

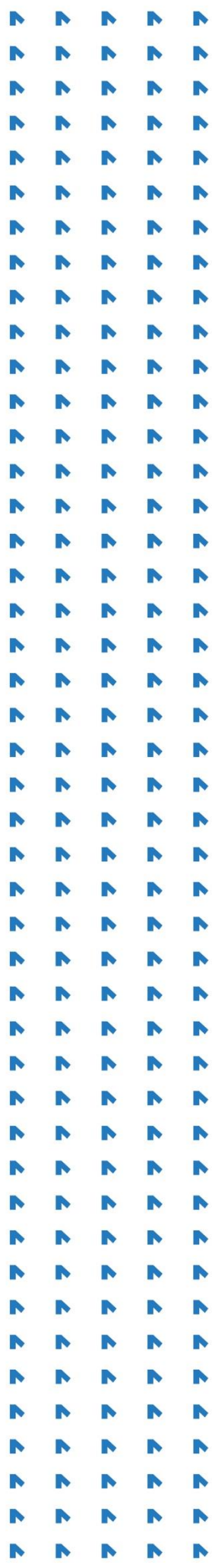
Condition Statement

**In support of a Discharge of Conditions
Application**

Regulated by RTPI

June
2024

M MIALEX



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1 INTRODUCTION

- 1.1 Planning Permission (Ref 20231301) was approved on the 14th May 2024 and provides for the following development as set out within the Decision Notice enclosed at **Appendix 1**.

“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.”

- 1.2 The application was approved subject to a total of 15 planning conditions. We are instructed to apply to enable the discharge of the following conditions.

- **Condition 3:** Details of materials and finishes;
- **Condition 4:** Window and door details;
- **Condition 5:** Boundary treatment details;
- **Condition 6:** Refuse storage and collection arrangements;
- **Condition 8:** Cycle storage scheme;
- **Condition 9:** Soft landscaping and planting plan;
- **Condition 10:** Hard landscaping plan;
- **Condition 11:** Construction management plan;
- **Condition 12:** External lighting scheme;
- **Condition 13:** Biodiversity enhancement scheme, and
- **Condition 14:** Noise impact assessment.

2 CONDITION WORDING

Condition 3

- 2.1 *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

- 2.2 *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).*
- 2.3 External Brickwork will comprise of fortterra, village, harvest, multi wire cut facing brick as per the image below and specification sheet enclosed at **Appendix 2**.



- 2.4 Meanwhile the pitched roof will benefit from Tapco composite slate roof tiles in Pewter Grey as illustrated in the image below and specification enclosed at **Appendix 3**.



- 2.5 With regard to rainwater goods it is confirmed that the development proposes to use a 112mm half round profile cast iron effect gutter as demonstrated in the image below and specification enclosed at **Appendix 4**.



Condition 4

- 2.6 *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

- 2.7 *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).*

- 2.8 Accordingly, 1:10 and 1:2 detailed drawings are enclosed at **Appendix 5** providing full design details of proposed windows and doors which will be flush casement and anthracite grey (RAL 7016).

Condition 5

- 2.9 *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

- 2.10 *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 (2014v) and saved Policy TC3 of the Gravesham Local Plan First Review (1994).*

- 2.11 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 with the existing in height and style that is

Condition 6

- 2.13 *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

- 2.14 *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).*

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- 2.15 Similarly, as confirmed within Drawing Ref 23-1431-20A prepared by Sub Rosa in support of this application and enclosed at **Appendix 6**, the proposed refuse store will be timber clad and adequately sized to serve the development.
- 2.16 Moreover it is confirmed that drag distances for refuse operatives will be within the maximum 15 metres as set out within Gravesham Borough Council's Planning Guidance on Waste Collection, from the bin store to the highway.

Condition 8

- 2.17 *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

- 2.18 *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.*
- 2.19 Secure, covered cycle storage details have also been included within Drawing Ref 23-1431-20A which demonstrates secure storage in a Falcovert Pro 3 bicycle rack within a timber framed secure store as set out within **Appendix 6**.

Condition 9

- 2.20 *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

- 2.21 *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).*
- 2.22 In accordance with Condition 9, soft landscaping details including a planting plan for the defensible border and amenity grassland is included within Drawing Ref 23-1431-20A and enclosed here at **Appendix 6**. It is confirmed that any trees/plants that die, are damaged, removed or diseased within five years of implementation shall be replaced.

Condition 10

- 2.23 *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

- 2.24 *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).*
- 2.25 In a similar manner to Condition 9 hard landscaping details (with corresponding specification images) are included within Drawing Ref 23-1431-20A and **Appendix 6** of this Statement.

Condition 11

- 2.26 *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

- 2.27 *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).*
- 2.28 Accordingly, a Construction Management Plan is enclosed in support of this application at **Appendix 7** by Mialex which sets out completely, the detailed measures for site traffic management.

Condition 12

- 2.29 *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

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

Condition Statement

- 2.31 A scheme of lighting is proposed in order to comply with the relevant Building Regulations requirements. This will be low level in nature and has been carefully considered to have the lowest amount of light spillage possible onto adjoining residential properties.
- 2.32 Accordingly, 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.
- 2.33 As per the image below the bollard lighting proposed will be a “Endon, EL-40078 Outdoor LED Small Post Lamp in Aluminium/Matt Grey rated to IP54”.



- 2.34 Additional wall lighting will be provided at ground floor level (2000mm above finished floor level) around the whole perimeter of the building, including refuse and cycle areas. With a width of 1600mm, depth of 96mm the and a 5 watt LED the lighting has been carefully chosen to have the least impact upon the surrounding Conservation Area.
- 2.35 As per the image below the perimeter lighting will be a “Ansell Kappa, LED Outdoor Wall Light, rated IP65, Grey Graphite, 300k White.”



- 2.36 Finally, 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. This security lighting will be of 90mm height, 135mm width, 80mm depth and comprise a 10W LED.
- 2.37 As per the image below this will comprise a Ansell Eden, 10W Adjustable Floodlight, Cool White also rated to IP65.



Condition 13

- 2.38 *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 accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).*

Reason

- 2.39 *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).*
- 2.40 A Biodiversity Enhancement Plan is enclosed in support of this application which confirms the installation of bird and bat boxes and should be read in conjunction with the soft landscaping scheme in delivering an overall biodiversity gain at the site. As the application was submitted prior to the introduction of Biodiversity Net Gain by the Environment Act 2021, no measured 10% uplift is required in this instance.

Condition 14

- 2.41 *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_{max} 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 50dBLAeq, 16hr. if a threshold level relation to 55dBLAeq, 16hr is required for external areas full justification should be provided.*

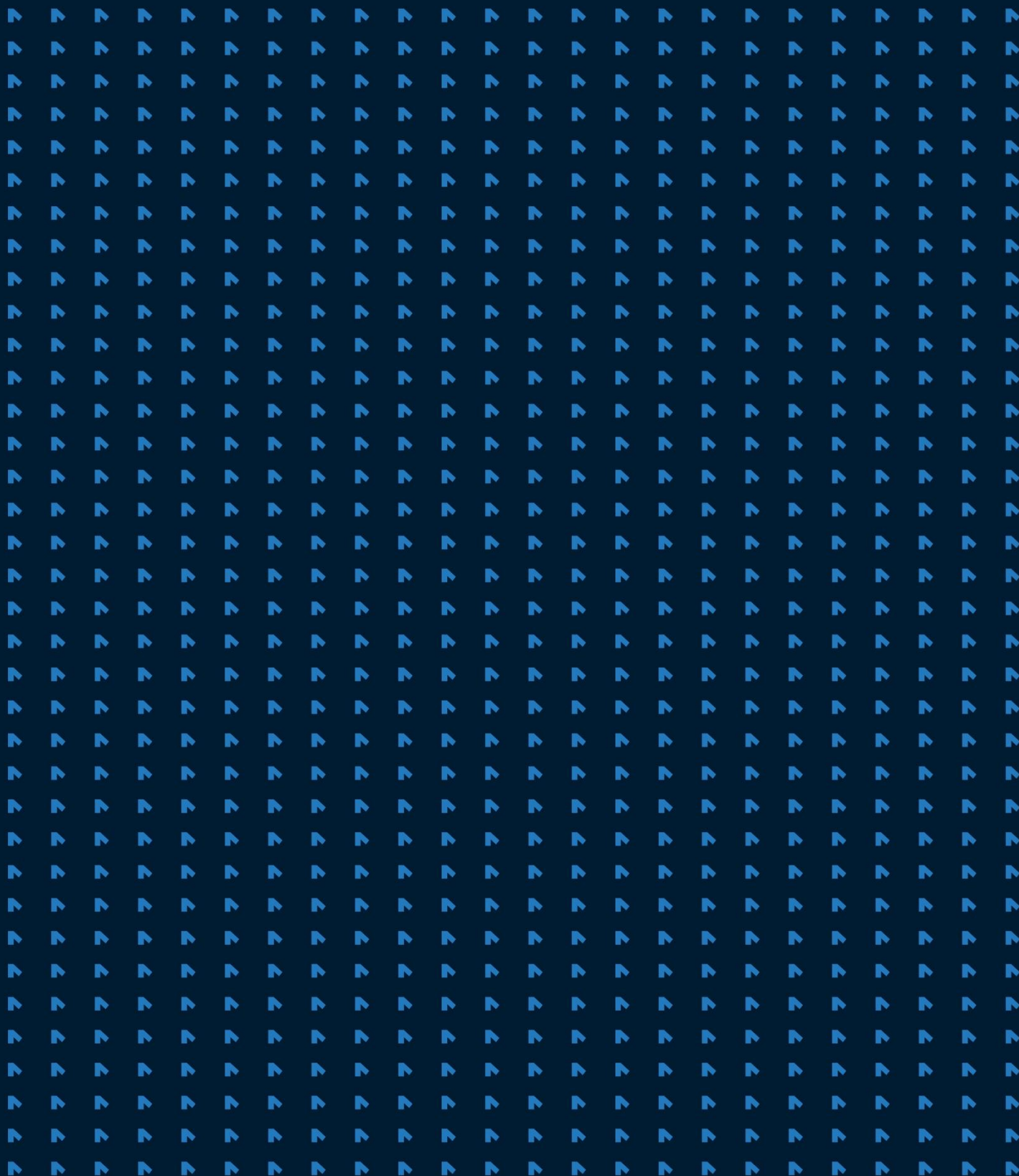
The development shall thereafter be carried out in full accordance with the approved details.

Reason

- 2.42 *In order to safeguard the amenity of future occupants and the occupants of the neighbouring properties during construction in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).*
- 2.43 The enclosed noise impact assessment (please refer to **Appendix 8**) clearly demonstrates acceptable living conditions for future occupiers in this location. Whilst it is unfortunately not possible to deliver a maximum 55dBA value for external amenity areas. As agreed with the Council in the enclosed email at **Appendix 9** this is considered to be acceptable and in line with British Standard 8233:2014.

3 CONCLUSION

- 3.1 Against this background the application for the proposed discharge of conditions 3, 4, 5, 6, 8, 9, 10, 11, 12, 13 and 14 is deemed to be in accordance with relevant planning policy and considered acceptable in planning terms.
- 3.2 As such, we look forward to confirmation of early validation and determination of the application.



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