it is considered that the proposed amendments to the previously approved proposal would be acceptable in design terms and would respect the character and appearance of the site itself and the surrounding area. As such, the proposal would comply with the requirements of Policy CS19 of the Core Strategy 2014, and paragraphs 119, 124, 126 and 130 of the NPPF 2021.

Residential Amenity

Future Occupiers

- 6.21. The NPPF 2021 states that planning decisions should aim to secure a high standard of amenity for all existing and future users (paragraph 130f). The impact on amenity is also considered with regard to the criteria within Policy CS19 of the Core Strategy 2014, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land; and avoid adverse environmental impacts.
- 6.22. On the basis of the amendments to the proposal, there are no additional conflicts with the requirements of paragraph 130 of the NPPF 2021 and Policy CS19 of the Core Strategy in respect of the living conditions for future occupants. The new rooms will have en-suites and will exceed the minimum room size standard of 12m² recommended by the Care Quality Commission, with most being around 15m².
- 6.23. There will be some bedrooms within the existing single storey addition to the west of the building that will look onto the proposed external courtyards. This is not dissimilar to the existing situation with windows looking onto the communal gardens, but it will be important to provide some form of defensible barrier for privacy within the landscaping proposals for the site.
- 6.24. The proposal will provide adequate bedroom and communal spaces and is considered to provide an acceptable standard of amenity for future occupiers.

Neighbouring Properties

- 6.25. Firstly, it must be noted that the previous application did not raise any significant issues with regards to the impact on neighbouring properties.
- 6.26. With regards to the single storey extensions facing Cheltenham Close to the west there would be a minimum of approximately 20m between the existing dwellings and proposed extension, with 1.8m high boundary fencing between them.



- 6.27. Although the scheme would introduce built form closer to this boundary, as the proposed development is single storey there will be no overlooking/overshadowing or loss of outlook for any of the residents of Cheltenham Close.
- 6.28. The proposed extension to the south fronts onto the road into Cheltenham Close and the extension to the north fronts onto open space and therefore neither will result in any harm to residential amenity.
- 6.29. To the east of the site are the residential properties in Goodwood Crescent. Due to the distance from these properties (the extension is in excess of 20m from the site boundary), the proposed extension will have no impact on these properties. Car parking capacity is proposed to increase but in relation to the additional capacity of the home, the increase in parking/traffic movements in this existing parking area would not be overly excessive and would not be considered to be significantly detrimental to amenity.
- 6.30. Concerns have been raised about the removal and safeguarding of trees and shrubs on the site boundaries. As before, this can be addressed by tree protection, landscaping and management plan conditions.
- 6.31. The development would increase the amount of accommodation on site, but it is not considered that the additional accommodation proposed (which amounts to 7 bedrooms more than the previously approved scheme) will result in such a material increase in activity and associated noise/disturbance that would adversely impact on the amenity of surrounding properties. In fact, residents are potentially more likely to use the two external courtyards rather than the wider external gardens, which would help reduce any potential noise. It is also important to note that the new bedrooms proposed will all be accessed from inside the building. This site layout would by its nature help reduce any potential noise impact from residents.
- 6.32. Environmental Protection have, however, recommended a noise impact assessment condition in order to limit the likelihood of noise nuisance occurring due to poor construction/insulation.

- 6.33. A further concern raised by neighbours relates to the issue of light pollution generated by the building. However, it is not considered that the extensions with their ground floor level bedroom windows would generate any harmful levels of lighting. Nevertheless, in order to address this a condition can be included that no external lighting shall be installed without the prior approval of the Local Planning Authority.
- 6.34. In order to ensure that the impact of the development during the construction phase has a minimal impact on the surrounding residential properties a construction management plan can also be conditioned. This would cover such issues as hours of work and ensuring wheel washing facilities are included on site.
- 6.35. Overall, the proposal is considered to have an acceptable impact on residential amenity and would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 130 of the NPPF 2021.

Highways

- 6.36. Policy CS11 of the Core Strategy 2014 and saved Policy P3 of the Local Plan 1994 require new development to mitigate the impact on the highway and public transport networks and provide sufficient parking in accordance with the adopted parking standards, taking account of the availability of alternative means of transport and accessibility to services and facilities. This is reflected in paragraph 111 of the NPPF 2021, which states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or where the cumulative impacts on the road network would be severe.
- 6.37. No changes are proposed to the current vehicular access.
- 6.38. The existing care home has 24 informal car parking spaces. The current proposal seeks to reconfigure the existing car parking areas to provide a total of 31 car parking spaces, including 2 disabled parking spaces. The car parking areas will be to the east and south of the building. The area to the east will provide the majority of parking for visitors and staff and has sufficient room for vehicle turning. The small car park to the south by the proposed new entrance will provide the disabled parking spaces. Two cycle spaces will also be provided.
- 6.39. The previous 20180682 proposal sought to provide 30 car parking spaces. There were no previous highways or parking concerns and the proposed parking changes to the current scheme are minimal (1 additional space). The site is in a sustainable location and cycle parking will be provided, though as no details have been provided, this will need to be conditioned if Members are minded to approve the application.

Other Material Considerations

Trees

- 6.40. The NPPF 2021 in paragraph 174 states that planning decisions should contribute to and enhance the natural and local environment and recognise the benefits of trees. Policy CS12 of the Core Strategy 2014 reflects this stance and states that there will be no net loss of biodiversity in the Borough, and opportunities to enhance, restore, re-create and maintain habitats will be sought within new development.
- 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.

6.43. On this basis, this development would comply with the requirements of paragraph 174 of the NPPF 2021 and CS12 of the Gravesham Core Strategy 2014.

Drainage

6.44. Policy CS18 of the Core Strategy 2014 seeks to minimise the impact of drainage from new development on wastewater systems.

6.45. A surface water drainage strategy was not initially submitted with the application, but following the subsequent submission of a strategy report, KCC Flood and Water Management agreed in principle to the proposed development, subject to the further submission of a detailed drainage strategy and a verification report.

6.46. Subject to these conditions, there is no conflict with Policy CS18.

Archaeology

6.47. The site lies within an area of multi-period archaeological potential. However, it is considered unlikely that these proposals would have no significant below-ground archaeological impact. The proposal therefore complies with Policy CS20 of the Core Strategy 2014 and paragraph 197 of the NPPF 2021.

Environmental Protection

6.48. The application has a low environmental risk. There is no objection to the proposal providing conditions/informatives be imposed relating to a watching brief, code of practice on construction and demolition, noise control, drainage/sewerage, and lighting. On this basis, the proposal would comply with Policy CS19 of the Core Strategy 2014 and paragraphs 183-185 of the NPPF 2021.

Thames Estuary and Marshes Ramsar / Special Protection Area (SPA) – SAMMS Tariff:

6.49. As the application site is within 6km of the Thames Estuary and Marshes SPA/Ramsar Sites and would provide additional residential accommodation, the proposed development is likely to have a significant effect, either alone or in-combination, on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest. On this basis a tariff of £6345.24 would be required (given that the proposal involves a C2 use and there would be 23 additional bedrooms proposed on the site).

6.50. However, as the proposed development will involve specific provision for those diagnosed with dementia and early onset dementia, the Thames Estuary and Marshes SPA/Ramsar sites are unlikely to be visited by such residents. On this basis, a condition limiting the development to this type of occupation could be imposed and a SAMMS

contribution would not therefore be required. The agent has confirmed the client is happy with this arrangement due to the existing and proposed use of the home. This would meet the requirements of paragraphs 174 and 180 of the NPPF 2021 and Policy CS12 of the Core Strategy 2014.

Other Issues

- 6.51. Objectors have raised concern that the proposed development would be harmful to human rights due to the impact of this development.

Public Sector Equality Duty

- 6.52. In determining this application, Members must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. Under section 149 Equality Act 2010, a public authority must in the exercise of its functions have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race. The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered and may be balanced against other relevant factors. The impact upon neighbouring residents has been considered, with conditions recommended as part of the permission to ensure that the impact to the amenity of nearby occupiers is minimised. In light of this it is considered that the Council has complied with its Public Sector Equality Duty during the assessment of this planning application.

Human Rights

- 6.53. In determining this application, Members should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority to act in a manner that is incompatible with the European Convention on Human Rights. Members are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered a proportionate response to the submitted application based on the considerations set out in this report.
- 6.54. Neighbours have also raised concern that prior to the application being submitted insufficient community engagement in the design process was undertaken with the surrounding community. The publicity and consultation undertaken by the Council has met its own and the statutory requirements under planning legislation.

7. Conclusion

- 7.1. With the exception of the tree information, the proposed changes to the 20180682 scheme are not considered to be a significant deviation from what was previously approved. In this case, having further evaluated the proposal against national and local plan policies and subject to appropriate conditions, the design of the development and impact on the character and appearance of the surrounding area would be acceptable, together with the impact on residential amenity, highways, drainage, archaeology and environmental protection matters. It is felt that given what was previously proposed, further tree information and protection can be secured by condition.

- 7.2. The proposal would therefore be in line with the provisions of Policies CS02, CS11, CS12, CS18 and CS19 of the Core Strategy 2014, saved Policies T1, T5 and P3 of the Local Plan 1994, and paragraphs 11, 111, 119, 124, 126, 130, 174, 183-5 and 197 of the NPPF 2021.
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Recommendation

APPROVAL subject to conditions.

Conditions

Time Limit

1. The development hereby approved shall be begun not later than 3 years following the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application form received 4 October 2021;
Planning Statement received 4 October 2021;
Design and Access Statement received 4 October 2021;
Tree Survey received 4 October 2021;
Surface Water Storage Requirements for Sites received 4 October 2021;
UKsuds Attenuation Storage Analysis Received 4 October 2021;
Drawing no. 01 (Site Location Plan) received 4 October 2021;
Drawing no. 04 (Proposed Site Plan) (excluding trees) received 4 October 2021;
Drawing no. 05 Rev. C (Proposed Ground Floor Plan) (excluding trees) received 4 October 2021;
Drawing no. 06 (Proposed Roof Plan) (excluding trees) received 4 October 2021;
Drawing no. 10 (Proposed Elevations) received 4 October 2021;
Drawing no. 11 (Proposed Courtyard Sections) received 4 October 2021;
Drawing no. 20 (Existing Site Plan) received 7 October 2021;
Drawing no. 21 (Existing Floor Plans) received 7 October 2021;
Drawing no. 25 (Existing Elevations) received 7 October 2021;
Drawing no. 26 (Existing Sections) received 7 October 2021; and
Surface Water Drainage Strategy (ref. no. 531921 dated 22 February 2022) received 28 February 2022.

Reason: For the avoidance of doubt and in the interests of proper planning.

Prior to Commencement

Tree Protection Details

3. 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.

Code of Construction Practice

- 4. No development shall take place until a comprehensive Code of Construction Practice covering all environmental impacts of this development is provided and submitted for approval 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.

Prior to Above Ground Works

Sustainable Drainage

- 5. Prior to the commencement of any above ground works, a detailed sustainable surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The detailed drainage scheme shall be based upon the Drainage Strategy Report prepared by vkhp Consulting dated 22 February 2022 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.

- appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development and in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

External Facing Materials

6. Prior to the commencement of any above ground works, details and/or samples of all external facing materials to be used on the development hereby permitted 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.

Plant Machinery

7. Prior to the commencement of any above ground works, a scheme detailing all plant, machinery, chimneys, ducting, filters or extraction vents to be used in connection with the use shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the first use of the development and retained thereafter.

Reason: To maintain the character and appearance of the building and to ensure a satisfactory visual relationship between the existing and new development in accordance with adopted Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

Prior to First Occupation

Noise Impact Assessment

8. The development hereby permitted shall not be occupied until a noise impact assessment has been carried out and submitted to and approved in writing by the Local Planning Authority demonstrating that:
- The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
 - The maximum internal noise levels in all habitable rooms should not 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.
 - If relevant, the rating noise from fixed building services/mechanical plant/equipment associated with the 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.

Reason: In the interest of residential amenity and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

Verification Report (Drainage)

9. The development hereby permitted shall not be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 169 of the National Planning Policy Framework 2021.

Hard Landscaping Scheme

10. Prior to the first occupation of the development hereby permitted and notwithstanding the details shown on the approved plans a scheme of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall be completed in accordance with the approved details prior to the completion of the development or the first occupation of any of the rooms whichever is sooner. The scheme shall include:
- proposed boundary treatments;
 - proposed finished levels and contours;
 - hard surface finishes to the vehicle parking areas, pedestrian accesses, private amenity areas and internal courtyards;
 - details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures; and
 - details of the pedestrian access and circulation areas.

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 2014.

Soft Landscaping Scheme

11. Prior to the first occupation of the development hereby permitted and notwithstanding the details shown on the approved plans a scheme detailing the proposed soft landscaping of the site 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 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 species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with Policy CS19 Gravesham Local Plan Core Strategy 2014.

Car Parking Spaces

12. The development hereby permitted shall not be occupied until the car parking shown on the approved drawings has been fully provided and made available for use. These facilities shall be retained for use at all times thereafter.

Reason: To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014 and saved Policy P3 of Gravesham Local Plan First Review 1994.

External Lighting

13. Prior to the first occupation of the development hereby permitted and notwithstanding the details shown on the approved plans details of all proposed external lighting 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 and no additional external lighting shall be provided on the site without the permission of 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 2014.

Cycle Parking Facilities

14. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans, details of the cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

Reason: In order to encourage options for sustainable travel in accordance with Policy CS19 Gravesham Local Plan Core Strategy 2014 and saved Policy P3 of Gravesham Local Plan First Review 1994.

Ongoing

Watching Brief

15. A watching brief shall be undertaken 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 ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014.

Restrictions on C2 Use (Residential Institutions)

16. The use of the extensions hereby permitted shall be as a residential care home for the elderly only and for no other purpose including any other purpose within Use Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

For the avoidance of doubt, it is expected that the nature of the occupancy is to provide residential care needs for the elderly with complex physical and care needs, such that residents will not be active and will, under the terms of the management of the scheme, not be allowed to have or keep pets on the site or have access to or the use of motor vehicles or vehicle parking spaces on the site.

Reason: In order that any other uses of the extensions hereby permitted may be the subject of a separate planning application which the Local Planning Authority would wish to consider having regard to the impact on the coastal North Kent Special Protection Areas (SPAs)/Ramsar sites from recreational disturbance on the over-wintering bird interest, in accordance with the requirements of paragraphs 174 and 180 of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

2 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

3 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

4 SOUTHERN WATER

Southern Water requires a formal application for a connection to the public foul sewer and water supply to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on their website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

5 REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of conditions 3 and 4 are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site. The reason for this are: to ensure that existing trees and other vegetation on the site are not damaged; to ensure the free flow of traffic on the highway and to minimise the impact on residential amenity. Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing.

6 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.