

Delegated Report

Planning Application

Planning Application No: 20221328

Location: Bowling Green, Church Walk, Gravesend DA12 2QU

Description: Demolition of existing bowls pavilion and erection of a 4-storey building to provide a 62-unit Use Class C2 retirement living complex, with a new access from Ellerslie, a new emergency access off Ellerslie, parking, landscaping and associated works.

Applicant: McCarthy & Stone Retirement

Site Visit Date: 18 January 2023

Submitted Documents/Plans

Application form
Contamination Desk Study
Covering letter
Design and Access Statement
Heritage Statement
Flood Risk Assessment
Transport Statement
Energy Statement
Drainage Strategy
Air Quality Assessment
Archaeological Desk-Based Assessment
Biodiversity Net Gain Assessment
Preliminary Ecological Appraisal by GreenLink Ecology Ltd
Biodiversity Metric 3.1
Extra Care Contributions Statement
Transport Statement
Tree Survey and Impact Assessment
Statement of Community Involvement
Planning Statement
Image Production Document Issue C by Virtual Resolution
Noise Impact Assessment

Drawing no. LSE-2821-03-AC-0010 rev P13 (proposed site layout ground floor plan)
Drawing no. LSE-2821-03-AC-1000 rev P9 (ground floor plan)
Drawing no. LSE-2821-03-AC-1001 rev P7 (first floor plan)
Drawing no. LSE-2821-03-AC-1002 rev P8 (second floor plan)
Drawing no. LSE-2821-03-AC-1003 rev P8 (third floor plan)
Drawing no. LSE-2821-03-AC-1004 rev P6 (roof plan)
Drawing no. LSE-2821-03-2000 rev P3 (primary elevations)
Drawing no. LSE-2821-03-AC-2001 rev P4 (secondary elevations)
Drawing no. LSE-2821-03-AC-2005 rev P2 (proposed north elevation)
Drawing no. LSE-2821-03-AC-11 rev E (proposed site layout)

Drawing no. 04 rev P1 (existing sports pitch site plan)
Drawing no. 05 rev P1 (proposed sports pitch site plan)
Drawing no. LSE-2821-03-AC-0000 (site location plan)
Drawing no. PP/4081/GRAVESEND/F1 (topographical survey - existing)
Drawing no. PP/4081/GRAVESEND/F2 (existing floor plans and elevations)
Drawing no. 1856-KC-XX-YTREE-TTP01Rev0 (tree protection plan)
Drawing no. 1856-KC-XX-YTREE-TCP01Erev0 (tree constraints plan)
Drawing no. MCD23935 10 (landscape strategy)
Drawing no. LSE-2821-03-DE-102 rev c (proposed levels plan)
Drawing no. LSE-2821-03-DE-102 rev c (drainage area plan)
Drawing no. LSE-2821-03-DE-101 rev d (proposed drainage plan)

Relevant Planning History

20190076	Retention of the canopy and petanque facility to the north of the all weather playing pitch	Permitted	21.03.2019
20180407	**REVISED DESCRIPTION** Application for the variation of condition (iv) attached to planning permission reference number 19940742 to (1) Extend the times of use of the artificial playing pitch (currently permitted from 09:00 to 21:00 on weekdays, 09:00 to 18:00 on Saturdays and 09:00 to 16:00 on Sundays) to 08:30 to 21:00 on weekdays	Permitted	04.03.2019
20131092	Removal of four existing redundant lighting columns and installation of six new 15 metre high galvanised steel floodlighting columns.	Permitted	20.01.2014
20130403	Retention of the three non-illuminated notice boards on Milton Road junction with Ellerslie.	Refused	02.10.2013
20110234	Application for the variation of conditions (iv) and (v) attached to planning permission reference number GR/93/31 to extend the permitted hours of use of the artificial playing pitch and the hours of illumination of the floodlights by an additional hour until 10 pm on Monday to Thursday (September-April).	Refused	23.12.2011
20101049	Siting of a portacabin for use as changing room for Bowls Club.	Permitted	31.01.2011
20080183	Retention of the car park barrier.	Permitted	12.06.2008
20060141	Conversion of property into a one	Permitted	20.04.2006

	bedroom flat and two bedroom maisonette.		
20050915	Retention of car park barrier.	Permitted	14.12.2005
20040786	Erection of eight 10m high floodlighting columns around three of the tennis courts.	Permitted	01.03.2005
20040658	Erection of four low level floodlights for training area adjacent to Church Walk.	Permitted	03.09.2004
20040269	Erection of single storey rear infill extensions to form an enlarged cellar and disabled w.c. and construction of new ramp and steps at front for disabled access.	Permitted	10.05.2004
20000504	Application for variation of conditions (iv) and (v) of planning permission ref no. GR/93/31 to extend the hours of use of artificial playing pitch and hours of floodlighting to 23.00hrs on weekdays and 19.00hrs on Saturdays and Sundays.	Refused	01.12.2000
19990571	Erection of a new cricket pavilion to replace the existing.	Permitted	23.06.2000
19970762	Use of main hall as a pre-school playgroup between the hours of 0800-1600 hours Monday-Friday.	Permitted	13.01.1998
19970292	Erection of 1.5m high railings with pedestrian entrance gate on the eastern side of the access road off Milton Road Permitted Provision of a cattle grid. Refused	Split decision	24.06.1997
19960258	Change of use of the changing accommodation on part of the first floor of the building adjacent to the pavilion to a one bedroom staff flat, weight training room, physio's office and w.c.	Refused	25.06.1996
19940742	Application for the variation of condition (iii) of planning permission ref. no. GR93/31 to increase the maintained illuminance of the floodlights from 250 lux to 300 lux & variation of conds (iv) & (v) to extend the hours of use of hockey pitch & hours of	Permitted	26.06.1995

	floodlighting from 9.00 pm to 9.30 pm weekdays.		
19940512	Continued use of part of the land for the storage of 2 no. secure storage containers.	Refused, appeal allowed	31.10.1994
19810257	Erection of six pole mounted floodlights nine metres high to illuminate existing tennis courts	Permitted	18.05.1981
19800987	Erection of a single storey rear extension to pavilion to form barrel store	Permitted	18.12.1980
19800254	Erection of four pole mounted floodlights 14 metres high	Permitted	25.06.1980
19800204	erection of single storey building to form changing accommodation	Permitted	22.05.1980
19750600	Erection of a single storey drink store	Permitted	18.09.1975
19740682	Retention of racing pigeon club house.	Permitted	13.01.1975

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS07 – Economy, Employment and Skills
- CS10 – Physical and Social Infrastructure
- CS11 - Transport
- CS12 – Green Infrastructure
- CS13 – Green Space, Sport and Recreation
- CS14 – Housing Type and Size
- CS15 – Housing Density
- CS16 – Affordable Housing
- CS18 – Climate Change
- CS19 - Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC7 – Other Archaeological Sites
- T1 – Impact of Development on the Highway Network
- T5 – Formation of New Accesses or The Intensification of Use of Existing Accesses

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 6 – Building a strong and competitive economy
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed and beautiful places.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Given Gravesham's current inability to demonstrate a 5 year housing land supply (a 3.27 year supply has most recently been calculated within the statement published [here](#)), and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Core Strategy Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the NPPF. This requires that in regard to housing development, planning permission should be granted unless:

- i. "the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 187)
- Sites of Special Scientific Interest;
- Green Belt,
- Local Green Space,
- Areas of Outstanding Natural Beauty
- Irreplaceable habitats;
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 72); and
- Areas at risk of flooding or coastal change.

In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 125(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

Supplementary Planning Guidance

- Kent Design Guide (SPG 5 published December 2005, adopted July 2006)
- Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006)
- GBC Residential Layout Guidelines (SPG2 February 1996)

- Housing Standards Policy Statement 1st October 2015
- Technical Housing Standards - Nationally Described Space Standards
- Kent Development Contribution Guide (March 2007)
- Playing Pitch Strategy (June 2016)
- Playing Pitch Strategy and Action Plan (August 2016)
- Strategic Housing Market Assessment (June 2016)

Consultations, Publicity and Representations

Consultees

Sport England

The proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 103) and Sport England's Playing Fields Policy which says, 'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England Policy Exceptions	
E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.
E3	The proposed development affects only land incapable of forming part of a playing pitch and does not: • reduce the size of any playing pitch; • result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas); • reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;

	▪ result in the loss of other sporting provision or ancillary facilities on the site; or ▪ prejudice the use of any remaining areas of playing field on the site.
E4	The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field: ▪ of equivalent or better quality, and ▪ of equivalent or greater quantity, and ▪ in a suitable location, and ▪ subject to equivalent or better accessibility and management arrangements.
E5	The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:
https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy

* Bowling greens do not fall within the definition of a playing pitch however Sport England considers that they will be included in the area defined as a playing field if in physical or functional terms they form part of an overall playing field site as is the case here.

All sport uses are also to be considered against paragraph 103 of the NPPF that states;

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

Policy CS13 of the Gravesham Core Strategy says, *The Council will seek to make adequate provision for and to protect and enhance the quantity, quality and accessibility of green space, playing pitches and other sports facilities, in accordance with an adequate, up to date and relevant evidence base.*

The Proposal and Impact on Playing Field

The proposal is for the redevelopment of the bowling green, associated pavilion and a small part of the playing field outside of the bowling area for a 62-bedroom sheltered housing scheme together with a new access road from Ellerslie, a parking court and landscaping. The proposal would result in the loss of some 0.71 hectares of the existing playing field. Although the remaining playing field is outside of the red line boundary of the application, it is understood that the applicant intends to work with Gravesend Rugby Club to make some amendments and improvements to the pitches and a training area to mitigate the impact of the proposed development on their use. A separate application to provide additional floodlighting to one of the existing match pitches has also been submitted by the applicant under reference 20221327. Sport England has responded to that application separately.

At paragraph 2.14 of the planning statement, it is said that the Rugby Club is looking to redevelop the former Bowls Club to enable significant investment in the rest of the site. Improvements are said to include improved security, floodlighting as well as drainage and levelling to the adjacent rugby pitches. It is necessary to recognise that neither Sport England's Policy nor paragraph 103 of the NPPF recognise enabling development as a reason to justify the loss of playing field land. It is also the case that there is no detail available regarding the improvements referred to other than the floodlighting the subject of 20221327.

In the absence of this information and notwithstanding that it would not impact on Sport England's assessment of the proposal against our policy, it is not possible to balance any potential 'benefits' against the loss of sport and recreation land proposed.

Assessment against Sport England Policy/NPPF

The proposal is for residential development resulting in the loss of an area of existing playing field. Although the applicant has undertaken an assessment to demonstrate that the loss of the bowling green would meet exception E1 of our policy, Sport England would not agree with that conclusion. While the Council's Playing Pitch Strategy (PPS) 2016-2028 identifies that demand for bowls in the borough is currently being met, an existing and increased projected shortfall in the borough of both football and rugby pitch provision is identified. The PPS is out of date, not having been reviewed in accordance with Sport England guidance in the interim. However, we would expect that any such review to demonstrate E1 is met would accord with our Playing Pitch Strategy Guidance. It would also be expected that all pitch type shortfalls were satisfactorily addressed before any existing playing field land was released for development unless alternative mitigation measures to compensate for the loss were made.

In assessing the application, I have consulted with Bowls England and the RFU.

Bowls England has commented that it has been in contact with the previous resident club, Gravesend RFC Bowls Section, that is an affiliated member of Bowls England. The club has disbanded due to the development proposed and its members have joined Gravesend Bowling Club. Bowls England wishes to request consideration of a financial contribution towards the improvement of facilities at Gravesend Bowling Club reflecting the increased pressure that additional members place on that facility as a result of the closure of the application site. The applicant in its planning statement makes reference to an appeal decision PP/G5180/W/20/3249202 relating to the loss of a bowling green (not on a larger playing field) lost as a result of a sheltered housing scheme. In that case, the Inspector considered that the loss was adequately mitigated by a financial contribution of £50,000 made to Bowls England to invest in the improvement of other bowls clubs in the area.

Sport England is aware that bowls clubs due to their demographic are under particular pressure to maintain their membership and the quality of their facilities. A contribution of a comparable amount would be considered to adequately mitigate the loss of bowling green and in that regard, the applicant's statement at paragraph 6.5.35 that it is happy in principle to explore a mitigation strategy for bowls is welcomed, notwithstanding that this should not be a payment to the Rugby Club, but one to the Council, Bowls England or a specific club with the purpose of improving community-based bowls provision. Sport England would object to the loss of the bowling green area should a financial mitigation not be secured.

With regard to the loss of the small area of playing field outside of the bowling green area, and the impact of the proposal on the existing playing pitches, the applicant discusses these within the planning statement at paragraphs 6.5.28 to 6.5.36 of the planning statement. The discussion focuses on the proposed improvements that the applicant proposes to make to the floodlighting on one of the match play pitches, that is the subject of the separate application.

The RFU commented at pre-application stage *that the rugby club is aware of the proposed development that would necessitate the re-orientation of an existing rugby pitch immediately adjacent to Ellerslie / Donald Biggs Drive from its existing north-east / south-west orientation to one which is north-west / south-east in nature. This would be due to the proximity of the carpark and access road to this existing pitch.*

This re-orientation would impact the existing floodlit training area in the north-east corner of the site. The club has long standing plans to increase the total provision of floodlighting available to players, with the current training area suffering from poor quality due to overuse. The club plan to re-provide floodlighting to the pitch immediately adjacent to the existing clubhouse pitch and directly south-east of the existing cricket square. The club has had discussions with the cricket club to ensure that the floodlighting solution is acceptable i.e. demountable columns and base cover plates are located away from the square and do not impact bowler run-ups.

This full pitch floodlighting solution would provide additional midweek training capacity, as well as retaining informal space for age grade activity. This proposal does not have planning consent at present.

Initial discussions with the developer indicate that they would be willing to support the re-orientation of the pitch and enhancements to on-site power capacity for floodlighting and the planned clubhouse improvements. This is yet to be confirmed formally. If the benefits outlined to Gravesend RFC were to be secured, the RFU would not have an objection to the proposed development.

In its response to the current application, the RFU recognises that the application for the floodlighting is currently being assessed. It has also commented that it is concerned that the red line boundary and the relationship with the existing pitches / any re-orientated pitch is not clear. An existing and proposed 'masterplan' showing the relationship between the proposed development and the playing field pitches is required to demonstrate that this is satisfactory and that no adverse impact to the use of the pitches would result. Confirmation is required from the applicant that the northernmost pitch, immediately adjacent to Eilerslie (identified at photo 3 of the Design and Access Statement) is to be relocated prior to the development being occupied or that it would not be impacted by the proposed development. In that regard, a dead ball zone behind the goal posts of 6m and a minimum 5 m safety run off beyond is required to be retained to separate the pitch from the boundary of the proposed development.

Sport England's support for this proposal involving the loss of the playing field area and any impact on the existing pitch and training area would be subject to the current application for additional / relocated floodlighting being approved and that lighting being installed and operational before the existing pitch and training area are lost.

Conclusion

In light of the above, Sport England **objects** to the application because it is not currently considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 103 of the NPPF. Sport England would be willing to reconsider its objection subject to,

1. Financial mitigation relating to the loss of that part of the playing field comprising the bowling green area to be secured through a s.106 obligation for the benefit of community bowls facilities within the Borough,
2. Existing and proposed masterplan drawings demonstrating the relationship of the proposed development with the existing and proposed playing field pitches / training area
3. Planning permission being granted for the additional / relocated floodlighting as sought by planning application 20221327. If you would like any further information or advice, please contact me.

In response to the above the applicant provided details of the existing and proposed sports pitch site together with a covering email. Sport England responded with the following:

Having assessed the additional information supplied by the applicant with the RFU and Bowls England, we are satisfied that the existing and proposed sports pitch layout drawings demonstrate that there would be no adverse impact on the nearest rugby pitch and its safety run off area. This aspect of the proposal is therefore not objected to.

We also recognise that the applicant has said that it is happy in principle to explore a financial mitigation strategy with the Council to mitigate the loss of that part of the playing field occupied primarily by the bowling green and the pavilion. This should also recognise that the pre-existing club using this part of the site has been disbanded to facilitate the development.

The applicant has however, made no firm offer in terms of a legal obligation in that respect. I have attached Sport England's Facilities Costs guidance sheet for Quarter 3 of 2022 that you will see at page 5, indicates that the cost of providing a new 40m x 40m outdoor bowling green then would have been in the region of £165,000 and that costs continue to rise. In this case, it is recognised that the existing club members have been assimilated into other local clubs, it is therefore appropriate that funding towards the improvement of those other club sites is secured.

Within its application, the applicant has drawn on a recent planning appeal decision (attached to this email) in justification. Sport England does not consider that the two developments are particularly analogous, other than both being (partly) for care home use and involving the loss of a bowling green. Specifically, in the appeal case, the bowling green did not comprise part of a larger playing field and, the green had vacant for, and marketed for alternative sports uses, for an extended period. The inspector considered that in allowing the loss of the bowling green 'on balance', that a financial contribution was necessary to make the development acceptable. The appellant made an obligation to the Council secured within a s.106 Unilateral Undertaking to pay £50,000 directly to Bowls England and to be used for improvements towards bowls clubs in the borough. The £50,000 was considered by the inspector to be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development, in accordance with regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

The area of bowling green lost in the appeal proposal amounted to approximately 0.2ha compared to 0.71ha of bowling green and pavilion / playing field proposed by the current application. In light of that, it would be reasonable for more than £50,000 mitigation to be secured given the significantly larger area of land in use or last in use for sport being lost and the passage of time.

Conclusion

Sport England is not aware that negotiations are currently progressing by way of a legal agreement between the Council and the applicant to resolve our concerns. On that basis and pending a legal obligation being secured, Sport England maintains its **objection** to this application on the basis that it will result in the loss of playing field without mitigation.

Sport England can confirm that once a suitable s106 agreement or other legal mechanism has been signed, we will withdraw our objection. Sport England would be pleased to discuss the contents of the obligation with a view to withdrawing the current objection.

If the LPA is minded to grant planning permission then the following planning condition should be attached.

Condition 1

The development hereby permitted shall not be commenced until the rugby pitch sports lighting permitted pursuant to planning permission ref: 20221327 have first been installed and are operational and the northern rugby pitch has been reorientated in accordance with drawing no. 05 P1 dated February 2023 and made available for use.

Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory rugby provision which secures a continuity of use and to accord with Development Plan Policy **.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s).

Sport England has responded to the applicant's offer of £80,000 to be secured through a s.106 for the benefit of the Council or Bowls England and specifically for the improvement of existing bowls club facilities in the local area/Borough as acceptable and have **removed their objection**.

Southern Water

Please see the attached extract from Southern Water records showing the approximate position of our existing public foul sewer and public combined trunk sewer within the development site. The exact position of the public assets must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

The submitted drawing (LSE-2821-030DE-101 Rev D) indicates a 3.5 meter easement to the public

combined trunk sewer, which is not satisfactory to Southern Water. The combined trunk sewer requires a clearance of 4 metres on either side of the public apparatus.

- The gravity foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

- The 800 mm diameter gravity sewer requires a clearance of 4 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

- No development or tree planting should be carried out within standoff distance of public apparatus without consent from Southern Water.

- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers.

- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

Please Note: There is a decommissioned public foul sewer and private communication pipe within the development site.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, 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.

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

Our investigations indicate that Southern Water can facilitate foul sewerage and surface water (flow rate 1.4 l/s at manhole reference TQ65737702) run off disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer 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 our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The supporting documents make 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 Design and Construction Guidance (Appendix C) and CIRIA guidance available here:

water.org.uk/sewerage-sector-guidance-approved-documents/ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

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.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises. It should be noted that under the Water Industry Act 1991 it is an offence to "throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer any matter likely to injure the sewer or drain or to interfere with the free flow of its contents.

We request that should this planning application receive planning approval, the following informative is attached to the consent: Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water.

This initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

Our investigations indicate that Southern Water can facilitate water supply to service the proposed development. Southern Water requires a formal application for a connection to the 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 to read on our website via the following link southernwater.co.uk/developing-building/connection-charging-arrangements

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

KCC Highways

Generally I do not have any concerns regarding the highway aspects of this application other than the parking provision. I note that in Paragraph 5.3.6 of the Transport Statement there are expected to be up to 7 members of staff employed at the facility. The Kent Parking Standards for a Residential Home requires a maximum of 1 space per 2 staff, a requirement of 4 staff spaces in addition to 1 per 6 residents i.e. 11 further spaces, total 15. However, Paragraph 3.3.1 states that 32 spaces would be provided, which is considerably in excess of the Kent Parking Standards. Further information should be provided to explain the discrepancy, possibly using data collected from other McCarthy and Stone residential care facilities.

Alternatively, the proposal may not be considered to come under Use Class C2 and should be considered

to be ordinary flat units for which a maximum standard (Edge of Centre) of 1 space per unit would apply.

Additionally, in accordance with the SPG4 Standard for Class C2, a separate ambulance space close to the entrance should be provided.

Secondly, I am not sure it is necessary to amend to radius of the junction between Milton Road and Ellerslie in order to reduce traffic speeds rounding the corner. This could create difficulties for buses exiting the bus stop. I would prefer that a speed survey is undertaken in Ellerslie at the proposed access location to ascertain that traffic speeds are an issue before considering amendments to the existing main highway. This would also determine the appropriate visibility splay to the south.

Once the above issues have been addressed, possibly in a revised Transport Statement, I will contact you further with any suggested Conditions considered necessary.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Following on from the above the applicant submitted an updated Transport Statement. KCC Highways responded to this as follows:

Further to my previous response on 30th January 2023, I note that a revised Transport Statement dated

March 2023 has been submitted which addresses my previous concerns.

In terms of the car parking provision, I accept that whilst the 32 spaces proposed exceed the maximum Kent Parking Standards, this is a variation of a C2 Residential Institution use since it is an "Extra Care" Home which may attract additional car ownership than the usual care home.

Evidence is provided from other similar developments that demonstrates that the proposed 32 spaces is reasonable and not excessive. I therefore withdraw my objection on excessive parking grounds.

Secondly, in the revised TS it would appear that the proposal to increase the radius of the kerb line at the junction of Ellerslie with Milton Road has now been removed. A speed survey of existing traffic at the proposed junction point indicating 20mph in both directions shows that there is not a speed issue in Ellerslie at this location. Again I withdraw my objection on those grounds.

In conclusion I now raise no objection to this application provided the following issues are covered by Conditions or Developer Obligations:

- 1 Provision and maintenance of the visibility splays shown on the submitted plans with no obstructions over 1.05 metres above carriageway level within the splays, prior to the use of the site commencing.
- 2 Provision and permanent retention of the vehicle parking spaces, including retention of the ambulance space, shown on the submitted plans prior to the use of the site commencing.
- 3 Provision and permanent retention of secure, covered cycle parking facilities prior to the use of the site commencing in accordance with details to be submitted to and approved by the Local Planning Authority.
- 4 A minimum of 10% of the parking spaces shall be provided with active EV charging points and a further 10% provided with passive (ducting / cabling only) provision.
- 5 Submission of a Construction Management Plan before the commencement of any development on site to include the following:
 - (a) Routing of construction and delivery vehicles to / from site
 - (b) Parking and turning areas for construction and delivery vehicles and site personnel
 - (c) Timing of deliveries
 - (d) Provision of wheel washing facilities
 - (e) Temporary traffic management / signage

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

KCC Biodiversity

We are sceptical of the estimated biodiversity net-gain. Firstly, without the full excel calculations and condition assessments, we cannot assume the estimated the 31.68% increase in habitat units is accurate as the proposed building, hardstanding and landscaping will replace much of the site's vegetation. This lack of understating is compounded by a lack of an ecological assessment.

Secondly, we highlight that the 'net-gain' will rely heavily on the effective establishment and management of proposed features like the wildflower grassland – it appears no establishment and management proposals have been disclosed.

Thirdly, a lot of scrub/woody material will be removed to facilitate the development – can this be retained on-site? This would be an effective measure to retain biodiversity value.

In summary, prior to determination, we request that an ecological assessment is provided, along with the full metric calculations and condition assessments. Management prescriptions to achieve net-gain would also be helpful.

In response to this the applicant has provided a Preliminary Ecological Appraisal by GreenLink Ecology Ltd and a Biodiversity Metric. The KCC Ecologist has responded with the following:

There is little protected species interest on-site but as highlighted previously, biodiversity net-gain is the primary concern.

We are satisfied that the metric calculations are mostly accurate. However, as alluded to previously, this will be heavily dependant on the creation and beneficial management of native wildflower grassland along the eastern and southern boundaries. We also advise that scrubby/woody material removed is kept on-site and that all planting (even shrubs) consists of native species only. This can be secured via a Landscape and Ecological Management Plan (LEMP) if planning permission is granted. Suggested wording:

Within three months of works commencing, a Landscape and Ecological Management Plan (LEMP) will be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP will be based on the Landscape Strategy (ACD Environmental October 2022) and include the following:

- Description and evaluation of features to be managed, including wildflower grassland, retention of felled wood and a native species-only planting schedule;
- Ecological trends and constraints on site that might influence management;
- Aims and objectives of management;
- Appropriate management prescriptions for achieving aims and objectives;
- Preparation of a work schedule (including an annual work plan);
- Details of the body or organisation responsible for implementation of the plan, and;

- Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

Additionally, we advise that a sensitive lighting plan is implemented to limit the impact on bats and other nocturnal wildlife. Suggested condition wording:

Prior to occupation, a lighting design plan for biodiversity will be submitted to, and approved in writing by, the local planning authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not adversely impact biodiversity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

KCC Archaeology

The site lies within an area of multi-period, background, archaeological potential and has been little developed in the recent past except for the bowling green, pavilion and a sewer pipe. The archaeological potential of the site is presently unknown (there has been no field evaluation of the site) but the planning application is supported by a useful Archaeological Desk-Based Assessment (RPS, 2002) which presents the recorded information about the site and surrounding area. A low potential for all periods of archaeological interest is presented in the desk-based assessment, based on the limited available data in proximity to the site. The existing evidence (including taking account of past development impacts) does indicate that it is unlikely that development of the site would have a significant below-ground impact and I would not object to the development on archaeological grounds. However, without field evaluation, I do not think it is possible to be certain that the site has no archaeological interest, given the site's location on the historic routeway (Milton Road) and the site's proximity to the medieval Milton church of St Peter and St Paul. Taking account of the past impacts at the site, I consider that in this case it would be reasonable to mitigate development impacts through an archaeological watching, targeted on specific areas, and recommend that if planning permission is granted the following condition is applied to any forthcoming consent.

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that groundworks are observed and items of interest and finds are recorded. The watching brief shall be in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

I will leave detailed comments and recommendations on built heritage and setting matters to your Conservation Officer but would note that the development of the site as a bowling club in the early 20th century is of heritage interest to the development of Gravesend and Milton, contributing a recreational facility within the context of the neighbouring church, rectory, school, drill hall, hospital and expanding residential development. If the site is developed and the existing structures are to be demolished, it would be helpful for future research if a record (to Historic England Level 3) of the pavilion and associated green and facilities could be made, to be lodged with the Kent Historic Environment Record.

The following condition is recommended:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

GBC Conservation Architect

The scale of the proposal in terms of height and bulk will have a dramatic impact on the openness of the area and its contribution to the setting of the listed church.

The proposals do appear to be over scaled for the location, where two storey houses are located on the opposite side of the main road with only the modern housing on the corner of Ellerslie and Milton Road East A226) being predominantly three storey. Mature tree screening of the site makes a significant contribution to the softening of the proposal site boundary and therefore also the setting of the church and adjacent historic building on the corner of East Milton Road and Church Walk. This openness is particularly significant to the setting of the listed church when approaching from Gravesend to the west as seen in the image below where the church sits within a semi-rural setting.



Due to the harm caused to the setting of the church of SS Peter & Paul the proposals are contrary to local and national policy and cannot be supported.

KCC Flood and Water Management

Kent County Council as Lead Local Flood Authority have reviewed the Flood Risk Assessment prepared by Amazi Consulting Ltd (1 November 2022) and the Drainage Strategy report prepared by Infrastructure Design Ltd. (20 October 2022) and have the following comments:

1. We understand that surface water from the site will be discharged at 1.4 l/s to the Southern Water combined sewer to the south of the site. Cellular crate storage and permeable paving will provide attenuation for all storm events up to and including the 100(+CC) year event. While we have no objection in principal with this proposal we would expect for further investigations into the feasibility of infiltration to be undertaken. This can be provided at detailed design stage.
2. No hydraulic modelling results appear to have been provided within Appendix E. These should include the critical results summary to enable confirmation that no surcharging is occurring within 2 year event or flooding within the 30 year event. We would also expect to see the 'upper end' climate change allowance for the 30 (3.3%) as well as the 100 (1%) year storm scenarios.
3. A large surface water flow path has also been identified running through the site, ranging from low to high risk. We understand this will be managed via a swale running from the south of the site along the

eastern border to direct flows around the site. Ground levels will also be kept low to the west of the building in order to direct flows away from buildings.

Whilst we have no objection to these methods we would require further details on this swale network, as well as modelling to show the surface water flow path will cause no significant flooding within the area post-development for all storm events up to and including the 100(+CC) year storm event. This should include the depths and velocities of water running through the site post-development.

We would therefore recommend a holding objection for this application until information pertaining to point 2 above is provided. All other required information can be provided at detailed design stage.

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.

Following on from updated information KCC Flood and Water responded:

Kent County Council as Lead Local Flood Authority have reviewed the updated Drainage Strategy Report prepared by ID Ltd (25/01/23) and have no objection to the proposals. We would expect the further points raised within our previous response (dated 24/01/23) to be fully dealt with at detailed design stage.

Should the Local Planning Authority be minded to grant planning permission for the proposed development, the LLFA would request for the following conditions to be attached:

Condition:

Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that due consideration has first been given to the possibility of utilising infiltration techniques and 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 within the curtilage of the site without increase to flood risk on or off-site. Should the use of infiltration prove to beyond being reasonable practical then any surface water leaving site shall not exceed a discharge rate of 1.4l/s for all rainfall events. The drainage scheme shall also demonstrate that silt and pollutants resulting from the site use and construction can be adequately managed to ensure there is no pollution risk to receiving waters.

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.

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall 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 177 of the National Planning Policy Framework.

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.

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION FOR RECREATIONAL PRESSURE IMPACTS ON HABITAT SITES (EUROPEAN SITES).

Natural England notes that the Habitats Regulations Assessment (HRA) has not been provided with the application. As competent authority, and before deciding to give permission for the project which is likely to have a significant effect on a European Protected Site, you must carry out a HRA and adhere to its conclusions.

For all future applications within the zone of influence identified by your authority, please only consult Natural England once the HRA has been produced.

FURTHER INFORMATION REGARDING RECREATIONAL PRESSURE IMPACTS ON HABITAT SITES (EUROPEAN SITES).

Natural England considers that this advice may be used for all applications that fall within the parameters detailed below.

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as North Kent Special Protection Area (SPA). It is anticipated that new residential development within this zone is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts through a strategic solution which we have advised will (in our view) be sufficiently certain and effective in preventing adverse impacts on the integrity of those European Site(s) within the ZOI from the recreational impacts associated with such development.

However, following the People Over Wind ruling by the European Court of Justice, mitigation may not be taken into account at screening stage when considering 'likely significant effects', but can be considered at appropriate assessment. In the light of this, these measures should be formally checked and confirmed by your authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing adverse effects on the integrity of the relevant European Site(s) from recreational impacts for the duration of the development proposed within the relevant ZOI.

Providing that the appropriate assessment concludes that the measures can be secured [with sufficient certainty] as planning conditions or obligations by your authority, and providing that there are no other likely significant effects identified (on this or other protected sites) which require consideration by way of

appropriate assessment, Natural England is likely to be satisfied that your appropriate assessments will be able to ascertain with sufficient certainty that there will be no adverse effect on the integrity of the European Site from recreational pressure in view of the site's conservation objectives. In this scenario, Natural England is unlikely to have further comment regarding the Appropriate Assessment, in relation to recreational disturbance.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 186 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 180 and 181). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on Gov.uk website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral

Workings.

Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced standing advice¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 178 and 181 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found on Gov.uk. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

1 <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

Annex A – Additional advice

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 186(d), 191 and 186. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 74, 108, 124, 180, 181 and 186). We advise you to follow the mitigation hierarchy as set out in paragraph 186 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.

- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's Biodiversity Metric 3.1 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the Small Sites Metric may be used. This is a simplified version of Biodiversity Metric 3.1 and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside Biodiversity Metric 3.1 and is available as a beta test version.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Annex A – Additional advice

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 104 and 180 of the NPPF highlight the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

GBC Environmental Protection

Air Quality:

Although the site does not fall within an Air Quality Management Area, an Air Quality Assessment (AQA) has been undertaken looking at the impact of vehicle emissions on future residents, the impact of fugitive dust emissions and construction vehicle emissions during the construction phase on existing sensitive receptors/residents and also the impact of the development once operational. The AQA has utilised the results and data provided in the Traffic Assessment and followed relevant and appropriate guidance documents. A Damage Cost Assessment (DCA) has also been included. The findings of the report are accepted namely:

- 1) Impact during construction phase - fugitive dust and particulate impacts during construction are low and by following IAQM guidance and implementing suitable mitigation measures, the impact will not be significant. An appropriately worded condition should be attached to any permission to cover this.
- 2) The impact of the proposed development on local air quality once operational is negligible.
- 3) Although the locality is influenced by vehicle emissions from the surrounding roads, it does not fall within an AQMA and no exceedances are predicted.
- 4) A DCA sum of £8,479 has been calculated to be put towards appropriate **off-site** air quality mitigation measures. These measures need to be proposed by the developer for the approval by the LPA. The requirement for this should be placed on any permission as a condition or secured via a Section 106 agreement.

Contaminated Land:

The Desk Top Study concludes that some ground raising may have taken place when the bowls club was constructed. The report concludes that any risk in soft landscaped areas (communal areas - there are no private gardens) can be minimised by the use of a clean topsoil/capping layer. A 'watching brief' condition should be included with any permission to ensure that any contamination encountered during the groundworks phase is dealt with appropriately.

Noise:

The surrounding roads are quite heavily trafficked and there could also be noise associated with the nearby sports pitches. In addition, external plant associated with the proposal have also been looked at. A Noise Assessment has been undertaken and submitted to cover these noise sources.

The report concludes that appropriate noise levels in accordance with BS8233:2014 can be achieved both internally and externally with suitable mitigation measures (double glazing, mechanical ventilation in all habitable rooms - see section 5 of the noise report).

Plant noise levels associated with the development are not known at this time but maximum external plant noise levels have been set in the report (calculated in accordance with BS4142) - see table 5 on page 14 and are deemed to be acceptable at the nearest noise sensitive premises.

Noise from the sports pitches is not deemed to be significant due to the distances involved.

To deal with these and other matters, the following conditions and informatives are recommended.

Contamination Watching Brief:

The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical, and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Code of Practice on Construction and Demolition: Please apply as appropriate to prevent nuisance from

noise and dust during demolition and construction occurring to nearby premises.

Noise Control:

Appropriate mitigation measures as referenced in the Noise Impact Assessment report by 24Acoustics (Technical Report: R9701-1 Rev 0) shall be incorporated into the development to ensure that:

- 1) 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.
- 2) The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- 3) Noise levels in external amenity areas shall not exceed the upper guideline value of 55 dB LAeq,16 hour in accordance with BS8233:2014
- 4) 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

Odour/Ventilation Extraction System Requirements

Prior to the first use/occupation of the development, full details of all equipment (associated with the on-site restaurant) to be installed for the extraction and control of fumes and odours and details of how noise and vibration associated with it, will be submitted together with a maintenance schedule for the future operation of that equipment in writing for approval by the local planning authority.

Noise from plant and equipment including extract ventilation shall be limited to 10 dB(A) below the background noise level measured and expressed as a LA90,15minutes from the boundary of the nearest residential property including penalties for noise characteristics and in accordance with BS4142:2014+A-2019 and by a competent person.

The scheme shall also be in accordance with current guidance from DEFRA, the Heating and Ventilating Contractors' Association (HVCA) For Kitchen Ventilation Systems and any current best practice or statutory guidance. The use hereby permitted shall not take place other than in accordance with these approved details and be installed by competent persons.

Drainage/sewerage informative:

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

Lighting:

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

Smoke Control Informative:

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or

fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Kent Police Designing out Crime

We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We request a condition for this site to follow SBD Homes 2019 guidance to address designing out crime to show a clear audit trail for Designing Out Crime, Crime Prevention and Community Safety and to meet our Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

1. Perimeter, boundary and divisional treatments must be 1.8m high. Any alleyways to have secure side gates, which are lockable from both sides, located flush to the front building line.
2. We recommend parking areas be covered by natural surveillance from an "active" window e.g. lounge/kitchen or main office and sufficient lighting. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse.
3. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than "round shaped" trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
4. Lighting. Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states: "18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided." Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.
5. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors and individual flat entrance doors to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please note PAS 24 is a minimum-security standard, and communal doors may require a higher standard, such as STS or LPS.
6. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2022 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. Toughened glass alone is not suitable for security purposes.
7. We advise on the use of ground/ wall SBD or sold secure anchors within a cycle storage area/ sheds of dwellings to deter bicycle theft.

8. For buildings with multiple occupants we recommend TS009 standards. Please note we strongly advise against trade buttons, if mail is to be delivered inside a lobby/ to a reception desk we recommend there be an airlock/ access controlled door to prevent access further into the building for anyone other than residents.

12. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.

13. We recommend "A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019" for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing crime. Entrance doors must be lit and designed to provide no hiding place.

14. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB. In care homes and assisted living buildings we would also require a similar system to be utilised by reception to ensure only those permitted can enter the building.

15. CCTV is advised for all communal entry points and to cover the mail delivery area.

Please note, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Kent Fire and Rescue

Following my assessment of the Fire and Rescue Service emergency access provisions for application number 20221328 - SCON3 I would like to make the following observations.

Access for the Fire and Rescue Service

I can confirm that on this occasion it is my opinion that the access requirements for the Fire and Rescue Service have been met at this time.

Applicants should be aware that in the event of planning permission being granted, the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

Fire Service access and facilities provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

If you require any further advice, please contact this office. Please be aware that the Building Safety office hours are 09:00-17:00 Monday to Friday.

NHS

NHS Kent and Medway has delegated commissioning responsibility for general practice services in Dartford, Gravesham & Swanley and reviews planning applications to assess the direct impact on general practice.

I refer to the above full planning application which concerns the proposed residential development comprising up to 62-bedroom retirement living complex.

NHS Kent and Medway has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution.

In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests:

1. Necessary
2. Related to the development
3. Reasonably related in scale and kind

We have applied these tests in relation to this planning application and can confirm the following specific requirements. The calculations supporting this requirement are set out in Appendix 1.

	Total Chargeable units	Total (See Appendix 1)	Project
--	------------------------	------------------------	---------

Chair | Cedi Frederick
Chief Executive | Paul Bentley

General Practice	62	£37,512	Towards refurbishment, reconfiguration and/or extension of Rochester Road Surgery, Gravesend Medical Centre, Parrock Street Surgery, Old Road West Surgery and Springhead Health and/or towards new general practice premises development in the area
------------------	----	---------	---

The obligation should also include the provision for the re-imbursement of any legal costs incurred in completing the agreement.

Justification for infrastructure development contributions request

This proposal will generate approximately 101 new patient registrations based on the dwelling mix provided in Appendix 1. The proposed development falls within the current practice boundaries of Rochester Road Surgery, Gravesend Medical Centre, Parrock Street Surgery, Old Road West Surgery and Springhead Health.

There is currently limited capacity within existing general practice premises to accommodate growth in this area. The need from this development, along with other new developments, will therefore need to be met through the creation of additional capacity in general practice premises. Whilst it is not possible at this time to set out a specific premises project for this contribution we can confirm that based on the current practice boundaries we would expect the contribution to be utilised as set out above. Any premises plans will include the pooling of S106 contributions where appropriate.

In addition to the above we request that any S106 agreement regarding a financial contribution recognises the following:

- Supports the proactive development of premises capacity with the trigger of any healthcare contribution being available linked to commencement or at an early stage of development.
- Allows the contribution to be used towards new general practice premises in the area serving this population (should GP Estates Strategy identify future requirement) and not just limited to the practices detailed above.
- Allows the contribution to be used towards professional fees associated with feasibility or development work for existing or new premises.

General practice premises plans are kept under regular review as part of the strategy for the area and priorities are subject to change as NHS Kent and Medway must ensure appropriate primary medical care service capacity is available as part of our commissioning responsibilities. Planning for growth in general practice is complex; physical infrastructure is one element but alongside this care models and workforce are key considerations. Any plans developed need to support delivery of sustainable services for the future.

NHS Kent and Medway is of the view that the above complies with the CIL regulations and is necessary in order to mitigate the impacts of the proposal on the provision of general practice services.

Please note that for any s106 contributions secured by NHS Kent and Medway, the legal agreement should detail NHS England and Improvement (NHSE/I) as the recipient of the funding.

I would be grateful if you could advise me of the Council's decision in due course, should you require any further information, or points of clarification in the meantime please contact me using the above email address.

Appendix 1

NHS Kent and Medway uses a formula for calculating s106 contributions which has been used for some time and is calculated as fair and reasonable. This calculation is based the number of proposed units multiplied by the assumed occupancy multiplied by £360.

Where the application identifies unit sizes the following predicted occupancy rates will be used.

1 bed unit @ 1.4 persons
2 bed unit @ 2 persons
3 bed unit @ 2.8 persons
4 bed unit @ 3.5 persons
5 bed unit @ 4.8 persons

Where the unit sizes are not identified then an average occupancy of 2.4 persons will be used.

The calculations for this development are:

Based on the dwelling mix provided:

Total Units (per application)	Proposed Number of Bedrooms (per planning application)					NHS Predicted Occupancy Rates					Predicted Occupancy (N)	X £360 (O)
(A)	1 (D)	2 (E)	3 (F)	4 (G)	5+ (H)	1 (I)	2 (J)	3 (K)	4 (L)	5+ (M)		
62	33					1.4					43.2	£16,632
		29					2				58	£20,880
			0					2.8				
				0					3.5			
					0					4.8		
											101.2	£37,512

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.

Environment Agency

Thank you for consulting us on the above planning application. We have reviewed the information and do have any objections subject to the following comments.

Sustainable development, Land Contamination and Controlled waters - Standard Planning Informative note for developments on land potentially affected by land contamination or sites of proposed high risk use

Advice to the applicant – site specific advice

If you would like to receive site specific advice or discuss documents in further details with us, we are able to do so under our charged planning advice. Please contact us on kslplanning@environment-agency.gov.uk for further details.

Standard Planning Informative

The Government is committed to ensuring that the planning system does everything it can to support long term, sustainable economic growth, and has made it clear that significant weight should be placed on the need to support economic recovery through the planning system and related consent regimes, while protecting the wider environment.

Sustainable development is about preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of land, air, water or noise pollution or land instability. Sustainable development must therefore be based on a clear understanding of the historic land-use, the wider economic, social and environmental setting and the proposed development. Lack of understanding of the risks of contamination or pollution associated with a development site can lead to delay and additional costs if permits/licences other than the planning permission are required.

There is substantive guidance on best practice for site assessments and this should be followed fully to ensure planning applications are accompanied by relevant preliminary documentation, to allow them to be promptly processed and sustainable developments fully supported.

Local planning authorities should ensure that any site is suitable for its new use, especially high risk uses, taking account of ground conditions, contamination arising from previous uses and any proposals for land remediation, pollution prevention and foundation design.

Land Contamination

The Guiding Principles for dealing with Land Contamination is available on <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

We recommend as best practice that all site desk study, site investigation, remediation strategies and verification reports submitted for planning purposes are undertaken by a suitably qualified person, preferably registered as a SILC/SQP. We recommend that for brownfield site developments – especially on sites with higher risk previous uses – desk study reports, site investigations, remedial strategies and verification reports are signed off under the National Land Quality Mark Scheme (NQMS).

The NQMS is a system designed by the industry-led Land Forum to ensure that land contamination management work meets the necessary standards. It applies in particular to the presentation of environmental information to the regulator in the form of reports setting out both factual and interpretative information.

Under the scheme, reports are prepared in line with good practice and signed off by a suitably qualified and experienced person registered under the NQMS who aims to ensure that:

- The work has been planned, undertaken and written up by competent people who have relevant experience and/or qualifications in their respective disciplines
- The underlying data has been collected in line with established good practice procedures and its collection has been subject to control via established quality management systems
- The data has been processed, analysed and interpreted in line with established good practice and any specific advice provided by the relevant regulatory authorities or regulatory bodies
- The reports set out recommendations or conclusions that are substantiated by the underlying data and are based upon reasonable interpretations
- Any limitations in the data or uncertainties in the analysis are clearly identified along with the possible consequences of such limitations

If developments are supported by NQMS reporting we can assume that the local planning authority has the necessary information to allow decisions to be taken without the need for additional site-specific advice from us. We can recommend that you take account of the conclusions and recommendations within an NQMS report.

If you need further support understanding the report, please seek advice from your Environmental Health/Environmental Protection Department who will be able to advise on the generic aspects of land contamination management.

Where planning controls are considered necessary, we recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by paragraph 180 of the National Planning Policy Framework and the Water Framework Directive, which places such duties on all public bodies.

We also recommend that you consider the merits of advising the developer to handle any further land contamination management work that may be required under the NQMS.

Any unexpected contamination encountered during development of a site should be reported to the Environmental Health Officer (EHO) in accordance with Building Regulations Approved Doc C.

Foundation Design and Contamination

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment should be undertaken to confirm the proposed design does not pose risks to the groundwater. This should be in accordance with EA guidance document “Piling and Penetrative Ground Improvement Methods on Land

Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

Drainage Design and Contamination

Any SuDs design for clean roof drainage should be through sealed trap gullies and only sited in areas of clean naturally occurring materials in accordance with building regulations Approved Doc H (link below) and good practice design guidance (CIRIA R156).

All infiltration drainage from roads and service areas that bypasses the upper soil layers via soakaway chambers or boreholes may require a permit to discharge to ground, unless additional pollution prevention measures are installed that prevent contaminated water reaching the aquifer body.

Drainage may be restricted in a source protection zone or over an aquifer where groundwater is at shallow depths. Foul drainage should be discharged to mains sewers where possible. Developers should check <https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h> for Binding Rules information for small scale non mains discharges.

Submissions to the LPA should include all relevant information on foul drainage proposals using the following form. <https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>
Treated discharges to ground or surface waters may require an Environmental permit.

Engineering works

Any excavation and re-profiling works on closed landfill sites are likely to require an Environmental permit. Any new engineering works on permitted landfills will require appropriate variations to the permit as well as planning permission.

Soils and Stones

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides developers/operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works can be sustainably re-used under an industry agreed Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution in accordance with an approved remediation strategy.

- treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA for a set number of development sites.
- some naturally occurring clean material can be transferred directly between sites for agreed re-use.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK

Wastes Removed from development sites.

Contaminated materials that are (or must be) disposed of are waste. Therefore, the handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. Refer to the hazardous waste pages on gov.uk for more information.

GBC Waste

I have reviewed the above planning application and the bin store appears to be in a good location with easy access supported by the vehicle tracking information.

However there is limited information within the application on the provision of refuse and recycling collections from the development. The application shows 6 bins within the bin store but does not have any explanation on the reasons for the provision, the size of the bins and the breakdown of recycling and refuse.

I am interested to understand the waste collection provision for this development. I am interested in the number of bins for both refuse and recycling plus the expected frequency of collection. There does not appear to be a provision for food waste, which will become a legal requirement within the next two years so this needs to be added to the waste collection provision.

Our standard requirement is

- **Refuse** - 1 x 1100ltr bin per 6 flats
- **Recycling** - 1 x 1100ltr bin per 6 flats with specialised recycling lid
- **Food Waste** - 1 x 140ltr bin per 10 flats with an individual 5ltr caddy per flat

Developers are required to pay for the provision of all bins required for a development and these can be purchased through the Council. Developers are welcome to purchase their own 1,100 litre bins however the bins must be metal and comply with European Standard EN840.

Collections from sites will not occur until containers are in place. It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints in regard to non-collection due to the fault of the developer will be passed onto to the developer for response.

The Council should be informed at least two weeks prior to the waste collections by the council taking place.

Highway Development Management Officer

This proposal has a few issues that need careful consideration.

1. Whilst Gravesham may have maximum vehicle parking standards, these should be disregarded as the NPPF states in paragraph 112

“Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of this Framework). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists”

Thus the car parking provision should be determined by careful provision of similar

developments in similar locations with approximately or ideally the same level of access to public transport. It is also important to remember that given the age of the residents parking maybe more useful for visitors rather than the actual resident and Ellerslie suffers from on street parking demand at times as the Google Street View images below show.



May 2018



November 2022

1. All parking bay sizes should conform to the requirements of SPG4 and with the exception of the disabled parking spaces be 2.5 metres wide by 5 metres deep minimum

Parking Bay Sizes

B7. The dimensions of a car vary considerably with current vehicles ranging from 2.5m to 5.6m in length and 1.7m to 2.4m in width. The average dimensions of a car based on those currently available on the market is around 4.4m in length and 2.0m in width. Design Bulletin 32 (DB32) sets a minimum parking bay for cars of 4.8m x 2.4m. This would provide approximately 0.2m (8 inches) clearance around an average car. There are circumstances, particularly those involving the loading and unloading of vehicles, when a larger parking bay size than that set out in DB32 would be preferable.

B8. The preferred sizes for parking bays in Kent provided as part of development proposals are:

	Length	Width
Parking Bay Size for Powered Two-Wheelers ⁽¹⁾	2.5m	1.5m
Parking Bay Size for Cars ⁽²⁾	5.0m	2.5m
Parking Bay Size for People with a Mobility Handicap	5.5m	3.6m
Parking Bay Size for Light Goods Vehicles	7.5m	3.5m
Parking Bay Size for Minibuses ⁽³⁾	8.0m	4.0m
Parking Bay Size for Coaches ⁽³⁾	14.0m	4.0m
Parking Bay Size for Rigid Heavy Goods Vehicles	12.0m	3.5m
Parking Bay Size for Articulated Heavy Goods Vehicles	16.0m	3.5m
Notes:	1. A minimum space of 1.0m should be allowed between each motorcycle. 2. Where car parking spaces are provided parallel to, and abutting, a carriageway, aisle or drive the preferred bay size should be 6.0m x 2.5m to allow vehicles to manoeuvre into the bay when adjoining bays are occupied. The width of end spaces abutting an enclosed boundary should be increased to 2.7m 3. A width of 4.0m is the minimum necessary to allow passengers to embark and disembark safely.	

- The provision of parking for the mobility impaired needs very careful consideration and must be flexible to accommodate demand as it fluctuates, as it will no doubt over the life of the development. There should also be at least one bay available for the use of disabled visitors and this should be located close to the main entrance.
- Adequate provision should be made not only for the parking of an ambulance but also at least one delivery vehicle, given there will no doubt be a demand for home delivery from both supermarkets and also internet-based retailers.
- Cycle parking is required and the requirements in SPG4 are minimums for cycles. Cycles also includes adapted cycles that may be more appropriate in this instance given the age of the population and there should be adequate space to accommodate tricycles and any other form of adapted cycle that may assist the residents to remain active. The requirement would be to provide for ten adapted cycles to comply with SPG4 but given there is space for six mobility scooters this could be reduced to 4 adapted cycles, which isn't significantly different to the suggestion in LTN1/20 Table 11-1 which suggests 3.1 space. The Cycle design vehicle used in Local Transport Note 1/20 Table 5-1 is a length of 2.8 metres and a width of 1.2 metres, so there should be space to accommodate four such cycles with pedestrian access between the cycles to gain access. In addition, the aisle that serves these spaces needs to be of adequate width to provide access to the cycle parking spaces LTN1/20 recommends 4 metre aisle widths with a minimum of 3 metres, given the age of the residents there is much benefit to provide the wide access aisle. (Table 11-2)
- In addition to cycle parking for residents, cycle parking should be provided for visitors which should be capable of accommodating all types of cycles under cover, simple Sheffield Stands or similar would be sufficient. Three or perhaps four stands would be sufficient to comply with guidance giving a minimum of a total of 10 cycle parking spaces shared between residents and visitors.
- The applicant should also consider the provision of a motorcycle parking space or two, which can be used by both staff and visitors.
- I agree that changes may be required at the junction between Milton Road and Ellerslie, but this would be subject to a Section 278 agreement with the Highway Authority and given the fact that Milton Road is a local distributor road, those proposed may well not be considered acceptable. The alternative would be to introduce speed restraint features in Ellerslie at 40 metres intervals to achieve a target speed of 15 mph which is the requirement for a 23 metres junction visibility splay (25 metres being available paragraph 3.2.2/page 8 of the submitted Transport Statement). The first

feature being between the access and the junction. The option used to control vehicle speeds is for Kent County Council to approve.

Recommendations are:

Car parking provision should be justified based on analysis of similar developments in similar locations. This should also include the number of spaces that should be available for allocation as disabled parking spaces. The period of study should include the hours 8am to 11 pm and include Thursday, Fridays, Saturdays and Sundays when visitor demand can be expected to be at its highest.

Cycle parking needs to be amended to permit residents to park at least 4 adapted cycles and there should be provision for visitor cycle parking for a minimum of 6 cycles under cover. Ideally there should be scope to increase the cycle parking should the demand be there.

Vehicle speeds along Ellerslie should be reduced to 15 mph by appropriate means so that the visibility requirements at the access to the development can be met. The exact nature of the method used must be agreed with Kent County Council, who may not accept the submitted option, but another is available.

Suitable provision should be made for the parking of delivery vehicles and ambulances, reference is made to the parking of an ambulance, and a car parking space shown allocated on drawing MCD23935 10. An ambulance is a van-based vehicle, so a light goods vehicle size is required with sufficient space to accommodate the stretcher lift at the rear of the vehicle, to provide suitable access all-round.

A construction Management Plan should be conditioned.

All matters would appear to be resolvable, although the parking survey work will take time

Neighbouring properties

The application has been advertised by site notice and individual letters to 43 neighbouring properties. 22 letters of representation have been received. Three letters of objection raise the following concerns:

- This would increase traffic which is already bad
- This land has been used for sports and would alter the character of the area in a fundamental way
- Access to green spaces is essential for people's well being and health
- The view from Parrock Road to the river is currently a green corridor which would be lost
- Loss of green space and sports facility
- The argument for freeing up family homes is a compelling one but this site is not the best option; a brownfield site would be more appropriate

19 letters of support have been received:

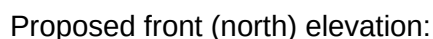
- The proposal will bring much needed sheltered housing and provide Gravesend RFC an opportunity to make the best use of the non playing land to the front of the site and provide much needed income
- The bowling facility has reached the point of minimal use and the money would be used to improve sports for all ages
- This helps secure the future of sport for generations to come in a town centre location
- It will benefit the whole community
- The proposal will enhance the overall look of the area
- The financial benefit of releasing within land for development may secure the future of sport in the area for many years to come

Following reconsultation a further four letters of objection have been received and two letters of support. The main comments made:

- ### Officer's Analysis

This application seeks planning permission for the demolition of the existing bowls pavilion and erection of a 4-storey building to provide a 62-unit Use Class C2 retirement living complex, with a new access from Ellerslie, a new emergency access off Ellerslie, parking, landscaping and associated works.

Proposed site layout:





Proposed rear (south) elevation:



Proposed west (facing Ellerslie) elevation:



There will be a car park with 32 spaces of these three will be disabled spaces and potential for two to be converted for disabled use. Four of the spaces will be allocated for staff parking. There will also be one space for an ambulance.

Extra Care accommodation is aimed at providing independent living for the frail elderly, with day-to-day care in the form of assistance and domiciliary care tailored to the owners' individual needs. It provides purpose-built, specifically designed accommodation in a safe and secure environment including companionship whilst allowing an independent lifestyle. Safety, security and companionship reduces anxieties and maintains health and general wellbeing. It also provides a form of housing which meets better the on-set and increasing problems of mobility/frailty while maintaining an independent lifestyle.

The residents are able to buy in care packages to suit their needs as they change over time rather than paying the fixed costs of a nursing or residential care home with its one for all approach. It provides further choice for the frail elderly in tailoring their care provision during the ageing process, allowing them to stay in their own 'home' within this specialised accommodation, maintaining a better sense of independence and enhancing their personal welfare.

It is a major development proposal.

Housing Need

In regard to housing need, Policy CS02 (LPCS) sets out the Borough's objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to demonstrate a five-year housing supply. This engages the first part of footnote 8 of the National Planning Policy Framework and this means for decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the National Planning Policy Framework Para 11(d) unless:

- i. the application of policies in this Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The proposed development for a net increase of '62' no. dwelling would offer a minimal contribution towards meeting this local need and, accordingly, officers considers that this should be accorded minimal weight in support of the application. However, this has to be balanced against other requirements of the NPPF (2023) and in particular paragraph 135 and 139 - of the NPPF (2023) which requires development to be add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers. The proposed development is considered acceptable as discussed below.

The Key Issues

The key issues in the analysis and assessment of this planning application are:

- The Principle of the Development
- Design, Layout and Impact on the Character of the Area
- The impact on the amenity of future residents of the development
- Impact on existing local residential amenity and existing residents
- Open Space, Trees and Landscaping
- Highways, Access and Parking
- Other Material Planning Considerations -; Ecology and Biodiversity; Heritage and Archaeology; Construction and Contamination; Drainage/Flood Risk/Services; Sustainability, Energy Efficiency and Green Credentials; Waste & Refuse; Fire Access; Security - Secured by Design, etc.

Principle of the Development

The application site is not specifically allocated for residential development or any other forms of development as such in the adopted development plan.

Policy CS02 of the Gravesham Local Plan Core Strategy 2014 (LPCS) prioritises development in the urban area as a sustainable location for development. Policy CS02 seeks to achieve this by:

Promoting regeneration by prioritising the redevelopment and recycling of underused, derelict and previously developed land in the urban area

The National Planning Policy Framework (NPPF) is explicit that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 125 advises that local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them.

The application site meets the definition as previously developed land however it is also located on a former bowling green and part of a training pitch.

Local and national planning policies resist the loss of existing open space, sports and recreational buildings and land. As such the proposed development is contrary to policy CS13 of the LPCS and paragraph 103 of the NPPF. This is discussed in more detail below.

Sport England are a key consultee in such an application where sports facilities are being lost. In addition to the above, development proposals would need to be judged against the general policies of the development plan and national planning guidance and policy.

Impact on Sports Provision

Policy CS13 of the LPCS seeks to protect and enhance the quantity, quality and accessibility of green space, playing pitches and other sports facilities. This policy is supported by the Gravesham Open Space, Sport and Recreation Assessment, which includes bowling greens within the Gravesham Playing Pitch Strategy and Action Plan 2016 and Gravesham Playing Pitch Strategy Final Assessment Report June 2016. The former bowls club was listed as having 60 members and no waiting list. The green was assessed as being of good quality.

It is accepted that there is currently no shortfall in demand for bowling greens and that an increase in membership could be accommodated on existing greens, however the assessments in these reports are made with the inclusion of the GRFC Bowls Club. The retention of existing bowling greens is supported by these documents. In light of this, the loss of the bowling green at this location would require a financial contribution to enhance facilities at another location. There is another bowls club within this playing field network.

The proposal is sited adjacent to existing playing pitches. The proposals do involve the reorientation of the northern rugby pitch and require the implementation of the flood lighting approved under planning permission 20221327. The applicants have confirmed that no development on the site that would preclude the use of the rugby pitch would take place before it is reorientated and that, in any event, the building will not be brought into use until the pitch is reorientated. A condition is recommended to ensure this happens.

Paragraph 103 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

This is supported by Sport England's Playing Fields Policy and Guidance. Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or
- Land allocated for use as a playing field

Unless the development meets with one or more of the five exceptions set out in their guidance. While bowling greens are not included in the definition of a playing pitch, Sport England considers that they will be included in an area defined as a playing field if, in physical or functional terms, they form part of an overall playing field site.

The Council consider this site to form part of the wider playing fields across the whole green space.

Sport England initially raised an objection. Bowling greens do not fall within the definition of a playing pitch however Sport England considers that they will be included in the area defined as a playing field if in physical or functional terms they form part of an overall playing field site as is the case here.

All sport uses are also to be considered against paragraph 103 of the NPPF that states;

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Policy CS13 of the Gravesham Core Strategy says, *The Council will seek to make adequate provision for and to protect and enhance the quantity, quality and accessibility of green space, playing pitches and other sports facilities, in accordance with an adequate, up to date and relevant evidence base.*

The proposal would result in the loss of some 0.71 hectares of the existing playing field. Although the remaining playing field is outside of the red line boundary of the application, it is understood that the applicant intends to work with Gravesend Rugby Club to make some amendments and improvements to the pitches and a training area to mitigate the impact of the proposed development on their use. A separate application to provide additional floodlighting to one of the existing match pitches has been approved under reference 20221327 and also showed the re-orientation of the northern-most rugby pitch.

At paragraph 2.14 of the planning statement, it is said that the Rugby Club is looking to redevelop the former Bowls Club to enable significant investment in the rest of the site. Improvements are said to include improved security, floodlighting as well as drainage and levelling to the adjacent rugby pitches. It is necessary to recognise that neither Sport England's Policy nor paragraph 103 of the NPPF recognise enabling development as a reason to justify the loss of playing field land. It is also the case that there is no detail available regarding the improvements referred to other than the floodlighting the subject of 20221327. In the absence of this information and notwithstanding that it would not impact on Sport England's assessment of the proposal against their policy, it is not possible to balance any potential 'benefits' against the loss of sport and recreation land proposed.

The proposal is for residential development resulting in the loss of an area of existing playing field. Although the applicant has undertaken an assessment to demonstrate that the loss of the bowling green would meet exception E1 of their policy, Sport England would not agree with that conclusion. While the Council's Playing Pitch Strategy (PPS) 2016-2028 identifies that demand for bowls in the borough is currently being met, an existing and increased projected shortfall in the borough of both football and rugby pitch provision is identified. The PPS is out of date, not having been reviewed in accordance with Sport England guidance in the interim. However, it is expected that any such review to demonstrate E1 is met would accord with Playing Pitch Strategy Guidance. It would also be expected that all pitch type shortfalls were satisfactorily addressed before any existing playing field land was released for development unless alternative mitigation measures to compensate for the loss were made.

Sport England, in assessing the application, consulted with Bowls England and the RFU. Bowls England has commented that it has been in contact with the previous resident club, Gravesend RFC Bowls Section, that is an affiliated member of Bowls England. The club has disbanded due to the development proposed and its members have joined Gravesend Bowling Club. Bowls England wishes to request consideration of a financial contribution towards the improvement of facilities at Gravesend Bowling Club reflecting the increased pressure that additional members place on that facility as a result of the closure of the application site. The applicant in its planning statement makes reference to an appeal decision APP/G5180/W/20/3249202 relating to the loss of a bowling green (not on a larger playing field) lost as a

result of a sheltered housing scheme. In that case, the Inspector considered that the loss was adequately mitigated by a financial contribution of £50,000 made to Bowls England to invest in the improvement of other bowls clubs in the area. Sport England is aware that bowls clubs due to their demographic are under particular pressure to maintain their membership and the quality of their facilities. A contribution of a comparable amount would be considered to adequately mitigate the loss of bowling green and in that regard, the applicant's statement at paragraph 6.5.35 that it is happy in principle to explore a mitigation strategy for bowls is welcomed, notwithstanding that this should not be a payment to the Rugby Club, but one to the Council, Bowls England or a specific club with the purpose of improving community-based bowls provision. Sport England would object to the loss of the bowling green area should a financial mitigation not be secured.

With regard to the loss of the small area of playing field outside of the bowling green area, and the impact of the proposal on the existing playing pitches, the applicant discusses these within the planning statement at paragraphs 6.5.28 to 6.5.36 of the planning statement. The discussion focuses on the proposed improvements that the applicant proposes to make to the floodlighting on one of the match play pitches, that is the subject of the separate application.

The RFU commented at pre-application stage *that the rugby club is aware of the proposed development that would necessitate the re-orientation of an existing rugby pitch immediately adjacent to Ellerslie / Donald Biggs Drive from its existing north-east / south-west orientation to one which is north-west / south-east in nature. This would be due to the proximity of the carpark and access road to this existing pitch.*

This re-orientation would impact the existing floodlit training area in the north-east corner of the site. The club has long standing plans to increase the total provision of floodlighting available to players, with the current training area suffering from poor quality due to overuse. The club plan to re-provide floodlighting to the pitch immediately adjacent to the existing clubhouse pitch and directly south-east of the existing cricket square. The club has had discussions with the cricket club to ensure that the floodlighting solution is acceptable i.e. demountable columns and base cover plates are located away from the square and do not impact bowler run-ups.

This full pitch floodlighting solution would provide additional midweek training capacity, as well as retaining informal space for age grade activity. This proposal does not have planning consent at present.

Initial discussions with the developer indicate that they would be willing to support the re-orientation of the pitch and enhancements to on-site power capacity for floodlighting and the planned clubhouse improvements. This is yet to be confirmed formally.

If the benefits outlined to Gravesend RFC were to be secured, the RFU would not have an objection to the proposed development.

In its response to the current application, the RFU recognises that the application for the floodlighting is currently being assessed (it has now been approved). It has also commented that it is concerned that the red line boundary and the relationship with the existing pitches / any re-orientated pitch is not clear. An existing and proposed 'masterplan' showing the relationship between the proposed development and the playing field pitches is required to demonstrate that this is satisfactory and that no adverse impact to the use of the pitches would result. Confirmation is required from the applicant that the northernmost pitch, immediately adjacent to Ellerslie (identified at photo 3 of the Design and Access Statement) is to be relocated prior to the development being occupied or that it would not be impacted by the proposed development. In that regard, a dead ball zone behind the goal posts of 6m and a minimum 5 m safety run off beyond is required to be retained to separate the pitch from the boundary of the proposed development.

Sport England's support for this proposal involving the loss of the playing field area and any impact on the existing pitch and training area would be subject to the current application for additional / relocated floodlighting being approved and that lighting being installed and operational before the existing pitch and training area are lost.

Initially Sport England objected to the application because it is not currently considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 103 of the NPPF. The applicant responded to Sport England's response by providing an existing and proposed sports pitch site plan.

They stated that the plans demonstrate the relationship of the proposed development with the existing and proposed playing field pitches. They stated that the proposed development would have no adverse impact on the use of the existing pitches. They noted that the red line area of the application site includes a small triangle of GRFC land which will provide emergency access to the rugby pitches only; it is not required for the retirement development.

They also confirmed that the northernmost pitch will be reoriented prior to the development being occupied and no works will be undertaken that preclude the use of this pitch before it is reoriented. The proposed sports pitch site plan shows that a dead ball zone behind the goal posts of 6m and a minimum 5m safety run off will be provided to separate the pitch from the boundary of the proposed development.

In terms of the suggested financial mitigation the applicant suggested £80,000 to be secured through a s.106 for the benefit of the Council or Bowls England and specifically for the improvement of existing bowls club facilities in the local area/Borough. Sport England deemed this offer as acceptable and removed their objection.

Provision of Elderly Care Accommodation

In respect of the specific use as proposed for a care home Policy CS14 (LPCS) 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.'*

The need to provide housing for older people is described in the National Planning Policy Guidance (NPPG) as *'critical'* as people are living longer lives and the proportion of older people in the population is increasing (Paragraph 001 Reference ID: 63-001-20190626). It indicates:

'Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems.'

The pre-amble to Local Plan Policy CS14 (in Paragraph 5.10.7) indicates that it is important that the concentration of residential institution accommodation is controlled and therefore that such accommodation is in accessible locations and would not result in a concentration of such facilities. The application site is reasonably well served by public transport, local services are easily accessible and there are no existing facilities within close proximity. A new care home in this location would therefore address the Council's spatial planning objectives and will help in delivering a broad mix of social community uses in the area.

The published Gravesham Borough Council Strategic Housing Market Assessment (2016), states that; "The most significant growth is forecast in the age bands over 65. Growth is particularly marked in the 85+ household age band, which is projected to increase by 2,030 householders (144%) over the 25 years from 2012 to 2037."

Table 77 from that report is shown below for clarity:

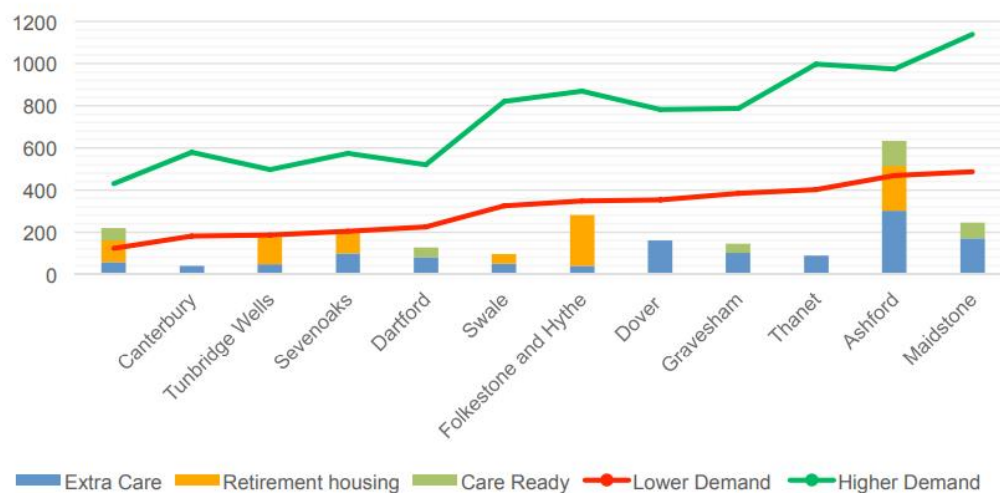
Table 77 - Age Distribution of Projected Household Growth (2012 - 2037)

Household Age Band	Demographic (Long term migration) Baseline Scenario			
	Number of households 2012	Number of households 2037	Difference 2012 – 2037	% Change
0-14	0	0	0	0%
15-24	1,258	1,392	134	11%
25-34	5,563	6,554	991	18%
35-44	7,675	8,915	1,240	16%
45-54	8,392	9,406	1,013	12%
55-59	3,338	4,289	951	28%
60-64	3,218	3,942	724	23%
65-74	5,774	8,453	2,679	46%
75-84	4,120	5,952	1,832	44%
85+	1,414	3,444	2,030	144%
Total	40,752	52,346	11,594	28%

Source: BGVA/ ONS SNPP

The following extracts are taken from Kent County Council's accommodation strategy for social care.

Demand forecasting for the potential need for Extra Care housing can be seen in the chart below. Two models have been used to forecast, given current Social Care demand and population growth. The chart below shows what these two models indicate (a lower and higher potential need), current 'housing with care' type homes in existence have been included to show what further progress could be required.



As shown in the chart above, Ashford Borough Council have successfully increased provision of extra care and other housing with care provision supply to be over their potential lower demand forecast. Only Tonbridge & Malling Borough Council, when combining all Housing with Care options, is also within the lower and higher demand thresholds. Tunbridge Wells, Sevenoaks and Folkestone & Hythe District Councils appear close to achieving the lower estimate.

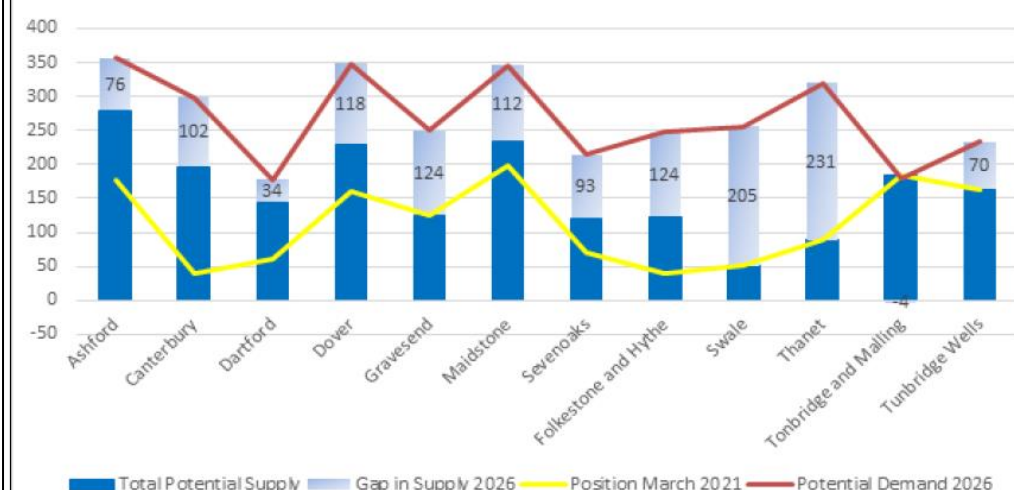
The KCC Accommodation with Care and Support Market Position Statement 2021-26 provides an update as of 2021, which they identify as likely being lower than the norm given that the data was taken during the height of the Covid 19 pandemic.

Housing with Care

In addition to the current supply of housing with care, the council estimates a **further 1,287 units** of accommodation, across all tenure types, **will be required by 2026**.

If the demand for 2026 is achieved, the council estimates a **further 561 units will be required by 2031**.

Housing with Care Demand 2026



The site is located approximately 100 metres from local centre with two convenience shops, a takeaway and a church. There are 5 other shops and businesses and a public house slightly further to the east of the site. There are bus stops immediately outside the site with regular buses to Gravesend, Dartford and Bluewater Shopping Centre. The bus stop across the road has regular buses to Chatham.

Gravesham follows the national trend of an ageing population and their housing needs require consideration such as adaptations and support to remain living independently. There is an identified need for additional housing specifically for older people. Households with occupants in the 65+ age bracket are growing above the national average, however there is a trend of out migration of older people from the borough. This could be because there is not sufficient accommodation available. It is also hoped that by providing more specialist older people's accommodation that larger, family homes will be released back into the housing stock.

Extra Care

The applicants have submitted a statement relating to extra care accommodation. This specifically considers the type of accommodation that is provided in the context of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the application of affordable housing and contributions.

Just because a unit is self-contained does not mean that it automatically falls within the C3 use class.

The proposal aims to provide independent living for the frail elderly with day-to-day care to the owners' individual needs. The accommodation is specifically designed to be a safe and secure environment whilst facilitating an independent lifestyle through care and support. The level and type of care will increase as abilities decrease.

Physically the apartments are larger in order to facilitate wheelchair use rather than just mobility standards. The units are a person's home and are considered better than their previous residence in terms of 'liveability'. They contain 1-2 bedrooms as it is considered the occupants are over 70 and are 'downsizers'. The other elements are the extent of staffing and care that the residents are obliged to pay for. Access is promoted from the main entrance to the building rather than external doors. The communal areas are far

more extensive than in Category II sheltered housing schemes where there is usually just a resident's lounge. Extra Care contains a high specification and larger residents' lounge, a reception area and office, a bistro restaurant with catering/a commercial kitchen, a laundry room, accommodation for 24 hour staffing, a wellness suite and larger lifts similar to those found in hospitals.

The properties are sold on a long leasehold basis and an age restriction is set at 70 years old (although the average age is 85). This is older than the applicant's Category II sheltered housing schemes and differs because it is needs based choice rather than just downsizing.

Staffing in Extra Care goes beyond just a manager and a pull-chord system. There are care staff, a manager and deputy managers. Staff are available 24 hours a day and the scheme is expected to employ the equivalent of 17 full time people.

The service charge for Extra Care is significantly higher than Category II schemes due to the greater number of services provided.

The level of care to be provided is set out from the start and regularly reviewed. The Manager will ensure consultation takes place regularly. Whilst the units are 'self-contained' the Manager will hold keys to all the apartments in case of emergencies. All care will be met without the occupants needing to change accommodation. External agencies will only be brought in when care requirements are outside of the applicants ability to deliver it.

The applicants have provided details of the Housing (Learning and Improvement Network) Fact Sheet 2015 which lists the core ingredients of an Extra Care Scheme as:

- *Purpose-built, accessible building design that promotes independent living and supports people to age in place*
- *Fully self-contained properties where occupants have their own front doors, and tenancies or leases which give them security of tenure and the right to control who enters their home*
- *Office for use by staff serving the scheme and sometimes the wider community*
- *Some communal spaces and facilities*
- *Access to care and support services 24 hours a day*
- *Community alarms and other assistive technologies*
- *Safety and security often built into the design with fob or person-controlled entry*

It acknowledges that setting a use class is not straightforward:

'The planning classification of extra care housing is far from straightforward, reflecting the broad range of philosophy and types that extra care covers. Whether it is seen as primarily housing or as a proxy for a care home depends on the nature of the scheme and the services provided. The planning Use Class applied to Extra Care confirms this distinction because some schemes are defined as C3 (Dwellinghouses) and some are C2 (Residential Institution).'

The Fact Sheet sets out the key determining factors in assessing the Use Class of an Extra Care scheme:

- *The extent of any legal restrictions on purchase and occupation;*
- *Availability of care via a registered provider;*
- *Arrangements for the regular assessment of individual care including upon occupation;*
- *The availability of meals;*
- *Extent and scale of community facilities.*

The applicant has confirmed that they would accept a condition to restrict the use of the building for Extra Care for older persons. They have confirmed that the scheme manager will be registered with the Care Quality Commission and that there will be regular assessments of individual care. Meals will be made available and can be delivered directly to the apartments and the facilities provided are listed in the Fact Sheet's 'Core Ingredients'.

The applicants consider that a C2 use is residential housing with care which has implications for affordable housing contributions. On considering the level of care proposed (i.e. each resident will be required to take a care package when buying into the scheme) and restrictions that will be imposed through planning conditions, it is agreed that this particular proposed development would fall within the C2 use class.

Affordable Housing Provision

Policy CS16 (Affordable Housing) of the Gravesham Core Strategy 2014 requires that the provision of affordable housing will be required on all new housing developments over a certain threshold (15 dwellings in the urban area), subject to site viability and a tenure mix necessary to meet local needs and achieve a successful sustainable and socially inclusive development. In this case the use of the proposed building falls within Planning Use Class C2 (Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres) and is therefore exempt from the provision of affordable housing as per policy CS16.

Employment Use

It is also acknowledged that a further benefit of this proposal is that the development will employ the equivalent of 17 full time staff and the site will be staffed 24 hours a day. The employment gives some weight to the development proposals in the overall planning balance.

There would also be associated opportunities for job creation including in the construction of the development and through services to support the care home operation once operational.

The proposal accords with Policy CS07 that seeks to enhance opportunities for all local people to access new jobs arising from the Council's employment policies.

Concluding the Principle of Development

The Local Planning Authority considers there are two principles of development that are of relevance to the proposed development at the site. The first being the Loss of Playing Pitches and the second being the Need for Older People's Housing.

The proposal will result in the loss of the bowls club however a financial contribution towards other bowls clubs in the area is considered to mitigate this loss. The amount of playing fields for rugby and cricket remains the same.

The proposal is for an extra care home for which there is an identified housing need, and the site is within a highly sustainable location in the urban area, close to existing bus stops and within a comfortable walking distance of local shops in Milton Road. It is agreed that the level of care to be provided is such that the proposed use would fall within C2 of the Use Classes Order.

The development of this site for the use as proposed is considered to be appropriate and a sustainable use within the local area in accordance with Policy CS01 (Sustainable Development) of the Gravesham Local Plan Core Strategy and accords with the presumption in favour of sustainable development set out in the NPPF (2023) in Section 2, Paragraphs 7 – 14: Achieving sustainable development. It also accords with Policy CS02 of the Gravesham Local Plan Core Strategy 2014 which prioritises development in the urban area as a sustainable location for development by recycling of underused, derelict and previously developed land in the urban area. It accords with Section 11, Paragraphs 123-130 of the NPPF (2023) by making effective use of land.

However, this also has to be balanced against other requirements of the NPPF (2023) and in particular paragraphs 135 and 139 of the NPPF (2023) which requires development to be add to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

Notwithstanding the weight to be given in favour of sustainable development it is necessary to assess the proposals against the policies in the NPPF (2023) and established local planning policy taken as a whole. There are also other important material planning considerations that need to be considered and these are discussed below.

Design, Character and Appearance

The site consists of a bowling green, club house and associated outbuildings located at the northern end of Rectory Field playing fields. Rectory Field playing fields is a large, interconnected playing field network that is the home to pitches and facilities serving 2 rugby clubs, a football club, a tennis club, another bowls club and a cricket club. There are separate pavilions serving the cricket and rugby uses of the playing fields.

To the north of the site is Milton Road, an area of mixed commercial and residential use.

There is a grass verge and bus stop immediately to the north of the site. To the east is Church Walk, two large detached dwellings, including the rectory to St Peters and St Paul's Church and Gravesend Grammar School for Boys. To the west is Ellersie the access to the sports club facilities and 4 storey flat block, Ellersie Court.

The site is heavily screened by trees along the northern and eastern boundaries but open to the south and west and was in use by GRFC Bowls Club (belonging to the Gravesend Rugby Football Club) but is currently vacant.

The surrounding area has a mix of different housing types, styles and materials but most run parallel with the street and have the principal elevation fronting the street. The development has been designed to front onto Milton Road to the north but has also considered that the eastern and western side will also be highly visible from public vantage points.

The side elevations contain a mix of materials and fenestration including balconies. The roof form drops down to the sides and rear (south). The design takes inspiration from the flats to the west and the school buildings to the east. The proposed building significantly increases the bulk of the existing development however, there are other taller buildings in the vicinity as mentioned above and no significant harm will be caused in an urban area that already contains larger buildings.

The front (north) elevation attempts to break up the bulk and massing of the building with a staggered roofscape, articulation and vertical emphasis. The use of different materials and window sizes also helps to play with the scale of the building.

The use of materials will be subject to condition however, those indicated on the plans appear to compliment the red brick of the properties opposite and the more yellow brick and roof structure to the flatted development to the west of the site.

The southern elevation will be the most visible due to lack of screening however, this will be mainly from the playing fields. The south elevation is where the communal areas are located and these should be attractive and inviting. The communal area is shown to overlook a communal garden although no details of this have been provided. Beyond this are car parking spaces. A condition attached to any forthcoming recommended would be required to ensure that a landscaping plan is submitted showing full details of replacement trees and the treatment of the communal garden prior to above ground works. Details of boundary treatment have not been included and, again would be required by condition. It is noted that a close boarded fence along the southern boundary is unlikely to be acceptable.

Heritage

The applicants have submitted a Heritage Statement in support of the application. In terms of the impact on the church of St Peter and St Paul, which is Grade II* listed, it is noted that the proposed development will change the approach to this listed building from the direction of the town centre:



The proposed development will not be visible when approaching the church from the opposite direction:



The surrounding area is leafy and the church is surrounded by trees to the east. These aid in separating the sites so the two are quite separate. The leafy surroundings will remain will complement the setting of this listed building.

There is also a Grade II listed structure known as the Milton War Memorial which is located within the church grounds and as such, it is considered any impacts on this are the same as the church.

The applicants consider the church to hold a good/high level of significance as a medieval parish church which retains a great deal of medieval, 18th and 19th century fabric. The church is set at a higher level than the road which makes it a dominant feature in the local landscape. The setting of the church is moderate/good beneficial but at a greater distance where the surroundings are more varied, it is considered to make a minor beneficial contribution.

Due to the trees there is no direct inter-visibility between the site and the church however it can be seen projecting above the trees.

The war memorial is visible from the street and can be appreciated from outside of the church grounds. It is considered to have a moderate/good level of significance.

The loss of the low-level pavilion on the site and intervening vegetation results in no visual relationship between the existing building on site and the church and, as such, its loss would have no impact on the church's significance.

The element of the proposed building facing Church Walk which is closest to the listed church will have a lower profile. It is felt that the staggered frontage and rooflines together with a landscaped frontage will result in limited views to the church. The applicants state the impact would be negligible adverse.

The design of the building ensures that it does not dominate the war memorial due to the distance from it

and intervening vegetation. It is therefore considered to have a neutral impact.

In summary, proposals do not involve direct alterations to a listed building or works within a Conservation Area and the design of the building has been changed from the originally submitted plans in order to address concerns regarding the bulk. Whilst there will be some impact on the church and war memorial it is not considered significant and, due to the Council's lack of housing supply and the need for residential homes for elderly people, on balance, the proposal is acceptable and therefore accords with policy CS20 of the Gravesham Core Strategy 2014 and section 16 of the National Planning Policy Framework 2023.

Archaeology

The site lies within an area of multi-period, background, archaeological potential and has been little developed in the recent past except for the bowling green, pavilion and a sewer pipe. The archaeological potential of the site is presently unknown and the existing evidence (including taking account of past development impacts) does indicate that it is unlikely that development of the site would have a significant below-ground impact, however, without field evaluation, it is not possible to be certain that the site has no archaeological interest, given the site's location on the historic routeway (Milton Road) and the site's proximity to the medieval Milton church of St Peter and St Paul. A condition is therefore recommended that a watching brief is undertaken in accordance with the written scheme of investigation. There is also historic interest in the site and therefore a record of the building and pavilion should be made and lodged with the Kent Historic Environment Record. This can also be controlled by condition.

Trees and Landscaping

The existing eastern boundary of Church Walk is heavily landscaped with a single property fronting the road at a considerable distance from the highway. The proposed building will be readily visible and dominant from this location and would benefit from the retention of screening. The submitted tree survey shows that the trees facing Milton Road will be retained. The proposed building will be outside the root protection areas and crown spreads of the retained trees. Some trees will require pruning to provide separation from the balconies. The report states that the hawthorn and privet hedge together with tree group 1 along Church Walk will need to be removed however new trees will be planted. This is important in order to retain the leafy feel of this road and to help break up the bulk of the building.

A condition is recommended that retained trees are protected during development and any that are lost shall be replaced.

In terms of design, subject to conditions relating to materials, landscaping and boundary treatment, the proposal is considered to accord with the objectives of policy CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2023.

Amenity

Amenity of Future Occupiers

There are no standards for the size of extra care apartments however, the table below shows that each apartment does meet the Technical Space Standards and therefore offer sufficient internal floor space:

Flat	Approx internal floor area	Flat	Approx internal floor area
Flat 1 (1 bed, 2 person)	50.6sqm	Flat 32 (2 bed, 4 person)	73sqm
Flat 2 (1 bed, 4 person)	74.25sqm	Flat 33 (2 bed, 4 person)	74sqm
Flat 3 (1 bed, 2 person)	54.9sqm	Flat 34 (1 bed, 2 person)	54sqm
Flat 4 (2 bed, 4 person)	80sqm	Flat 35 (1 bed, 2 person)	50sqm
Flat 5 (1 bed, 2 person)	50.7sqm	Flat 36 (1 bed, 2 person)	60sqm
Flat 6 (1 bed, 2 person)	50sqm	Flat 37 (1 bed, 2 person)	56sqm
Flat 7 (1 bed, 2 person)	55.3sqm	Flat 38 (1 bed, 2 person)	50sqm

Flat 8 (2 bed, 4 person)	81.2sqm	Flat 39 (1 bed, 2 person)	58sqm
Flat 9 (2 bed, 4 person)	73.2sqm	Flat 40 (1 bed, 2 person)	55sqm
Flat 10 (2 bed, 4 person)	74.3sqm	Flat 41 (2 bed, 4 person)	80sqm
Flat 11 (2 bed, 4 person)	73sqm	Flat 42 (2 bed, 4 person)	81.7sqm
Flat 12 (2 bed, 4 person)	73sqm	Flat 43 (1 bed, 2 person)	54.8sqm
Flat 13 (2 bed, 4 person)	73sqm	Flat 44 (2 bed, 4 person)	80sqm
Flat 14 (1 bed, 2 person)	53sqm	Flat 45 (1 bed, 2 person)	57sqm
Flat 15 (1 bed, 2 person)	50sqm	Flat 46 (1 bed, 2 person)	59sqm
Flat 16 (1 bed, 2 person)	51sqm	Flat 47 (2 bed, 4 person)	73.5sqm
Flat 17 (1 bed, 2 person)	56sqm	Flat 48 (2 bed, 4 person)	74sqm
Flat 18 (1 bed, 2 person)	50sqm	Flat 49 (1 bed, 2 person)	59sqm
Flat 19 (2 bed, 4 person)	73sqm	Flat 50 (2 bed, 2 person)	80sqm
Flat 20 (1 bed, 2 person)	56sqm	Flat 51 (2 bed, 4 person)	74sqm
Flat 21 (2 bed, 4 person)	80sqm	Flat 52 (2 bed, 4 person)	74 sqm
Flat 22 (1 bed, 2 person)	50sqm	Flat 53 (1 bed, 2 person)	53.5sqm
Flat 23 (1 bed, 2 person)	51sqm	Flat 54 (1 bed, 2 person)	51sqm
Flat 24 (1 bed, 2 person)	55sqm	Flat 55 (1 bed, 2 person)	51sqm
Flat 25 (2 bed, 4 person)	80sqm	Flat 56 (1 bed, 2 person)	56sqm
Flat 26 (2 bed, 4 person)	74sqm	Flat 57 (1 bed, 2 person)	56sqm
Flat 27 (2 bed, 4 person)	74sqm	Flat 58 (2 bed, 4 person)	80sqm
Flat 28 (2 bed, 4 person)	73sqm	Flat 59 (1 bed, 2 person)	55sqm
Flat 29 (2 bed, 4 person)	71sqm	Flat 60 (2 bed, 4 person)	80sqm
Flat 30 (2 bed, 4 person)	73sqm	Flat 61 (2 bed, 4 person)	73sqm
Flat 31 (2 bed, 4 person)	80sqm	Flat 62 (2 bed, 4 person)	74sqm

Each apartment has windows serving habitable rooms and access to outside space, whether it be a balcony or a patio. It is noted that flats 33, 52 and 62 overlook neighbouring balconies and have restricted outlook and daylight, particularly to bedroom 2, however, as this is a secondary bedroom it does not carry as much weight. On balance no objection is made particularly on the basis that the Council cannot demonstrate a five year housing supply.

Neighbouring Amenity

There are no properties within 26m of the proposed development which is the closest distance there should be between habitable room windows and private amenity space. Due to these distances there will be no detrimental impact in terms of loss of outlook, daylight or sunlight.

The proposal will have no detrimental impacts on the amenities of future or neighbouring properties and therefore complies with policy CS19 of the Gravesham Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2023.

Ecology and Biodiversity

Paragraph 180 of the NPPF (2023) indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:

- (a) Protecting and enhancing valued landscapes,
- (b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland
- (c) Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures

Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy 2014 indicates that there should be no net loss of biodiversity in the Borough.

SAMMS Tariff

The Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) are internationally important for nature conservation as the area is a wetland and supports important numbers of wintering waterbirds and migrating birds. There has been a decline in the number of birds using these sites in recent years. Studies show that this could be due to people using the estuary and marshes for recreation purposes. The North Kent Bird Disturbance Report concludes that all new housing development within 6km of the North Kent Ramsar Sites or Special Protection Areas (including the Thames Estuary and Marshes) and larger housing development beyond 6km from the sites could have an adverse impact on them. This is because new housing development is likely to lead to further increases in recreational use of the sites which means that further declines in the bird population cannot be ruled out. Possible mitigation measures are set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy. Having considered a number of options, the Council have decided to impose a tariff on new housing development. Developers will need to pay £314.05 for every new dwelling provided within 6km of the Ramsar site and SPA and for larger housing developments beyond 6km from them. However it does also specify that for C2 Residential uses this would be on a case-by-case basis. The money raised will be used to pay for schemes to avoid the adverse impacts of new housing development on the birds. The applicants have agreed to pay towards the mitigation by way of a Section 106 agreement.

The proposal therefore complies with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 185 and 186) of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

Ecology

KCC Biodiversity have been consulted on the application and are sceptical of the estimated biodiversity net-gain. Firstly, without the full excel calculations and condition assessments, they cannot assume the estimated the 31.68% increase in habitat units is accurate as the proposed building, hardstanding and landscaping will replace much of the site's vegetation. This lack of understanding is compounded by a lack of an ecological assessment.

Secondly, they highlight that the 'net-gain' will rely heavily on the effective establishment and management of proposed features like the wildflower grassland – it appears no establishment and management proposals have been disclosed.

Thirdly, a lot of scrub/woody material will be removed to facilitate the development. It would be beneficial if this could be retained on-site and would be an effective measure to retain biodiversity value.

In response to this the applicant has provided a Preliminary Ecological Appraisal by GreenLink Ecology Ltd and a Biodiversity Metric. This showed that there is little protected species interest on-site but as highlighted previously, biodiversity net-gain is the primary concern.

The metric calculations are mostly accurate however this will be heavily dependant on the creation and beneficial management of native wildflower grassland along the eastern and southern boundaries. The scrubby/woody material that is removed should be kept on-site and all planting (even shrubs) consist of native species only. This can be secured via a Landscape and Ecological Management Plan (LEMP) condition.

Additionally lighting can have an adverse effect on biodiversity and therefore a condition is recommended to ensure that a lighting design plan is submitted before the building is occupied.

Subject to conditions and SAMMS payment the proposed development accords with policy CS12 of the Gravesham Core Strategy 2014 and paragraph 180 and 186 of the National Planning Policy Framework 2023.

Flood and Drainage

The site is located in an area identified as having significant risk of surface water flooding. This indicates that flood mitigation must be considered from the outset and underlie all aspects of the design, layout and landscaping. Kent County Council are the Lead Local Flood Authority have reviewed the submitted information and the updated Drainage Strategy Report prepared by ID Ltd (25/01/23). They have raised no objection but suggest conditions to ensure the points raised are fully dealt with at detailed design stage.

Subject to these conditions the proposed development accords with policy CS18 of the Gravesham Core Strategy 2014.

S106 contributions

NHS

The NHS have requested £37,512 towards the refurbishment, reconfiguration and/or extension of Rochester Road Surgery, Gravesend Medical Centre, Parrock Street Surgery, Old Road West Surgery and Springhead Health and/or towards new general practice premises development in the area.

SAMMS

As stated above there is a requirement to pay £314.05 per dwelling towards mitigation measures for the SPA and Ramsar site. This equates to £19,471.10.

Sport England

Sport England have requested £80,000 towards bowls clubs in the area.

Air Quality

A Damage Cost Assessment (DCA) sum of £8,479 has been calculated to be put towards appropriate off-site air quality mitigation measures. These measures need to be proposed by the developer for the approval by the LPA and secured via a Section 106 agreement.

Parking and Highways

Ellerslie, where there are no current parking restrictions, suffers from on street parking demand at times. Milton Road contains double yellow lines on the side where the development is proposed and no parking restrictions to the opposite side. Church Walk contains no parking restrictions. Car parking provision needs to be carefully considered.

Initially concerns were raised with regards to excessive parking, the junction with Milton Road and Ellerslie Road and the speed of vehicles along Ellerslie Road. The applicants were made aware of this and updated their Transport Statement.

Whilst the 32 spaces proposed exceed the maximum Kent Parking Standards, this is a variation of a C2 Residential Institution use since it is an "Extra Care" Home which may attract additional car ownership than the usual care home.

Evidence is provided from other similar developments that demonstrates that the proposed 32 spaces is reasonable and not excessive and no concerns are raised.

In the revised TS it would appear that the proposal to increase the radius of the kerb line at the junction of Ellerslie with Milton Road has now been removed. A speed survey of existing traffic at the proposed junction point indicating 20mph in both directions shows that there is not a speed issue in Ellerslie at this location and therefore no concerns are raised.

In order to ensure acceptability of the proposal conditions are recommended to protect vision splays, protect the car parking spaces, the provision of cycle parking and the provision of a Construction Management Plan.

The proposed development, subject to condition, therefore accords with policy CS11 of the Gravesham Core Strategy 2014 and T1 of the Gravesham Local Plan 1994.

Conclusion

The proposed care home will provide much needed accommodation for the elderly, it is designed to complement the surrounding area and respect the nearby heritage. The loss of the bowls club has been mitigated against and no objections are raised with regard to amenity, parking or highways safety. Subject to conditions and signed s106 agreement, the proposed development accords with the above-mentioned policies and is recommended for approval.

Recommendation:

Permit

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Alison Webster	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	29 November 2023	Dated:	8th January 2024