



# Delegated Report

## Submission of Details Application

**Planning Application No:** 20240593

**Location:** Land To Rear Of 15 - 17 Darnley Road Gravesend Kent

**Description:** Application for approval of condition 3,4,5,6,8,9,10,11,12,13 and 14 attached to planning permission reference number 20231301 relating to details and samples of all materials and finishes to be used in the external faces of the building (3), details of windows and doors (4), full details of all boundary treatments, including their location, design, height and materials (5), details of the refuse storage and collection arrangements (6), a scheme detailing the provision for 7 additional cycle parking spaces (8), details of soft landscaping and a planting plan (9), details of hard landscaping (10), a Construction Management Plan (11), details of all external lighting (12), a Scheme of Biodiversity Enhancement (13) and a noise impact assessment (14).

**Applicant:** Hayer

### Submitted Documents/Plans

Application Form  
DR-001-602 – Proposed External Lighting Drawing Sheet 2  
Condition Statement October 2024 (received on 22<sup>nd</sup> October 2024)

Superseded:

~~DR-001-601 – Proposed External Lighting Drawing Sheet 1~~  
~~23-1431-20B – Discharge of Conditions 5,6,8,9 and 10~~  
~~Condition Statement June 2024~~  
~~Condition Statement June 2024~~  
~~Condition Statement October 2024~~  
~~Condition Statement October 2024~~

### Relevant Planning History

| Reference | Description                                                                                                                                                                                        | Decision  | Decision Date |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------|
| 20231301  | Construction of a three storey building with habitable roof space to accommodate seven apartments with associated pedestrian access, private and communal amenity space, refuse and cycle storage. | Permitted | 14.05.2024    |

### Development Plan

#### Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development

- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

#### Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- TC3 – Development Affecting Conservation Area

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 5 – Delivering a Sufficient Supply of homes
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving well-designed and beautiful places
- Section 16 – Conserving and Enhancing the Historic Environment

#### Supplementary Planning Guidance

- SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006)
- Darnley Road Conservation Area Character Appraisal (2009)
- Management Plan – 19<sup>th</sup> Century Conservation Areas (2009)

### **Consultations, Publicity and Representations**

#### Consultees

*KCC Biodiversity Officer*

*Received 09/10/24 (final comment):*

Condition 12 states: Prior to above ground works commencing, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details.

The report details the following: high level emergency only, security lighting will be installed at first floor level (5000mm from finished floor level) around the perimeter of the building to be controlled by PIR in the event of an emergency.

Downward facing lighting is proposed and the submitted plan has confirmed that the lighting will be installed on all aspects of the building. As detailed above the lighting must only be switched on when activated by the motion sensor.

If the lighting requirements change and lighting is required to be on constantly then the lighting plan must

be updated to use lights which are not considered motion sensor security lighting and instead have lighting with a lower intensity and light spill.

*Received 05/09/24 (second comment)*

Condition 5 states; Prior to above ground works commencing, full details of all boundary treatments, including their location, design, height and materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the flats hereby permitted are first occupied and thereafter maintained.

The submitted information has detailed the following: As confirmed within Drawing Ref 23-1431-20A prepared by Sub Rosa in support of this application and enclosed at Appendix 6, the proposed boundary treatment down the Rathmore Road elevation of the apartment block and external amenity area will consist of new 900mm black painted railings to match those originally present down the Darnley Road street scene. 2.12 To the west of the development block a new close boarded timber fence will be installed to enclose Nos. 15 and 17 Darnley Road in keeping with the existing fence in that location.

As railings are proposed for some of the site we are satisfied that there are opportunities for terrestrial species to access the site. As such we are satisfied that no further information is required.

Condition 9 states: Prior to above ground works commencing, details of soft landscaping and a planting plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the flats hereby permitted are first occupied and thereafter maintained. Any trees or plants that die, are damaged, removed or become diseased within five years from the implementation of the soft landscaping scheme shall be replaced with trees or plants of a similar size and species during the next available planting season.

The landscaping has proposed 4 species to be planted within the site which are either native or will benefit pollinators. In addition a flowering lawn mix is to be sown within the site. A flowering lawn mix can be mown regularly to be used for amenity purposes but it will still benefit biodiversity.

We are satisfied that the proposed landscaping is appropriate and are satisfied that the condition can be discharged.

Condition 12 states: Prior to above ground works commencing, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details.

Downward facing lighting is proposed and we are supportive of this. However a plan must be provided confirming the locations of all the lights to be installed.

The report details the following: high level emergency only, security lighting will be installed at first floor level (5000mm from finished floor level) around the perimeter of the building to be controlled by PIR in the event of an emergency.

Condition 13 states: Prior to completion of the development, a Scheme of Biodiversity Enhancement shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

The submitted information has detailed the following enhancements will be incorporated in to the site:

- 1 bat box (southern elevation)
- 1 House martin cup (eastern elevation)

We are satisfied that sufficient enhancement features have been proposed to discharge the condition.

*Received 29/07/24 (first comment)*

Condition 5 states; Prior to above ground works commencing, full details of all boundary treatments, including their location, design, height and materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the flats hereby permitted are first occupied and thereafter maintained.

The submitted information has detailed the following: As confirmed within Drawing Ref 23-1431-20A prepared by Sub Rosa in support of this application and enclosed at Appendix 6, the proposed boundary treatment down the Rathmore Road elevation of the apartment block and external amenity area will consist of new 900mm black painted railings to match those originally present down the Darnley Road street scene. 2.12 To the west of the development block a new close boarded timber fence will be installed to enclose Nos. 15 and 17 Darnley Road in keeping with the existing fence in that location.

As railings are proposed for some of the site we are satisfied that there are opportunities for terrestrial species to access the site. As such we are satisfied that no further information is required.

Condition 9 states: Prior to above ground works commencing, details of soft landscaping and a planting plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the flats hereby permitted are first occupied and thereafter maintained. Any trees or plants that die, are damaged, removed or become diseased within five years from the implementation of the soft landscaping scheme shall be replaced with trees or plants of a similar size and species during the next available planting season.

The landscaping has proposed 5 species to be planted within the site all are non native and only 1 of those species will benefit pollinators. We recommend that the plan is updated to include native species or additional species to benefit pollinators.

A lawn is proposed and we recommend that a flowering lawn mix is sown. A flowering lawn mix can be mown regularly to be used for amenity purposes but it will still benefit biodiversity.

Condition 12 states: Prior to above ground works commencing, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details.

Downward facing lighting is proposed and we are supportive of this. However, a plan must be provided confirming the locations of all the lights to be installed.

The report details the following: high level emergency only, security lighting will be installed at first floor level (5000mm from finished floor level) around the perimeter of the building to be controlled by PIR in the event of an emergency.

Condition 13 states: Prior to completion of the development, a Scheme of Biodiversity Enhancement shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

The submitted information has detailed the following enhancements will be incorporated in to the site:

- 1 bat box (southern elevation)
- 1 House martin cup (eastern elevation)

*KCC Highways Officer*

It should be noted that the conditions listed on the proposal details above, do not appear to match the conditions on the original application.

Condition 8 (cycle parking) and Condition 11 (Construction Management Plan) relate to the highway. I can confirm the details submitted are acceptable to discharge these conditions from a development

planning perspective.

If there becomes a need for any temporary traffic management measures (including signage), the necessary permits would need to be discussed and agreed with our Streetworks Team, prior to any works commencing on site.

#### *GBC Environmental Protection*

##### Condition 11 - Construction Management Plan

In respect of the parts of the condition that are relevant to Environmental Protection, there is no objection to this condition being discharged.

##### Condition 12 - details of all external lighting

The proposed lighting is acceptable. There is no objection to this condition being discharged.

##### Condition 14 - noise impact assessment

The report undertaken by Pace Consult dated 27<sup>th</sup> June 2024 has been reviewed. The methodology and findings are accepted. With regards to internal noise levels, mitigation measures are required to ensure that the levels meet the criteria in BS8233:2014. These measures are provided in section 7.3 of the report and include a specification for the building envelope. Provided the build out is in accordance with these measures, internal noise levels will be in accordance with those on BS8233:2014.

With regards to noise levels in the external area, it was previously agreed that as the external area is small and predominantly for bin and cycle storage and unlikely to be used as an amenity area, the requirement to achieve the level required by BS8233 for external areas can be waived.

There is no objection to condition 14 being discharged.

#### *GBC Conservation Officer*

During the course of the application, the Conservation Officer made verbal comments as part of the negotiations regarding materials. The Conservation Officer supported the use of the brick and slate tiles proposed in the latest documentation.

#### *GBC Waste and Refuse Officer*

I have reviewed this planning application and I have the following comments.

- The bin store only caters for 2 x Euro 1100, there is a requirement for food waste recycling so a 140ltr food bin needs to be added with kitchen caddies for the properties.
- There are two Euro 1100 bins will be sufficient for a property of this size.
- Confirmation needs to be provided that the pathway from the bin store to Rathmore Road and the gateway is wide enough for 1100 bins
- The path from the bin store to Rathmore Road comes out near the traffic lights. The collections vehicle will have to wait near or at the traffic lights from around 10 minutes which would cause traffic congestion around the town centre.
- It is the developers responsibility to provide the bins, these can be ordered via the Council's Waste Management Team.

#### **Officer's Analysis**

### Condition 3 (Materials)

3. *Prior to above ground works commencing, details and samples of all materials and finishes to be used in the external faces of the building (bricks, tiles, rainwater goods, windows and doors) shall be submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details.*

*Reason: To ensure a satisfactory visually attractive development which preserves and enhances the Conservation Area in accordance with Saved Policy TC3 of the Gravesham Local Plan First Review (1994) and Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014)*

Following negotiations with the planning agent, the materials which are included in the final documentation, include a high quality brick, Smeed London Stock, as details in the Final Conditions Statement. It also includes blue-grey Spanish slate roof tiles. The rainwater goods include a round profile cast iron effect gutter. The materials are considered to be of a high-quality appropriate to the Conservation Area and are supported by the Conservation Officer.

### Condition 4 (Joinery Details)

4. *Prior to the installation of the windows and doors, drawings to a scale of 1:10 and joinery details at a scale of 1:2 or full size shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to any of the flats hereby permitted first being occupied.*

*Reason In order to protect the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policy TC3 of the Gravesham Local Plan First Review (1994).*

1:2 and 1:10 joinery details have been provided which detail all doors and windows. The Conservation Officer has made no comments. However, on the original application, they advised that the window detail would need to show the windows recessed by 100mm into the wall. This has been indicated clearly on the details provided.

### Condition 5 (Boundary Treatment)

5. *Prior to above ground works commencing, full details of all boundary treatments, including their location, design, height and materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the flats hereby permitted are first occupied and thereafter maintained.*

*Reason: In order to protect the character and appearance of the Conservation Area and to ensure a satisfactory environment for existing and future residents in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policy TC3 of the Gravesham Local Plan First Review (1994).*

The proposals include details of boundary treatment, to include close boarded fencing to the side to match the existing in height and design. To the front, there would be 900mm high black painted railings, to match those on the neighbouring property fronting Darnley Road. This is considered to be a positive addition and would be acceptable to the wider character of the area and the Conservation Area.

### Condition 6 (Refuse Details)

6. *Prior to the first occupation of any of the flats hereby permitted, full details of the refuse storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the flats hereby permitted are first occupied and thereafter maintained.*

*Reason: To safeguard the amenities of occupiers of adjoining and nearby residential properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).*

The refuse details provided now include storage for 2 x 1100l bins and a 140l food waste bin, as per the GBC Waste and Refuse Teams requirements. The pathway has been widened to 1200mm width to ensure the bins can easily be transported to collection points. The details are therefore considered to be acceptable.

#### Condition 8 (Cycle Parking)

8. *Prior to above ground works, a scheme detailing the provision for 7 additional cycle parking spaces shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development. Thereafter the cycle parking shall be retained.*

*Reason: In order to ensure an acceptable levels of cycle parking provision, in accordance with adopted policies T1 and P3 of the Local Plan First Review 1994 and Policies CS11 and CS19 of the Core Strategy 2014.*

A timber bike store would be provided located away from the road, it would provide secure cycle storage facilities for 7 bicycles. This would be acceptable in terms of location and design and ensuring that it would provide an appropriate level of provision. KCC Highways have found the details acceptable.

#### Condition 9 (Soft Landscaping)

9. *Prior to above ground works commencing, details of soft landscaping and a planting plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the flats hereby permitted are first occupied and thereafter maintained. Any trees or plants that die, are damaged, removed or become diseased within five years from the implementation of the soft landscaping scheme shall be replaced with trees or plants of a similar size and species during the next available planting season.*

*Reason: To ensure a satisfactory visually attractive development which preserves and enhances the Conservation Area in accordance with Saved Policy TC3 of the Gravesham Local Plan First Review (1994) and Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014).*

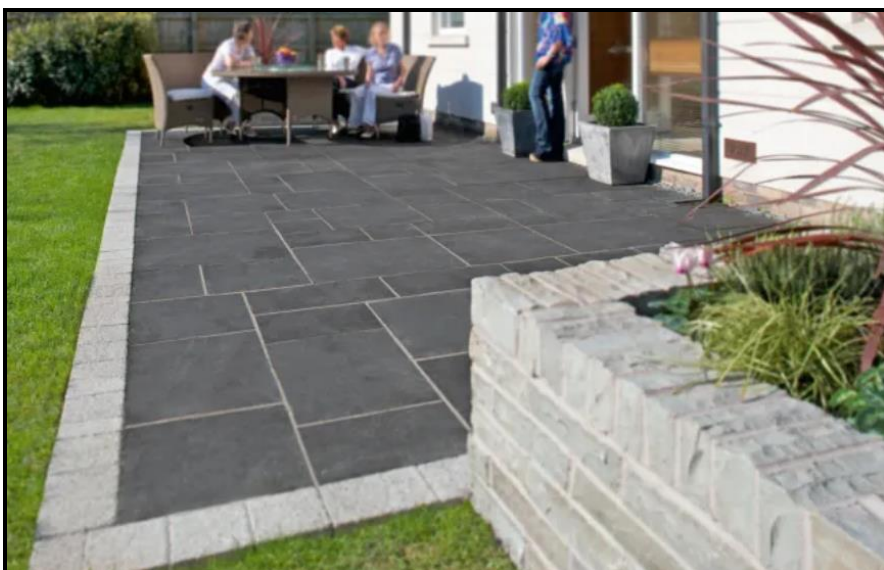
The soft landscaping details with this scheme include a planting mixture of Centaurea Cyanus, Viburnum Opulus, Geranium pratense and Lonicera periclymenum along the side of the building and front and side boundaries with a flowering lawn mix to the main lawn. These species are considered acceptable as native plants are used and would result in soft landscaping which would be visually appropriate. KCC Biodiversity have also found the details acceptable.

#### Condition 10 (Hard Landscaping)

10. *Prior to above ground works commencing, details of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the flats hereby permitted are first occupied and thereafter maintained. Any trees or plants that die, are damaged, removed or become diseased within five years from the implementation of the soft landscaping scheme shall be replaced with trees or plants of a similar size and species during the next available planting season.*

*Reason: To ensure a satisfactory visually attractive development which preserves and enhances the Conservation Area in accordance with Saved Policy TC3 of the Gravesham Local Plan First Review (1994) and Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014).*

The details provided indicate a paved area running to the side and rear, which would use Marshalls 'Fairstone Aluri' Charcoal paving. Fronting the building would be an area of blue-grey crushed slate. The links provided show the following images of the paving and slate:



The details are considered to be acceptable as proposed, and would result in a visually attractive appearance as per the requirements of the planning condition.

Condition 11 (Construction Management Plan)

*11. Prior to commencement of any works, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority.*

- (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

*The development shall thereafter be carried out in full accordance with the approved details.*

*Reason: In order to safeguard the amenity and privacy of the occupants of the neighbouring properties during construction in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).*

A construction management plan has been provided which details the Construction Programme and Methodology, Traffic Management, Developing and Using Policies to Reduce Impacts and Monitoring, Compliance, Reporting and Review. KCC Highways and GBC Environmental Protection have found the details acceptable. Whilst no traffic signage is proposed the details clearly indicate that should that change an amended construction management plan would be submitted to agree any such details.

#### Condition 12 (External Lighting)

- 12. Prior to above ground works commencing, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details.*

*Reason: In the interests of visual and residential amenity and in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).*

The details provided show the position of downward facing external lighting to the front and side elevations of the proposed building and covering the garden area. The report details the following: high level emergency only, security lighting will be installed at first floor level (5000mm from finished floor level) around the perimeter of the building to be controlled by PIR in the event of an emergency. As this would be emergency only lighting and not in regular use, the light intensity would be acceptable in these instances only. The report also details bollard lighting is proposed to line the pedestrian footpath, refuse area and cycle store, with the hours of operation controlled by dusk till dawn sensors at a height of 803mm, width of 1180mm and powered by a 9 Watt LED. GBC Environmental Protection and KCC Biodiversity have found this acceptable.

#### Condition 13 (Biodiversity Enhancement)

- 13. Prior to completion of the development, a Scheme of Biodiversity Enhancement shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.*

*Reason: In order to safeguard the amenity and privacy of the occupants of the neighbouring properties during construction in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).*

The details submitted with this application, confirm the installation of; 1 bat box (southern elevation) and 1 House martin cup (eastern elevation). The soft landscaping scheme also details the native planting mix which will improve biodiversity on the site. The KCC Biodiversity Officer has found these measures appropriate for this condition.

#### Condition 14 (Noise Impact Assessment)

- 14. Prior to commencement, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.*

*The scheme shall demonstrate that:*

- *The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.*
- *The maximum internal noise levels in all habitable rooms should not exceed 45dB L<sub>Amax</sub> more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.*
- *External areas shall be designed and located to ensure that amenity areas are protected on all boundaries as to not exceed 50 dBLAeq,16hr. If a threshold level relaxation to 55 dBLAeq,16hr is required for external areas full justification should be provided.*

*The development shall thereafter be carried out in full accordance with the approved details.*

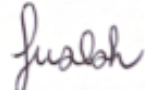
*Reason: In order to safeguard the amenity future occupants and the occupants of the neighbouring properties during construction in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).*

The Noise Impact Assessment has been provided with this application, which details a specification for the building envelope. The GBC Environmental Protection officer as advised that provided the build out is in accordance with these measures, internal noise levels will be in accordance with those on BS8233:2014.

The external noise levels required by BS8233 would not be met unless the boundary treatment to the front, were altered from black railing to a more oppressive design to the front. However, this amenity area is small and predominantly for use as a bin and cycle storage, and unlikely to be used as an amenity area. As such, the GBC Environmental Protection officer has advised that the level required by BS8233 for external areas can be waived. The details submitted are therefore considered acceptable.

### **Conclusion & Recommendation**

The details provided to discharge these conditions are considered to be acceptable and therefore the recommendation is that conditions; 3,4,5,6,8,9,10,11,12,13 and 14 of 20231301 are discharged.

|                      |                                                                                     |                     |                                                                                       |
|----------------------|-------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Mrs Lisa Fisher                                                                     | <b>Team Leader:</b> | Mrs Faye Walsh                                                                        |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 22 <sup>nd</sup> October 2024                                                       | <b>Dated:</b>       | 23 October 2024                                                                       |