



Application: 20220135

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: **Elizabeth Huggins Cottages Charity**
C/O Mr Joel Jenkins, Ubique Architects
11 Ashford House
Beaufort Court
Sir Thomas Longley Road
Rochester
ME2 4FA

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

Elizabeth Huggins Cottages
Cross Lane West
Gravesend
Kent

and being **Application for variation of condition 2 attached to planning permission reference no. 20210672 to provide social housing to ex service personnel to provide a mix of 3 bedroom 2 storey houses, single bedroom flats, 2 bedroom flats, 2 bedroom cottages and a 3 bedroom maisonette for warden, car parking and cycle storage; to allow a reconfiguration of the Blocks A, B, F and G, car parking layout and refuse and cycle store locations.** Your application dated 10th August 2022 is permitted subject to the following:-

Conditions

Approved Plans

1. The development hereby permitted shall be carried out in accordance with the following schedule of approved plans:
 - Drawing no.1009-005-E - Proposed Plans & Elevations - Unit C
 - Drawing no. 1009-009-E - Proposed Plan - Block E
 - Drawing No. HGC-BPTW-XX-XX-DR-A-2002 Rev 01 A - East & West Elevation Block D (Side Elevations)
 - Drawing No. HGC-BPTW-XX-XX-DR-A-2001 Rev 01 A - North & South Elevation Block D
 - Drawing No. HGC-BPTW-XX-XX-DR-A-1002 Rev01 A - Ground & First Floor Plan Block D.
 - Drawing No.WD-931 Rev C2 (Refuse Store)
 - Drawing No.WD-921 Rev P2 (Proposed Landscaping Plan - phase 1).

- Application Form;
- Cover Letter, dated 5 February 2022, ref 752/12
- Proposed Site Plan, Drawing no. PL-01 rev P4;
- Proposed Plans & Elevations Blocks A & B, Drawing no. PL-02 rev P3;
- Proposed Plans Block F, Drawing no. PL-03 rev P2;
- Proposed Elevations Block F, Drawing no. PL-04 rev P2;
- Block Plans and Location Plan, Drawing no. PL-05 rev P4;
- Proposed Block Plans/Block G, Drawing no. PL-06 rev P1;
- Proposed Elevations/Block G, Drawing no. PL-07 rev P2;
- Drawing No. LS4057381_1 - Lighting Plan.

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

Phasing Plan

2. Notwithstanding the details shown on the approved plans and application form before first occupation of Phase 1 (Block D) or within 6 months of practical completion of Phase 1 (Block D) (whichever is sooner) a phasing plan for the wider development shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall then be constructed in accordance with the approved phasing plan.

Reason The Local Planning Authority needs to be satisfied that the development of the site is undertaken in a coherent and comprehensive manner and to ensure compliance with Policy CS19 of Gravesham Local Plan: Core Strategy (September 2014).

Sustainable Urban Drainage (Phase 1)

3. Within 6 weeks of the date of this permission a drainage scheme designed in accordance with the principles of sustainable urban drainage for phase 1 (Block D) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Kent County Council as the Lead Local Flood Authority (LLFA). The submitted details shall:
 - i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall 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.

Reason To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions, in accordance with policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Sustainable Urban Drainage (Wider Site)

4. Within 6 months of the commencement (excluding Enabling Works) of any remaining Phase(s) (as approved under condition 2) and notwithstanding the details shown on the approved plans and application form a drainage scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with Kent County Council as the Lead Local Flood Authority (LLFA). The submitted details shall:
 - i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall 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.

Reason To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions, in accordance with policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

External Facing Materials

5. The development hereby permitted shall be carried in accordance with the external materials approved by application 20211070.

Reason: To protect the visual amenities of the building and the surrounding area and to preserve the character and appearance of the area in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Soft Landscaping Scheme

6. (a) (i) Notwithstanding the details shown on the approved plans and application form before first occupation of Phase 1 (Block D) or within 6 months of practical completion of Phase 1 (Block D) (whichever is sooner) the development details of a soft landscaping scheme (to include the planting of trees, hedges, shrubs and grassed areas) shall be submitted to and approved, in writing, by the Local Planning Authority.
- (a) (ii) The soft landscaping shall be carried out within 12 months of first occupation of Phase (1) in accordance with the details approved pursuant to part (a) of this condition for Phase 1 (Block D) and thereafter maintained to the satisfaction of the Local Planning Authority for a period of not less than five years.
- (b) (i) Within 6 months of the commencement (excluding Enabling Works) of any remaining Phase(s) (as approved under condition 2) and notwithstanding the details shown on the approved plans and application form the development details of a soft landscaping scheme (to include the planting of trees, hedges, shrubs and grassed areas) shall be submitted to and approved, in writing, by the Local Planning Authority.
- (b) (ii) The soft landscaping shall be carried out within 12 months of first occupation of any remaining phase in accordance with the details approved pursuant to part (b) of this condition and thereafter maintained to the satisfaction of the Local Planning Authority for a period of not less than five years.

Hard landscaping (Phase 1)

7. Notwithstanding the details shown on the approved plans and application form before first occupation of Phase 1 (Block D) or within 6 months of practical completion of Phase 1 (Block D) (whichever is sooner) the hard landscaping shall be carried out in accordance with Drawing No.WD-921 Rev P2 (Proposed Landscaping Plan - phase 1).

Reason: To protect the visual amenities of the building and the surrounding area and to preserve the character and appearance of the area in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Hard landscaping (Wider Site)

8. (a) Within 6 months of the commencement (excluding Enabling Works) of any remaining Phase (as approved under condition 2) and notwithstanding the details shown on the approved plans and application the development details of a hard landscaping scheme (hard landscaping to include details of surface treatments, screening by walls, fences or other means) for the remaining phases shall be submitted to and approved, in writing, by the Local Planning Authority.

(b) The approved hard landscaping shall be implemented prior to the first occupation of any remaining phase in accordance with the details approved pursuant to part (a) of this condition.

Reason: To protect the visual amenities of the building and the surrounding area and to preserve the character and appearance of the area in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014)

Construction Environmental Management Plan and Construction Access Points

9. The development hereby permitted shall be constructed in accordance with the Construction Environmental Management Plan and construction access points approved by application 20191239.

Reason To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Code of Construction Practice

10. The development hereby permitted shall be constructed in accordance with the comprehensive Code of Construction Practice approved by application 20191239.

Reason To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Construction Compound, and the storage of plant and equipment

11. The construction compound, and the storage of plant and equipment for the development shall be in accordance with the details approved by application 20191239.

Reason To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Wheel washing and chassis cleaning equipment

12. The location of wheel washing and chassis cleaning equipment shall be provided on site in accordance with the details approved by application 20191239 and shall thereafter be used and kept on site for the duration of the construction works.

Reason To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Refuse storage

13. Prior to first occupation of Phase 1 (Block D) the approved refused storage area(s) shown on Drawing No.WD-931 (Refuse Store) shall be completed and retained thereafter.

Reason In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Refuse storage (wider site)

14. (a) Within 6 months of the commencement (excluding Enabling Works) of any remaining Phase (as approved by condition 2) and notwithstanding the details shown on the approved plans and application form details of a secure and enclosed refuse storage area(s) for the remaining phases shall be submitted to and approved, in writing, by the Local Planning Authority. The approved refuse shall be completed prior to the first occupation of any remaining phase in accordance with the details approved pursuant to this condition.

Reason: To protect the visual amenities of the building and the surrounding area and to preserve the character and appearance of the area in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Construction Access Points

15. Construction access points into the site from Wrotham Road or Cross Lane West shall be in accordance with approved application 20191239. The development shall be carried out in accordance with the approved details and there shall be no obstruction to the approved visibility to the access points.

Reason To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Contaminated Land Assessment

16. a) Approved remediation works shown in Phase 2 Geo-Environmental Assessment dated February 2021 Document Reference: 12545/GEI shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

b) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

c) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 184 of the National Planning Policy Framework (2021).

Constructions Hours

17. All construction operations authorised under this permission, including any demolition works, shall be carried out in accordance within the hours set out below (to be known as normal working hours), unless with the prior approval of the Local Planning Authority:

0700 to 1800 hours Monday to Friday; and

0800 to 1300 hours Saturday.

No work shall be carried out on Sundays, Bank or Public Holidays.

Reason To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Tree Report

18. The development shall be carried out in accordance with the recommendations stated in the trees report (G391) dated 10th July 2012.

Reason In order that the trees to be retained on site are protected during the construction phase and in accordance with

Traffic Survey

19. Within 6 months of completion of the development or 75% of occupations (whichever comes first). a traffic survey (on an appropriate week day and at appropriate peak times to be agreed with the Local Planning Authority) should be carried out in respect of all approach queue lengths at the junction of Wrotham Road/Cross Lane West/New House Lane and in respect of the frequency of the triggering of the demand phase traffic signals via the site exit. This should be followed by a similar survey within 6 months of completion of the development or 75% of occupations (whichever comes first). If the results show an increase in demand phase adversely impacting upon approach queue lengths at any arm of the junction then new signal phase timings and/or potential restriction on the demand phase signal trigger as agreed with the Local Planning Authority will be required to be implemented within a further period of 6 months. For the avoidance of doubt any all survey work and signal timing works will be at the applicant's expense.

Reason In order to ensure that any increase in demand-phase activation does not adversely impact on the performance of the junction and in accordance with Policies CS11 and CS19 Gravesham Local Plan: Core Strategy (September 2014).

Revised Plans (Units A & B)

20. Notwithstanding the details shown on the approved plans and application form before any above ground works commence details revised plans for Units A & B (Drawing No.1009-006G) shall be submitted which show the 1st floor windows on the flank elevation facing 188 Wrotham Road deleted from the scheme. The scheme shall then be built in accordance with the approved plans.

Reason In order to remove the overlooking onto 188 Wrotham Road and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Statement of Community Involvement

21. The development shall be carried out in accordance with the statement of community involvement approved by application 20191239 and the approved statement of community involvement shall then be implemented to the satisfaction of the Local Planning Authority.

Reason In order to protect the amenity of existing occupiers and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Formation and retention of car park spaces

22. Prior to first occupation of the development or for each phase of the development (see condition 2) the car parking spaces shall be formed, surfaced and suitably demarcated. Thereafter the parking spaces shall be kept available for such use and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), shall be carried out that would preclude their use for car parking.

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

External Lighting (phase 1)

23. Notwithstanding the details shown on the approved plans and application form before first occupation of Phase 1 (Block D) or within 6 months of practical completion of Phase 1 (Block D) (whichever is sooner) external lighting shall be carried out in accordance with Drawing No.LS4057381_1 (External Lighting).

Reason: In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

External Lighting (Wider Site)

24. Within 6 months of the commencement (excluding Enabling Works) of any remaining Phase (as approved under condition 2) and notwithstanding the details shown on the approved plans and application form details of external light for the remaining phases shall be submitted to and approved, in writing, by the Local Planning Authority.

The approved external lighting shall be implemented prior to the first occupation of any remaining phases in accordance with the details approved pursuant to this condition

Reason: To protect the visual amenities of the building and the surrounding area and to preserve the character and appearance of the area in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Removal of redundant dropped kerbs

25. Prior to first occupation of the final phase the dropped kerb serving the two properties with frontage access onto Cross Lane West and Wrotham Road shall be removed and the footway reinstated to the satisfaction of Gravesham Borough Council in consultation with Kent Highways and Transportation Services.

Reason In order to remove a redundant vehicle crossover and in accordance Policy CS11 Gravesham Local Plan: Core Strategy (September 2014).

Removal of redundant dropped kerbs

26. The car parking spaces shall be made available on a communal basis only (i.e. unallocated).

Reason To ensure the most efficient use of the available on site car parking spaces.

Obscure Glazing

27. All windows serving a bathroom/toilet room in the properties hereby approved, as indicated on the approved drawings, shall be fitted with obscured glazing at all times.

Reason In order to respect the privacy of the occupants and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Permitted Development Rights

28. No development under the provisions of Classes A, B, C and D of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 [as amended shall be carried out on the dwellings hereby approved.

Reason In order that such development may be subject to planning control to ensure protection of the character of the area, the amenity of neighbouring residents and to retain sufficient private garden areas and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Air Raid Shelter

29. The air raid shelter on site shall not be disturbed by the development.

Reason In order to protect the non-designated heritage asset and in accordance Policies CS19 and CS20 Gravesham Local Plan: Core Strategy (September 2014).

Blocks A and B Obscure Glazing

30. All first floor flank windows serving blocks A and B hereby approved, as indicated on the approved drawings, shall be fitted with obscured glazing at all times.

Reason In order to respect the privacy of the occupants and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Site Levels

31. No development shall commence of blocks A or B until details of existing and finished site levels, finished external surface levels, [including the levels of no. 188 Wrotham Road and the finished floor level of the building[s] and street elevations for these units have been submitted to and approved by the local planning authority. The development shall be implemented in accordance with the agreed details.

Reason: In order to safeguard the amenities of neighbouring occupiers and in the interests of visual amenity of the area in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

INFORMATIVES:-

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

2 EXTENT OF THE PERMISSION

For the avoidance of doubt this permission has been granted under section 73 of the Town and Country Planning Act 1990 to vary condition 2 and amend the permission relating to the notification of grant of planning permission reference 20210672 dated 26 July 2021 the variation of condition 2 attached to planning permission reference number 20130801 to provide social housing to ex service personnel to provide a mix of 3 bedroom 2 storey houses, single bedroom flats, 2 bedroom flats, 2 bedroom cottages and a 3 bedroom maisonette for warden, car parking and cycle storage; to allow amendment of the design of Block D, an increase in the number of flats from 12 to 14 and for all the flats to be 2 bed apartments.

It does not amend any other part of the permission or discharge any of the planning conditions attached to that permission subject to those conditions still subsisting or capable of taking effect.

Either the amended planning permission or the original planning permission for the development or any other amended applications that may also have been granted permission may be implemented but the conditions on the permission chosen to be implemented must be fully complied with.

3 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

4 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

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

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

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

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

5 DEVIATION FROM APPROVED PLANS

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

Dated: 18 November 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Gravesham Borough Council