

Delegated Report

Variation of Condition Application

Planning Application No: 20220135

Location: Elizabeth Huggins Cottages Cross Lane West Gravesend Kent

Description: 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.

Applicant: Elizabeth Huggins Cottages Charity

Site Visit Date: Desktop Assessment

Submitted Documents/Plans

- Application Form;
- Drawing no.1009-004-A - Refuse Collection Details
- Drawing no.1009-005-E - Proposed Plans & Elevations - Unit C
- 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 (Refuse Store)
- Drawing No.WD-921 Rev P2 (Proposed Landscaping Plan – phase 1).

Superseded Plans

- *Proposed Site Plan, Drawing no. PL-01 rev P1;*
- *Proposed Plans & Elevations Blocks A & B, Drawing no. PL-02 rev P1;*
- *Proposed Plans Block F, Drawing no. PL-03 rev P1;*
- *Proposed Elevations Block F, Drawing no. PL-04 rev P1; and*
- *Proposed Plans and Location Plan, Drawing no. PL-05 rev P1,*
- *Proposed Plans & Elevations Blocks A & B, Drawing no. PL-02 rev P2;*
- *Block Plans and Location Plan, Drawing no. PL-05 rev P3;*
- *Proposed Site Plan, Drawing no. PL-01 rev P3.*

Procedural issues

The application has been submitted as a section 73 application (to amend condition 2 of 20210672,) and the Local Planning Authority has judged the principle of the development to be acceptable with the approval of 20210672 and the 20130801 prior.

Please refer to agenda item 5b of the 5th February 2020 Planning Committee for a copy of the committee report for 20130801.

For the purposes of this section 73, only issues relating to the variation of condition 2 can be considered and no other matters pertaining to the original application (**20210672 or 20130801**) can be considered.

Paragraph 017 of the Planning Practice guidance states 'There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

The description of the application for this application has been amended to reflect the revised description approved by Non-Material Amendment approval 20210333, which essentially removes reference to the number of units within the description of development itself.

Thus, the current minor material amendment application (also referred to as s73) does not result in a net increase residential units at the site. The total number of units proposed will amount to 36 units, but the current application has been submitted as a means to reconfigure the layout of the site which as involved the changes to design of the units subject of the current application.

It should also be noted that the application form submitted and the original description of development also referenced the 20130801 application. This has been omitted in the final description of development, as the applicant is seeking to amend the 20210672. Also, with regards to the referencing of 20210672 on the description of development, there was a typo which listed the application as 202106712 on the original description of development which has now been corrected.

The current application was originally sought to increase the number of units from the approved 36 units to 40 units. The application no longer seeks to increase the number of residential units at the site.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211070	Application for approval of conditions 2 and 11(a), (b) and (c) attached to planning permission reference number 20210672 relating to external facing materials and contaminated land assessment.	Approved	22.09.2021
20210672	Application for 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.	Approved	26.07.2021
20210333	Application for non-material amendment to planning permission reference 20130801 to allow a change in the approved description of development from: To provide social housing for ex-service personnel. Demolition of existing bungalows in phases and construction of new dwellings in phases to provide: 4 no three bedroom two storey houses, 8 no single bedroom flats, 12 no two bedroom flats, 9 no two bedroom cottages, 1 no three bedroom maisonette for warden, car parking and cycle storage; to change 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 - with associated	Approved	21.04.2021

	additional condition with accommodation schedule		
20191239	Application for the approval of conditions 5, 6, 7, 8, 9, 11, 15 and 17 attached to planning permission reference no. 20130801 relating to details of the phasing plan, construction access point, Code of Construction Practice (Construction Environmental Management Plan), details of the construction compound, storage and wheel washing and chassis cleaning equipment, construction access points for all phases, a traffic survey and a statement of community involvement	Approved	05.12.2019
20191235	Application for non-material amendment to planning permission reference number 20130801 to allow the wording of the following conditions to be amended: Conditions 3 and 16 to be amended to change the conditions from pre-commencement to prior to above ground works; Conditions 4 and 10 to be amended to change the conditions from pre-commencement to prior to first occupation; Condition 12 to be amended to change the condition from pre-commencement to no development (excluding the demolition of the existing buildings and laying of foundations for the development); and Condition 14 to be amended to change the condition from pre-commencement to the development shall be carried out in accordance with the recommendations stated in the trees report (G391) dated 10th July 2012.	Approved	21.11.2019
20130801	To provide social housing for ex-service personnel. Demolition of existing bungalows in phases and construction of new dwellings in phases to provide: 4 no three bedroom two storey houses, 8 no single bedroom flats, 12 no two bedroom flats, 9 no two bedroom cottages, 1 no three bedroom maisonette for warden, car parking and cycle storage.	Approved	22.12.2017

Development Plan

National Planning Policy Framework (2021)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 - Heritage

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- SPG 4 - KCC Parking Standards (2006)

Paragraph 33 of the NPPF (2021) 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 (2021), the Council will also seek to replace these.

Consultations, Publicity and Representations

Consultees

External consultees

Environment Agency: Advisory comments made.

KCC Heritage: The site lies within an area of multi-period archaeological potential...it unlikely that these proposals, immediately adjacent to the existing dwelling, would have a significant below-ground archaeological impact and have no further comments to make in this case.

Kent Police: No objections, subject to conditions.

Kent Fire & Rescue Services: Further information required relating to the turning facilities within the development. Advisory comments relating to emergency access requirements.

Natural England: Generic comments received.

NHS Kent and Medway Group: For a residential development of up to 40 units, an indicative financial contribution required of £34,560.

Southern Water: concerns the site layout would be close to the existing public foul sewer. Advised conditions applied, if permission is granted.

Internal consultees

GBC Environmental Protection: No comments received

GBC Leisure: No comments received.

GBC Housing Development: No comments made.

GBC Highways Officer: No objections made, but advisory comments made.

GBC Waste Management: No comments received

Neighbouring properties

69 surrounding properties were consulted and the application was also advertised by way of a site notice and press notice. The application had undergone a re-consultation and the overall date of expiry for the application was 30 September 2022. Two comments of objection have been received, these are summarised below;

- The original development approved 34 units and now the current development seeks to increase to 40 units, an increase of 20%, and increase the development to all 2 bed units - application is not a minor material amendment;
- Another round of impact assessments need to be accounted for due to the increase in units;
- Conditions relating to construction / working practices are rarely adhered to;
- Not clear what the reconfigurations to blocks A, B, F and G and/or where the car parking layout refuse/cycle store locations are;
- Are homes being added? homes being moved? Or trees going to be cut down?

Officer's Analysis

Site Description

The application site is immediately east of Wrotham Road (A277) and lies south of Cross Lane West. The eastern boundary, of the application site, backs onto the rear gardens of terraced properties along Alfred Road.

Alfred Road is characterised by terraced two storey dwellings and Alfred House which is at the southern end of the road. Directly to the south of the site are a number of lockup garages and beyond the garages are two storey terraced dwellings on Hillingdon Road.

To the south of the site are the semi-detached two storey properties of 188 and 190 Wrotham Road. West of the site are semi-detached properties fronting Wrotham Road. In the immediate vicinity there is also St Mary's Church and St. George's School.

The original site Elizabeth Huggins Cottages consisted of 13 dwellings located on a spacious plot, which were built shortly after World War I, for service personnel who had served in the war.

The design of the existing development is that all the dwellings, all single storey, are focused inwards towards the centre of the site which provides a number of parking spaces for residents and their visitors. It should be noted, that as the application has progressed from the original application (20130801) and block D (approved under s73 application 20210672) north of the application site, is currently being built out.

Access to the properties for vehicles and pedestrians is via a signal controlled junction. It should also be noted that two of the dwellings on the site have their own direct access onto the highway network, one onto Wrotham Road and the other onto Cross Lane West.

Lining the entrance to the site is a number of mature trees and the site is generally dominated by soft landscaping due to the low density development on the site.

To the northwest of the site is Woodlands Park which contains the recently listed Grade II listed cold war bunker.

Proposal

A previous minor material amendment application (ref 20210672) to the original application (ref 20130801), sought to amend the design/layout of block D which was approved and, now, currently under construction.

The current application seeks a further minor material amendment to the approved layout (ref 20210672) and seeks changes to blocks A, B, F and G along with changes to parking arrangements and refuse/cycle storage.

The changes to the layout of the site can be in the following extracts below.

Current MMA 20220135 (below)



Approved MMA 20210672 (below)



Design, Appearance and Layout

When evaluating the design of this proposal it needs to be considered against the design principles of Policy CS19 (LPCS) which requires development to conserve and enhance the character of the local built, historic and natural environment, integrate well with the surrounding local area and meet anti-crime standards.

This stance is mostly reflected in chapter 12 (Achieving well-designed places) of the NPPF (2021), particularly, at paragraphs at 126 and 130, these are extracted, in part below;

'The creation for high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.....Planning policies and decisions ensure that developments are visually attractive as a result of good architectural, layout and appropriate and effective landscaping (para. 130.b) and are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities) (para. 130c).'

Block F

In terms of the layout and design, there have been minimal changes from the original submission at the site. If anything, the revised design, subject of this application has been simplified especially where the roof dormers are concerned. The block F have been originally designed as 1.5 storey terraced dwellings in a row of 4 units, all being 2 bed units.

A comparison of the original design and the current design of block F are extracted below;

Block F front elevation (20130801)



Block F rear elevation (20130801)



Block F Front elevation (20220135)



Block F rear elevation (20220135)



In terms of height and overall dimension of block F, these are broadly consistent with the approved schemes. The height of these dwellings would be approximately 6.7 metres and situated at practically the same location, as approved, all units will remain as 2 bed units. As indicated above, the overall is in keeping with the approved plans and with immaterial amendments to the internal layout.

Block G

The design of the application is broadly similar to the approved scheme, however, the height has been reduced by approximately 1.4 metres to 8.04 metres. This is primarily because unit 3, as approved, was split over 3 storeys, which had a second floor i.e. providing roof level accommodation, all units were 1no.

bed units, with the exception of 1no. unit which was designed as a 3 bed unit. The revised design of the scheme has removed the roof level habitable space reducing this unit to a 2 bed unit.

Extracted below are elevation plans for block G.

Block G elevations (20130801)



PROPOSED NORTH ELEVATION, 1:100 @ A1



PROPOSED EAST ELEVATION, 1:100 @ A1



PROPOSED SOUTH ELEVATION, 1:100 @ A1

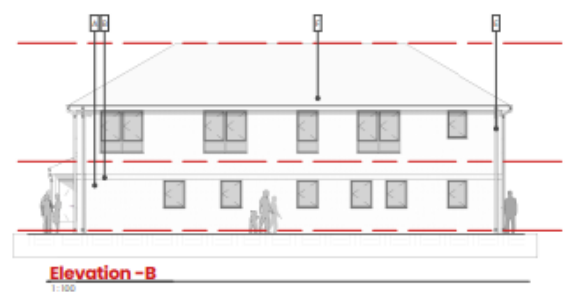


PROPOSED WEST ELEVATION, 1:100 @ A1

Block G elevation (20220135)



Elevation -A
1:100



Elevation -B
1:100



Elevation -C
1:100



Elevation -D
1:100

In terms of height, overall dimensions of block G and roof form these are broadly consistent with the approved schemes. The overall width of the buildings has increased by 2 metres, however, with the changes in roof to a more hipped design, this has reduced the overall massing of the overall building.

The height of these dwellings would be approximately 6.7 metres and situated at practically the same location, as approved, all units will remain as 1 bed units with the exception of 1 no. unit which will be a 2 bed unit. As indicated above, the overall design is in keeping with the approved plans and with immaterial amendments to the internal layout.

Blocks A & B

The design of these blocks have changed, somewhat, from the approved scheme. A comparison between the approved elevations and the existing elevations below;

Block A/B (20130801)



Block A/B (20220135)



As illustrated above, the revised blocks A & B are different in overall design, massing and roof form. The heights of the revised blocks for A/B have increased from the approved design, subject of 20210672, by approximately 1 metres. Having viewed the site, the location of these units would be situated on an elevated area of land. The land levels are unclear at present and a street scene elevation would be useful to understand how the A/B blocks would appear from Wrotham Road. Along with the existing soft landscaping condition attached to the previous application, a land levels and street scene plan will be requested by an appropriately worded planning condition which is shown below.

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).

The architectural character along the immediate area of Wrotham Road, i.e. the western boundary of the application site, has a mixed character of 19th and 20th century dwellings. The development site was built after the 1st world war and its low density and design is at odds with the character of the area.

Notwithstanding the concerns with block A/B, the overall design is broadly consistent with block D, which is also along a highly exposed boundary to the north. With the design of block A/B also reflecting the form of development on Cross Lane West and Alfred Road.

A neighbour commented that it is not clear from the application what the actual changes to the blocks A, B, F and G are, but these have been outlined above. Other changes to the layout of the site relate to cycle/refuse storage and parking provision to the site, although, these are further assessed in this report below.

External facing materials condition has been discharged (prior to above grounds works) and when discharging this condition it will be imperative that the entire development uses the same external facing materials to ensure an acceptable finish to the development. The amendments to the current minor material application will need to adhere to the approved materials for the entire development.

In light of the above, overall, the proposed alterations are acceptable and in relation to design the proposal complies with local and national planning policy, subject to relevant planning conditions.

Amenity for future residents

Policy CS19 (LPCS) seeks to protect amenity and ensure acceptable future living conditions are included in the LPCS. The NPPF (2021) also assists and seeks to ensure developments will function well, do not undermine quality of life and create attractive and comfortable places to live, work and visit and seeks to “secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Internal floor area

In terms of internal floor space, blocks A/B the internal floor area for these units have been reduced from the approved scheme. These units were approximately 122 sq.m measured internally, while the revised layout would be approximately 93 sq.m. It is unfortunate that the development would result in such a loss of internal floor area, however, for a 3 bed two storey dwelling, development complies with the Nationally Described Space Standards (NDSS). With regard to block F, this previously complied with the minimum standards for a 2bed. two storey units, however, the units are, due to the simplified design are more spacious with 101 sq.m internal floor area. Block G, the internal floor areas are consistent with approved plans, with the unit previously over 3 storeys, but now down to two storeys in the current revised application. Despite the reduction in floors, the development would amount to 84 sq.m, but complies with the minimum NDSS standards for a 2bed dwelling.

Private amenity space

In terms of garden depths and area, the Council’s Residential layout guidelines (2020)(SPG2) requires a minimum garden depth of 7.6 metres and area 37.2 sq.m. The A/B blocks, the unit serviced by parking spaces 50/51 will have a slightly shorter garden depth of 7.29 metres, but the garden area exceeds the 37.2 sq.m. otherwise, all the gardens servicing the amended housing units all accord with the Councils private amenity space standards.

As block G are flats, with minimal changes to these units, the LPA consider the impact to private amenity space to be minimal given that the overall development provides areas for amenity space.

Neighbouring Amenity

Development should not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. This is reflected in Policy CS19 (LPCS) which requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land, section 12 NPPF (2021) requires the amenity of existing residents to be protected.

The flank wall of block A would be approximately 8.3 metres from the flank wall of 188 Wrotham Road, which has an existing side facing dormer facing the application site. The flank wall, however, appears to be a blank wall with no windows facing the adjoining site, to the south, at no. 188 Wrotham Road. The northern flank walls of both blocks A and B will have a first floor window to one of the bedrooms, however, the plans indicate that the windows will be 'obscure glazed', as demonstrated by the initials 'OG'. A planning condition will be added to ensure the first floor windows will be retained as obscured glazed, in the interests of neighbouring amenity.

Overall, the locations of the amended blocks A, B, F and G are broadly situated in similar location to the approved scheme(s). Block F is south of the existing garages and would have limited impact to the south of the site. Blocks A/B have been shifted further towards the southern boundary, closer to 188 Wrotham Road. Notwithstanding this, overall, block A would be around 8.3 metres from the flank wall of no. 188 but still considered a sufficient distance. Block G is sited well with the development site and not considered to create additional harm to neighbouring amenity.

Highway Impacts and Vehicle Parking

The proposed development needs to be considered against Policy CS11 (LPCS) which states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities. This stance is reflected in the NPPF (2021) which states at paragraph 111 development should only be prevented or refused on transport grounds where the cumulative impact of developments are severe.

As a result of the changes to the residential blocks, and slight change in locations, this has entailed changes to the overall layout, parking provision and subsequent of cycle storage areas. The revised layout has resulted in increased parking provision, but a loss of cycle storage areas. The current scheme now results only in a single cycle storage area for the entire site. As the development is not seeking to increase the number of units, it is not considered that the application would create additional traffic to the immediate locality.

The GBC Highways Officer has been consulted on the application and has noted increase in parking provision and the loss of cycle storage, but has not objected to the application. Notwithstanding this, given the nature of the development being specifically for ex-service personnel who had served in the war, it is considered that the development should make adequate cycle storage provisions on site, which also includes storage provisions for mobility equipment. In light of this, the LPA consider that the current layout does not provide adequate cycle provisions on site and, on this basis, the LPA will revise planning conditions for the applicant to submit cycle storage/mobility storage details to the Planning Authority for approval.

Notwithstanding the cycle storage issues, which will be addressed by an appropriately worded planning condition, the LPA consider there is no conflict with local or national planning policy in regard to highway matters.

Refuse Storage and Collection Arrangements

Policy CS19 (LPCS) requires new development to incorporate appropriate facilities for the storage and recycling of waste.

As a result of the changes to the residential blocks, and slight change in locations, this has entailed slight changes to the overall layout and the locations of refuse storage. In the approved layout in 20210672, there were two locations for refuse storage. The application has maintained the same amount of refuse storage within the current submission, which the LPA considers appropriate to the overall development.

Overall, the LPA consider there is no conflict with local or national planning policy in relation to refuse storage and collection.

Any Other Material Planning Considerations

20130801 was accompanied by a S.106 agreement and a deed of variation has been signed to accompany this application. The deed of variation simply transfers the obligations associated with 20130801 to this application.

Comments from NHS referenced additional contribution for the increase in residential units to the site. However, the current application, has changed from the original submission and, therefore, the development does not result in a net increase in residential units. Therefore, no further contributions required.

Conclusion & Recommendation

Approved, subject to conditions, see draft decision.

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

Case Officer:	Richard Hart	Team Leader:	Shazad Ghani
Signed:	<i>R Hart</i>	Signed:	<i>S Ghani</i>
Dated:	18 th October 2022	Dated:	18 th November 2022