SUMMARY REPORT

Application Ref: 20171245

Site Address: Site of Battle Of Britain Coldharbour Road Northfleet Gravesend DA11 8NT

*REVISED DESCRIPTION/REVISED PLANS*
Construction of 20 residential units comprising 6 x three bedroom houses; 9 x two bedroom flats; and 5 x one bedroom flats; laying out of access road, provision of 32 car parking spaces, refuse and cycle storage, private and communal gardens, and construction of vehicular access onto New House Lane.

Applicant: J T Davies & Sons

Agent: Mr James Sturgess, Caldecotte Group (Architects - Wythe Holland Ltd)

Ward: Coldharbour

Parish: Non-Parish Area

Decision due date: Original - 16 February 2018; extensions of time have been agreed

Publicity expiry date: Original: 22 December 2017; Revised: 11 October 2019

Decision Level: Planning Regulatory Board - 08 January 2020

Reasons for referral: Major development; At the request of ward councillor, Cllr Shane Mochrie Cox

Recommendation: PERMISSION subject to conditions, reason and informatics and the completion of s106 legal agreement.

Summary of Reasons for Recommendation

The application site comprises the site of the former Battle of Britain Public House situated on the corner of Coldharbour Road and New House Lane, Northfleet. The public house was demolished in October 2016 and the site now comprises an open piece of land bounded by hoardings.

The application has undergone a significant period of assessment and scrutiny including a number of design reviews / workshops (5) by Design South East (DSE). The layout and form of development has been revised a number of times and the latest revised plans were submitted in September/October 2019, and further refined in December 2019, and now proposes a mix of 6 x 3 bed houses and 14 x 1 and 2 bed flats (originally proposing 10 x 3/4 bed houses with 10 x 1/2 bed flats in 2017)

Following the loss of the public house, there remain a number of calls from local residents for community use only of the site, however, such alternative schemes have not been tested in viability terms or tested against local or national policy with no guarantee that they would
necessarily be found acceptable in planning terms. The application needs to be considered on its own planning merits rather than in relation to alternative suggestions for the site or what might seem desirable suggestions for other forms of development on the site. Residential development of the site would offer a modest contribution towards meeting local need and, accordingly, gives some weight in support of the application. The site is within a highly sustainable location and therefore the principle of residential development would accord with Gravesham Local Plan Core Strategy policies CS01 and CS02 and paragraph 11 of the National Planning Policy Framework (NPPF).

The layout and scale of the development are considered to be satisfactory and accord with Core Strategy Policy CS19 and section 12 of the NPPF.

The density of the development at 44 dwellings per hectare accords with the target density in the urban area as set out in Core Strategy Policy CS15. The scale of development is principally two storeys with three storeys only for the corner building, integrating reasonably well with nearby development in Coldharbour Road. It should be noted that there is three storey housing within the Bovis and the Persimmon Homes development currently under construction in Coldharbour Road.

The current, amended drawings were received on 11 December 2019 to respond to the latest DSE design comments and the revised design for the development now appropriately accords with local character.

The development is broadly compliant in terms of adopted standards relating to internal space and garden areas. The development of the site based on the submitted scale and layout will not result in material harm to local amenity.

The development would provide 6 affordable housing units thus complying with affordable housing policy CS16 of the Local Plan Core Strategy that requires the provision of 30% affordable housing on all new developments of 15 dwellings or more. The scheme is supported by the Council’s New Homes Development and Strategy Manager. The applicants have agreed to meet the developer contributions towards community infrastructure as sought by Kent County Council.

The scheme open space offer includes small grassed amenity areas to the flats that front New House Lane as well as landscaped areas around the blocks of flats and private gardens for the houses. The Council’s Leisure Manager acknowledges that due to the constrained nature of the site it would not be expected that the developer would provide all types of formal and informal leisure provision on site, but requests a financial contribution to offset the impact of the development on existing leisure facilities in the area.

In respect of highways, transport and parking impacts no objections are raised by either Kent County Council Highways and Transportation or the GBC Highways Development Management Officer to either the level of traffic generated by the development, parking provision within the site and the location of or visibility from the proposed access road on to Coldharbour Road, subject to the imposition of a number of planning conditions.

It is considered that other potential impacts and issues, notably ecology, trees and landscaping, lighting, secured by design, drainage and archaeology can be addressed and mitigated through appropriate planning conditions.

It is therefore recommended that **PLANNING PERMISSION** is granted subject to conditions, reason and informatives and the completion of s106 legal agreement.
1. Site Description and Surroundings

1.1 The application site comprises the site of the former Battle of Britain Public House situated on the corner of Coldharbour Road and New House Lane, Northfleet. Due to the unauthorised demolition of the building the site now comprises an open piece of land bounded by hoardings and which contains some materials left over from the demolition as well as additional fly tipped material.

1.2 Formerly the site comprised the Battle of Britain Public House, a two storey building in traditional construction with part brick and part rendered and painted walls and a tiled roof and which had been considerably extended over the years and with a functions room and which was set back from the highways of both Coldharbour Road and New House Lane, and with its main frontage and aspect facing towards New House Lane. The public house did have some roofspace living accommodation at second floor and with a small traditional dormer in the rear roof slope.

1.3 The land in front of and principally to the north east of the public house was used as a customer car park and a storage area and land to the south east of the public house was used as a large beer garden with play equipment which was enclosed by railings along the Coldharbour Road frontage. There was some lighting to the car park.

1.4 The site covers an area of approximately 0.45 hectares (1.1 acres) and is bounded by:

- To the north west by New House Lane, and beyond this the access road which serves nos. 80-90 New House Lane which comprise two storey semi-detached properties, most still in Local Authority control, which face towards the site at a distance of approximately 21m away from New House Lane;
- To the north east by the grass playing field of Shears Green Primary School;
- To the south east by St Clements Catholic Church and residential properties (12 maisonettes) situated within St Clements Close; the church serves as a satellite to the main Catholic Church at The Hill Northfleet;
- To the south west by Coldharbour Road, and properties on the adjacent side of the highway 22-28 (even nos.) Coldharbour Road which comprises two storey linked detached properties as well as an entrance to Durndale Recreation Ground.

1.5 Coldharbour Road is a classified C Class highway (C364) and similarly New House Lane is also a C Class classified highway (C365)

1.6 Vehicular access into the site to the former public house was from Coldharbour Road close to the junction with New House Lane. There was also a pedestrian access in the form of steps up from New House Lane mid-way along the road frontage. A second set of steps that existed appears to have been removed.

1.7 The vehicular access into the former Battle of Britain Public House site from Coldharbour Road and the access into St Clements Close from Coldharbour Road do have right turn lane facilities within the highway, the former due to the right turn lane at the junction of Coldharbour Road with New House Lane.

1.8 There is no footway to the road frontage of the site to New House Lane but there is a grass bank from road level, with the site elevated above the road. The site conversely
is slightly below the road level in Coldharbour Road. There are a few trees/bushes around the edges of the site.

1.9 The local authority housing in the surrounding area dates from circa 1948. The residential development opposite the site (in Gibson Close) dates from the late 1960’s while the development of the church and maisonettes in St Clements Close was built in the early 1990’s.

1.10 Close to the site in Coldharbour Road are the Kent Fire and Rescue Service and Ambulance Thamesside stations.

2. Planning History

2.1 The following table sets out the more recent planning history relating to redevelopment of the site (in part/whole):

<table>
<thead>
<tr>
<th>Ref No</th>
<th>Description</th>
<th>Decision</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>20030544</td>
<td>Outline application for the erection of a building in the car park at the side to provide social housing flats with vehicular access from the existing public house access.</td>
<td>Withdrawn</td>
<td>14.08.2003</td>
</tr>
<tr>
<td>20040296</td>
<td>Outline application for the erection of a building in the car park at the side to provide 18 self-contained flats with vehicular access from the existing public house access and laying out of 17 car parking spaces.</td>
<td>Refused</td>
<td>25.08.2004</td>
</tr>
<tr>
<td>20120373</td>
<td>Erection of one pair of two storey semi-detached three bedroom dwellings with semi-detached garage at the rear; formation of new access on to New House Lane and reconfiguration of public house car park.</td>
<td>Permitted</td>
<td>25.09.2012</td>
</tr>
<tr>
<td>20160971</td>
<td>Application for determination as to whether prior approval is required for the demolition of the public house</td>
<td>Refused</td>
<td>21.10.2016</td>
</tr>
<tr>
<td>20170090</td>
<td>Erection of 25 residential units comprising 8 (x) one bed flats; 4 (x) two bed flats; 1 (x) three bed flat; 3 (x) two bed houses; and 9 (x) three bed houses; laying out of associated roads, 44 car parking spaces; refuse and cycle storage, private and communal gardens and vehicular access on to New House Lane.</td>
<td>Withdrawn</td>
<td>06.07.2017</td>
</tr>
</tbody>
</table>
2.2 Relevant planning history relating to the use of the site as a public house:

<table>
<thead>
<tr>
<th>Ref No</th>
<th>Description</th>
<th>Decision</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>19480017</td>
<td>The construction of a car park at the &quot;Battle of Britain&quot;</td>
<td>Permitted</td>
<td>01.09.1948</td>
</tr>
<tr>
<td>19580200</td>
<td>Alterations to Shears Green House to form licensed premises with living accommodation and for demolition of existing temporary structure known as Battle of Britain Public House; subsequent variations to the details approved including extension to the car park in 1962 under same ref no.</td>
<td>Permitted</td>
<td>10.02.1959</td>
</tr>
<tr>
<td>19740109</td>
<td>Use of garden land for an extension to car park.</td>
<td>Permitted</td>
<td>26.06.1974</td>
</tr>
<tr>
<td>19740673</td>
<td>Erection of a single storey extension at rear to the Toby Bar.</td>
<td>Permitted</td>
<td>08.01.1975</td>
</tr>
<tr>
<td>19770392</td>
<td>Laying out of extension to existing car park</td>
<td>Permitted</td>
<td>23.06.1977</td>
</tr>
<tr>
<td>19820330</td>
<td>Erection of single storey detached building to form off licence and ancillary store</td>
<td>Refused</td>
<td>28.06.1982</td>
</tr>
<tr>
<td>19850580</td>
<td>Erection of single storey rear extension to form family room and toilets</td>
<td>Permitted</td>
<td>29.08.1985</td>
</tr>
<tr>
<td>19940124</td>
<td>Erection of conservatory at rear to replace existing covered area.</td>
<td>Permitted</td>
<td>16.05.1994</td>
</tr>
<tr>
<td>20050996</td>
<td>Erection of single storey extension on the south-easterly elevation to provide an enlarged restaurant.</td>
<td>Permitted</td>
<td>17.01.2006</td>
</tr>
<tr>
<td>20070439</td>
<td>Erection of two pergola style shelter on north eastern and southern elevations.</td>
<td>Permitted</td>
<td>09.07.2007</td>
</tr>
<tr>
<td>20081111</td>
<td>Erection of 1.675m high steel railings to replace chain link fence along Coldharbour Road boundary.</td>
<td>Permitted</td>
<td>10.02.2009</td>
</tr>
</tbody>
</table>

3. Proposal

3.1 The current planning application was originally submitted in November 2017. The application was originally described as:
Construction of 20 residential units comprising 5 x four bedroom houses; 5 x three bedroom houses; 4 x one bedroom flats; and 6 x two bedroom flats; laying out of access road, provision of 35 car parking spaces, refuse and cycle storage, private and communal gardens, and construction of vehicular access onto New House Lane.

3.2 The application has undergone a significant period of assessment and scrutiny including a number of design reviews by Design South East (DSE) including a design workshop.

3.3 The layout and content of the development has been revised a number of times and the latest revised plans were submitted in September/October 2019 with further revisions in December 2019.

Submitted Plans/Documents

3.4 The following plans/documents, as amended, comprise the current application:

Planning Application Form, revised;

Main Reports

Supplementary Planning and Design and Access Statement (Caldecotte Group) dated August 2019;
Transport Statement by Enzygo Environmental Consultants dated October 2019 (Ref SHF.1118.023.TR.R.002 Rev a);
Drainage Strategy dated 20/08/2019, Version 1.0 Ref RAB: 2289B by RAB Consultants;
Phase I Geo-Environmental Desk Study by EPS (Ref UK16.2488 - Issue 3) dated 23 July 2019;
Soft Landscape Management and Maintenance Plan ref PRI22474man Rev A dated May 2019 by ACD Environmental;
Soft Landscaping Specification ref PRI22474spec Rev DR dated May 2019 by ACD Environmental;

Supplemental Plans and Reports

Site Solutions: Highways by Argyll Environmental dated 13 December 2016, ref 1042911118_1.1;
Phase 1 (Desk Study) Investigation Report by Opus (Ref J-D0927_R1_STM) dated 07 February 2012;
Drainage Information;
Drawing No 18496se-01: Topographical Survey;
Response to Representations by Caldecotte Group dated January 2018;
Supplementary Planning Statement by Caldecotte Group dated March 2018;
Undercroft Swept Path analysis (2019-013_Appendix 2 rev B) December 2019;

Plans and Drawings

Drawing No 1959-01 Rev K: Site Layout - Roof Plan
Drawing No 1959-02 Rev K: Site Layout - Ground Floor Plan
Drawing No 1959-03 Rev J: Site Layout - First & Second Floor Plan
Drawing No 1959-04 Rev i: Strip Elevations
Drawing No 1959-08 Rev A: OS Location Plan
Drawing No 1959-09 Rev G: Flats 1 - 6 Floor Plans and Elevations
Drawing No 1959-10 Rev D: Houses 7 - 12 Floor Plans and Elevations
Drawing No 1959-11 Rev F: Flats 13 - 20 Floor Plans
Drawing No 1959-12 Rev E: Flats 13 - 20 Elevations
Details of the Application

Dwelling/Accommodation Mix

3.5 The schedule of accommodation is as follows:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Beds</th>
<th>Area (GIA sq. m.)</th>
<th>Floor</th>
<th>Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>55.1</td>
<td>Ground</td>
<td>Flat</td>
</tr>
<tr>
<td>2</td>
<td>1</td>
<td>55.1</td>
<td>Ground</td>
<td>Flat</td>
</tr>
<tr>
<td>3</td>
<td>1</td>
<td>51.2</td>
<td>Ground</td>
<td>Flat</td>
</tr>
<tr>
<td>4</td>
<td>1</td>
<td>55.1</td>
<td>First</td>
<td>Flat</td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>55.1</td>
<td>First</td>
<td>Flat</td>
</tr>
<tr>
<td>6</td>
<td>2</td>
<td>82.8</td>
<td>First</td>
<td>Flat</td>
</tr>
<tr>
<td>7</td>
<td>3</td>
<td>114</td>
<td>n/a</td>
<td>House</td>
</tr>
<tr>
<td>8</td>
<td>3</td>
<td>114</td>
<td>n/a</td>
<td>House</td>
</tr>
<tr>
<td>9</td>
<td>3</td>
<td>114</td>
<td>n/a</td>
<td>House</td>
</tr>
<tr>
<td>10</td>
<td>3</td>
<td>114</td>
<td>n/a</td>
<td>House</td>
</tr>
<tr>
<td>11</td>
<td>3</td>
<td>114</td>
<td>n/a</td>
<td>House</td>
</tr>
<tr>
<td>12</td>
<td>3</td>
<td>114</td>
<td>n/a</td>
<td>House</td>
</tr>
<tr>
<td>13</td>
<td>2</td>
<td>77.8</td>
<td>Ground</td>
<td>Flat</td>
</tr>
<tr>
<td>14</td>
<td>2</td>
<td>77.8</td>
<td>Ground</td>
<td>Flat</td>
</tr>
<tr>
<td>15</td>
<td>2</td>
<td>77.8</td>
<td>First</td>
<td>Flat</td>
</tr>
<tr>
<td>16</td>
<td>2</td>
<td>77.8</td>
<td>First</td>
<td>Flat</td>
</tr>
<tr>
<td>17</td>
<td>2</td>
<td>77.8</td>
<td>Second</td>
<td>Flat</td>
</tr>
<tr>
<td>18</td>
<td>2</td>
<td>77.8</td>
<td>Second</td>
<td>Flat</td>
</tr>
<tr>
<td>19</td>
<td>2</td>
<td>73.2</td>
<td>First</td>
<td>Flat</td>
</tr>
<tr>
<td>20</td>
<td>2</td>
<td>73.2</td>
<td>First</td>
<td>Flat</td>
</tr>
</tbody>
</table>

Note: There have been some subsequent minor changes to the internal layout to accommodate storage space within the flat units

Layout

3.6 The scheme comprises new development principally in the form of two storey buildings with the exception of the block at the junction between New House Lane and Coldharbour Road which is three storeys.

3.7 The site has three areas of proposed development. The first is that to the right of the proposed access road where 2 x two storey buildings arranged in an L shape accommodate 6 apartments. 4 x 1 bedroom apartments are located in the block fronting New House Lane and 2 apartments are located in the second block. 1 x 1 bedroom apartments are at ground floor with a 1 x 2 bedroom apartment sitting above this and with access into the car parking area which serves this part of the development.

3.8 The second area comprises a two storey terrace of 6 x 3 bedroom houses. The terrace comprises 2 blocks of 3 units. Parking for these units is to the front and private gardens are located to the rear.
3.9 The third area comprises two blocks of apartments. 6 x 2 bedroom flats are located in a three storey block which sits in the corner of the site where New House Lane and Coldharbour Road meet. The second block sits adjacent and is two storeys in height. This block has a further 2 x 2 bedroom apartments at first floor with parking underneath.

**Design/Landscaping**

3.10 The design theme is contemporary and uses a limited palate of materials (brick with timber boarding). Each house benefits from its own private rear garden whilst the flats benefit from private balconies. Areas of lawn adjacent to the blocks of flats provide communal amenity space.

3.11 The built form is set back from the road to allow for a green buffer to run along the highway boundaries. A piece of public art as requested by your officers, to recognise the past association of the site with the Battle of Britain, is to be located at the junction between the two roads on the corner of the site.

**Access and Parking**

3.12 Vehicular access to the site is off New House Lane and will serve a section of new adopted road which finishes in a turning head. Off the turning head, a private drive will continue through the site to serve the parking bays located to the front of the houses. A 2m footpath runs along the northern edge of the adopted road and private drive, linking New House Lane with Coldharbour Road. Two other parking areas are served by the turning head.

3.13 A total of 32 parking spaces are provided, 5 of which are visitor spaces. Plots 7-12 (houses) each have two dedicated parking spaces. Parking spaces for the apartments are undesignated and located within parking courtyards. Dedicated cycle stores are provided for the apartments and sheds are shown within the gardens for each house.

**Affordable Housing**

3.14 The proposals would provide 6 affordable housing units and with further contributions (to be confirmed) secured by way of a section 106 agreement.

4. **Planning Policy, Development Plan and other Material Considerations**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Where there are other material considerations, the development plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration will be whether the plan policies are relevant and up to date.

4.2 The Development Plan for Gravesham comprises:-

- The Gravesham Local Plan Core Strategy (September 2014)
- Kent Minerals and Waste Local Plan 2013 - 2030 (July 2016)

4.3 There are a number of other planning policy documents which are of some relevance to the consideration of planning applications and are material considerations, including national planning advice and guidance in the National Planning Policy Framework
4.4 Previous decisions on planning applications and appeals relating to the site and relevant case law etc. are also capable of being material considerations.

4.5 In addition, the Council has more recently published a Regulation 18 (stage 1) consultation on its proposed Site Allocations and Development Management Policies DPD, which will in due course form part of and update the Gravesham Local Plan.

4.6 As the Site Allocations and Development Management Policies DPD is at a very early stage and the fact that the consultation is still on-going, the policies therein should at this stage be given very limited weight. It should be noted, in any event, that many of the relevant development plan policies reflect those set out in the Framework and for the purposes of this application these should be relied on instead.

Gravesham Local Plan Core Strategy, September 2014

4.7 The Core Strategy sets out the Council's spatial vision and strategic objectives for the Borough to 2028 and the policies which will deliver them. It identifies the main areas where major change is likely to take place and allocates sites which are key to achieving the strategy.

4.8 The development site is shown as being within the urban area and fronting on to local distributors on the highway network (both Coldharbour Road and New House Lane) in the Gravesham Local Plan Policies Map.

4.9 The most relevant policies from the adopted Core Strategy in relation to this development are as follows:

Core Strategy Policy CS01: Sustainable Development
Core Strategy Policy CS02: Scale and Distribution of Development
Core Strategy Policy CS10: Physical and Social Infrastructure
Core Strategy Policy CS11: Transport
Core Strategy Policy CS12: Green Infrastructure
Core Strategy Policy CS13: Green Space, Sport and Recreation
Core Strategy Policy CS14: Housing Type and Size
Core Strategy Policy CS15: Housing Density
Core Strategy Policy CS16: Affordable Housing
Core Strategy Policy CS18: Climate Change
Core Strategy Policy CS19: Development and Design Principles
Core Strategy Policy CS20: Heritage and the Historic Environment

Policy CS01: Sustainable Development sets out that support will be given to proposals that accord with the development plan. A positive approach to new development will be taken that reflects the presumption in favour of sustainable development set out in the NPPF and the Local Plan Core Strategy.

Policy CS02: Scale and Distribution of Development makes a commitment to meeting the Borough’s objectively assessed need for 6,170 new dwellings over the plan period and outlines where new development will take place. The strategy prioritises development in the urban area by promoting regeneration by:
- the redevelopment and recycling of underused, derelict and previously developed land;
- revitalising Gravesend Town Centre as a focal centre for small scale office development; and
- bringing forward a range of suitable sites for residential and employment development.

**Policy CS10: Physical and Social Infrastructure** supports proposals and activities that protect, retain or enhance existing social infrastructure. Where there is the threat of loss of existing infrastructure, consideration will be given to viability and whether sufficient alternative provision is available.

**Policy CS11: Transport** sets out that new developments should mitigate their impact on the highway and public transport networks as required. As appropriate, transport assessments and travel plans should be provided and implemented to ensure the delivery of travel choice and sustainable opportunities for travel. Sufficient parking in new development will be provided in accordance with adopted parking standards reflecting the availability of alternative means of transport and accessibility to services and facilities.

**Policy CS12: Green Infrastructure** indicates that all green spaces contribute to the green infrastructure network and that the multifunctional network of green spaces will be created, protected, enhanced and maintained. It also seeks to protect sites designated for their biodiversity value with the highest protection being given to international sites and then to nationally designated Sites of Special Scientific Interest (SSSI). Opportunities to enhance, restore, recreate and maintain habitats will be sought particularly in Biodiversity Opportunity Areas.

**Policy CS13: Green Space, Sport and Recreation** indicates that the Council will seek to make adequate provision for and protect and enhance the quantity, quality and accessibility of green space in accordance with an adequate up to date and relevant evidence base.

**Policy CS14: Housing Type and Design** sets out that the Council will expect new housing development to provide a range of dwelling types and sizes, taking into account the existing character of the area and evidence of local need, to create sustainable and balanced communities.

**Policy CS15: Housing Density** states that sites will be delivered at a variety of densities, depending on their location and accessibility to public transport. It states that all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Subject to this overriding consideration, within the urban area, new residential development will be expected to achieve a minimum density of 40 dwellings per hectare.

**Policy CS16: Affordable Housing** requires the provision of affordable housing on all new housing developments of 15 dwellings or more or on sites of 0.5 hectares or more in the urban area. The amount of affordable housing to be provided by private housing sites above the threshold will be 30% in the urban area. The Council will seek an affordable housing mix of 70% affordable rented and social rented accommodation and 30% intermediate housing.

**Policy CS18: Climate Change** seeks to ensure that Water Framework Directive objectives are secured and that the impact of development on waste water drainage systems is minimised. Surface water run-off from all new development should, as a minimum, have
no greater adverse impact than the existing use. It requires the use of Sustainable Drainage Systems where technically and financially feasible. It requires the water efficiency measures to be installed to achieve the equivalent of level 3/4 of the Code for Sustainable Homes (105 litres per person per day)\(^1\)

Details of how you propose to address these issues should accompany your planning application.

**Policy CS19: Development and Design Principles** sets out detailed criteria against which the acceptability or otherwise of proposed development will be evaluated. In particular it requires new development to be visually attractive, fit for purpose and locally distinctive. It should 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. The design, layout and form of new development will be derived from a robust analysis of local context and character and make a positive contribution to the street scene and to the character of the area.

It requires account to be taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings and of the wider context including features of townscape and landscape value, which contribute to local character and sense of place.

It requires new development to be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land and avoid adverse environmental impacts from pollution.

New residential development is required to accord with the adopted Residential Layout Guidelines and will be required to provide appropriate levels of private and public amenity space.

Proposals should include details of appropriate hard and soft landscaping, protect and where opportunities arise enhance biodiversity and provide appropriate facilities for the storage and disposal of waste.

**Policy CS20: Heritage and the Historic Environment** gives a high priority towards the preservation, protection and enhancement of its heritage and historic environment as a non-renewable resource, central to the regeneration of the area and the reinforcement of sense of place. Particular attention in this regard will be focused on those heritage assets most at risk. When considering the impact of a proposed development on a designated heritage asset, the weight that will be given to the asset’s conservation value will be commensurate with the importance and significance of the asset. For non-designated assets, decisions will have regard to the scale of any harm or loss and the significance of the heritage asset.

**Gravesham Local Plan First Review 1994**

4.10 The Gravesham Local Plan First Review was originally adopted in November 1994.

4.11 A substantial number of policies of the Gravesham Local Plan First Review were saved by a Direction dated 25 September 2007 of the Secretary of State under paragraph 1 (3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 as transitional arrangements pending adoption of the Core Strategy.

\(^1\) Now equivalent to 110 litres per person per day as required by National Standard – see GBC Housing Standards Policy Statement (2015) at http://www.gravesham.gov.uk/__data/assets/pdf_file/0016/201625/Housing-Standards-Policy-Statement.pdf
4.12 Those Local Plan First Review policies that remain in force are listed in Appendix 1 of the Local Plan Core Strategy. The remaining saved policies will be replaced following the adoption of the Site Allocations and Development Management Policies Development Plan Document.

4.13 The following remaining saved policies are relevant to the consideration of this application:

Policy T1: Impact of Development on the Highway Network
Policy T5: New Accesses onto Highway Network
Policy P3: Vehicle Parking Standards
Policy LT6: Additional Open Space on New Housing Development

Saved Policy T1 requires that all proposed developments are adequately served by the highway network identified on the Proposals Map.

Saved Policy T5 requires that the formation of new accesses or the intensification of use of existing accesses to the roads forming the highway network shown on the Proposals Map, will not normally be permitted, except where no danger would arise and where a properly formed access can be created in a location and to a standard acceptable to the Local Planning and Highway Authorities.

Saved Policy P3 requires development to make provision for vehicle parking, in accordance with the Kent County Council Vehicle Parking Standards, as interpreted by Gravesham Borough Council, unless justified as an exception. All vehicle parking provision should normally be made on the development site.

Saved Policy LT6 requires new housing development to make provision for open space and play space, having regard to the proximity of the development to open space in the vicinity.

Gravesham Local Plan Regulation 18 Stage 1 Consultation Part 2: Development Management Policies Document April 2018

4.14 The following draft policies are relevant to the consideration of this application:

Proposed Policy DM 21: Open Space, Playing Pitches and Sports Facilities Retention
Proposed Policy DM 26: Residential Space Standards
Proposed Policy DM 34: Contaminated Land
Proposed Policy DM 35: Light Pollution
Proposed Policy DM 37: Noise and Vibration

National Planning Policy Guidance

The National Planning Policy Framework (NPPF)

4.15 The National Planning Policy Framework (NPPF), June 2019, is a material consideration.

4.16 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which means approving development proposals that accord with the development plan without delay and where there are no relevant development plan policies or where the policies are out of date planning permission should be granted unless policies of the Framework provide a clear reason for refusing the development such as where land is
designated as Green Belt or any adverse impacts would so significantly and demonstrably outweigh the benefits or specific policies in the NPPF taken as a whole.

4.17 The NPPF includes (in paragraph 8) three overarching objectives to achieving sustainable development:

- An economic objective;
- A social objective; and
- An environmental objective.

4.18 Numerous sections of the NPPF are directly relevant to the consideration of this development. The following paragraphs are specifically highlighted as being of importance to the consideration of the development proposals, but it should not be taken that these are the only parts of the NPPF that need to be considered.

Section 4, Paragraphs 38 - 58: Decision Making

Paragraph 47 indicates that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraphs 54-57 of the NPPF contain advice on planning conditions and obligations. Paragraph 55 indicates that conditions should be kept to a minimum and only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Section 5, Paragraphs 59 - 79: Delivering a sufficient supply of homes

Paragraph 59 indicates that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Paragraph 68 (c) requires local planning authorities to support the development of windfall sites.

Section 8, Paragraphs 91 - 101: Promoting healthy and safe communities

Paragraph 91 indicates that planning decisions should aim to achieve healthy, inclusive and safe places which:

(a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other - for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
(b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and
(c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs - for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Section 9, Paragraphs 102-111: Promoting Sustainable Transport
Paragraph 108 indicates that in assessing specific applications for development, it should be ensured that:
(a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
(b) safe and suitable access to the site can be achieved for all users; and
(c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 110, requires applications to be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

Section 11, Paragraphs 117 - 123: Making effective use of land

Paragraph 117 indicates that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 118d requires decisions to promote and support the development of under-utilised land, especially if this would help to meet identified needs for housing where land supply is constrained.

Paragraph 120 requires decisions to reflect changes in the demand for land.

Section 12, Paragraphs 124 - 132: Achieving well-designed places

Paragraph 124 advises that 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.

Paragraph 127 indicates that, amongst other things, planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change

Section 14, Paragraphs 148 - 169: Meeting the Challenge of Climate Change, Flooding and Coastal Change

This sets out (amongst other things) national policy in relation to flood risk. This should be read in conjunction with the relevant sections of National Planning Practice Guidance (NPPG 2014) and the Environment Agency Flood Risk Standing Advice available on line via [https://www.gov.uk/flood-risk-standing-advice-frsa-for-local-planning-authorities](https://www.gov.uk/flood-risk-standing-advice-frsa-for-local-planning-authorities)

Section 15, Paragraphs 170 - 183: Conserving and Enhancing the Natural Environment

Paragraph 170 of the NPPF indicates that planning decisions should contribute to and enhance the natural and local environment by, amongst other things:
(a) protecting and enhancing valued landscapes,
(b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

Section 16, Paragraphs 184 - 202: Conserving and Enhancing the Historic Environment

Paragraph 189 of the NPPF indicates that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

The National Planning Practice Guidance (NPPG)

4.19 Planning Practice Guidance (http://planningguidance.planningportal.gov.uk/) supports and clarifies areas in the NPPF.

4.20 It contains guidance on assessing housing need; design (Design: Process and Tools); public consultation; open space provision in new development; travel plans, transport assessments and statements in decision-taking; health and wellbeing; water supply, wastewater and water quality; light pollution; determining a planning application; the use of planning conditions and viability, amongst other things.

4.21 The NPPG gives guidance on what is a material planning consideration in determining a planning application indicating that the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.

4.22 The NPPG includes more detailed advice on the use of planning conditions (replacing the cancelled Circular 11/95). It outlines the six tests.

The National Design Guide 01 October 2019

4.23 The National Design Guide (Planning practice guidance for beautiful, enduring and successful places) sets out ten characteristics of well-designed places based on planning policy expectations and is illustrated by projects that demonstrate good practice. It should be read alongside the separate planning practice guidance (NPPG) on design process and tools.

Supplementary Planning Guidance and other Documents

4.24 The Council has adopted a number of Supplementary Planning Guidance documents, Development Briefs and Conservation Area Appraisals. These elaborate on saved policies in the Gravesham Local Plan First Review and policies in the Gravesham Local Plan Core Strategy and are material considerations in determining planning applications.

4.25 In addition the Council has adopted a number of documents that have been produced by Kent County Council also as Supplementary Guidance.

4.26 The following documents are relevant to the consideration of this application:

GBC Residential Layout Guidelines (SPG2 February 1996)
Vehicle Accesses on Classified Highways (SPG6 November 1992)
GBC Housing Standards Policy Statement (2015)

5. Consultations, Publicity and Representations

Consultations

5.1 The following consultation responses have been received in response to either the original or revised proposals. (Where revised comments have superseded the original consultation response the original comments have not been included in this report)

(a) Planning Policy and Housing Strategy Responses

GBC Planning Policy - Original Comments

The site is within the urban area of Northfleet and falls within a predominately residential area.

Whilst the demolition of the Battle of Britain occurred in controversial circumstances, in principle the redevelopment of this prominent site is welcomed as it would bring back into use a redundant brownfield site.

In light of the above, the principle of delivering residential dwellings on the application site accords with the Borough’s adopted Local Plan Core Strategy and in particular policies CS01 and CS02.

The application is for the erection of 20 residential units on 0.45 hectares at a density of 44 dwellings per hectare as such the proposed development scheme accords with Paragraph 5.11.6 of Policy CS15.

GBC New Homes Development and Strategy Manager - Revised Comments

The Council’s affordable housing policy requires the provision of 30% affordable housing on all new developments of 15 dwellings or more or on sites of 0.5 hectares or more in the urban area which, for this site this equates to 6 units.

The original application considered the provision of a block of 6 x 2 bed flats to meet the affordable housing obligation although it is noted that the revised application suggests the provision of a block of 5 x 1 bed and 1 x 2 bed flats to meet this obligation, namely flats numbered 1-6.

The planning application refers to the affordable housing obligation being for Affordable Home Ownership. However it is suggested that the applicant contacts our preferred Registered Providers (RP) to determine interest in delivering the suggested mix of affordable units as shared ownership/other Affordable Home Ownership product or indeed for Social or Affordable Rent at their earliest opportunity. The applicant’s agent has been provided with details of the Council’s preferred providers previously.
For ease the simplest way forward at this moment in time would be to acknowledge the on-site provision of 6 units for affordable housing and, should permission be granted, ensure that the incumbent s.106 agreement includes the definition “Affordable Housing Plan” (AHP) with the obligation for the AHP (detailing the size and tenure of the 6 affordable housing units) to be agreed in writing by the Council.

Moving on to the unit standards and layouts of flats numbered 1-6 it is noted that the GIA of each unit meets the Nationally Described Space Standard. However, there is limited storage within the 1 bed units and none in the 2 bed unit. Also, earlier comments suggested the inclusion of a built-in cupboard (wardrobe) to each main bedroom.

The inclusion of inset balconies is welcomed as these will provide an element of private amenity space. However, the applicant may want to consider installing winter gardens which will increase the amount of time during the year a balcony can be comfortably used.

In conclusion, the applicant is strongly advised to make contact with the Council’s RP partners at their earliest opportunity to determine interest in the suggested affordable housing units within the revised application.

(b) Access, Transport, Cycling and Sustainability Responses

KCC Highways and Transportation - revised comments

Further to the KCC Highways response dated 18th September 2019, a revised Transport Assessment dated 14th October 2019 has now been submitted in support of the application which addresses the previous concerns regarding the robustness of the traffic generation figures taken from TRICS in the previous Transport Assessment. This revised assessment has excluded the "Harvester" type restaurants where the weekday pm peak movements were considered to be high for the previous site use, and to exclude the Greater London sites from the previous residential traffic generation assessments. It is now considered that the comparison figures between the previous use and the proposed use are robust and demonstrate that whilst there is a small increase in the am peak generation, the pm peak generation is likely to be less than the previous use. In conclusion, there are still no concerns that the proposed development will result in any significant impact on the local highway network.

It is therefore still recommended that there is no objection to the application on highway grounds provided, as previously indicated, conditions are applied to any consent granted relating to visibility splays, parking, and submission and approval of a Construction Management Plan.

Requests standard KCC Highways informative

GBC Highways Development Management Officer - revised comments

The extensive consultation on the design of this site seems to have resulted in an acceptable scheme. One concern and this is for KCC is the location of the underground surface water storage, as it is possible the ground concerned supports the highway and will require their approval before it can be constructed.

It should be noted that ideally all dwellings should have at least one electric vehicle charging point each to meet the needs of the residents once fossil fuelled vehicles are
no longer available. At present this can take the form of cabling but without an actual charging point. Each supply point should be able to accommodate a minimum supply of 32 ampere continuously and a greater surge current on initial connection, it is recommended that advice is taken from a suitably qualified company or person.

Kent Fire & Rescue Service

The access provided for fire appliances appears to be satisfactory

(c) Open Space and Leisure Responses

GBC Leisure Manager - revised comments

Policy CS13 and the NPPF recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Due to the constrained nature of the site it would not be expected that the developer would provide all types of formal and informal leisure provision on site, but it is reasonable to expect the applicant to offset the impact of its development on existing leisure facilities in the area. It is noted that there is small communal open space within the development, we assume serving the flats, but there is no proposed local area of play or local equipped area of play within the development.

Based on all the assessment data currently available (e.g. current Gravesham Open Space, Sport and Recreation Assessment (OSSR), Field in Trust Guidance and internal Management Team Play area Priorities Report, there is a justifiable case for the applicant to provide off-site provision for a number of key leisure typologies based on the increase in population generated by the new development. The approach promoted by officers is therefore to secure a financial contribution towards the upgrading of existing local sporting and recreational facilities located within a reasonable distance of the application site, such that it will be directly related to the development and will contribute to offsetting the impact of the increased population.

Using Sport England Sports Facility Calculator (SFC) as a guide tool, based on the anticipated maximum number of residents generated from the development (i.e. 50 residents), the SFC gives an indicative figure of approximately £23,400 towards a series of general leisure facility types. With regards to the specific development site, there are in fact a number of nearby open space sites that could receive much needed investment, especially play/youth facility enhancements, of which the new and existing communities will benefit from, for example, at Durndale Recreation Ground. The development site is also in close proximity to the area's major open space site at Woodlands Park, which could benefit from continuous investment. Both of these sites were marked as part of the OSSR as highly valued sites, but at the time low quality in provision of facilities particularly at the neighbouring Durndale location.

GBC Horticultural Services Manager - revised comments

The soft landscaping proposals indicate that a total of 30 standard trees and 7 multi stemmed trees are to be planted as part of this scheme and that the existing trees on the site perimeter are to be retained and protected during construction. This is really positive and will not only help to soften the new built environment but will also mean that there will be a net benefit in terms of biodiversity.
In addition to the standard and multi-stemmed trees there is a large number of beech whips detailed to be planted as hedging. Whilst this is good to see, consideration should also be given to swapping some of the beech whips with hawthorn, blackthorn and hazel where appropriate. Creating mixed native hedging at certain locations on this development would further increase the benefit of the planting in terms of wildlife and biodiversity.

The choice of trees and their locations is good and appropriate for the site. There is space for them to grow without conflict between residents or the new built environment.

The choice of shrubs, perennials and herbaceous plants are appropriate for their locations. They will provide a good mix of decorative planting with all year round interest for the residents.

**(d) Environmental, Utilities and Services Responses**

**GBC Regulatory Services - Original Comments**

There is no objection to the application, subject to the following comments:

*Domestic Refuse Arrangements - Single Dwellings*

The dwellings should have sufficient storage capacity to cope with the waste generated in between collections. This is weekly for non-recyclable waste and food waste, fortnightly for recyclable waste.

*Domestic Refuse Arrangements - Advisory Notes*

Plastic sacks are issued for non-recyclable solid waste storage. Homes will also be provided with a wheeled bin (Height: 405mm, Width: 320mm, Depth: 400mm) for recyclable waste and a smaller bin (Height: 228mm, Width: 268mm, Depth: 223mm) for food waste. Collection is from the front entrance to the property adjacent to the road or footpath.

*Domestic Refuse Arrangements - Multiple Occupation*

The dwellings should have sufficient storage capacity to cope with the waste generated in between collections (1 week). A large internal/external storage area should be considered where there is more than one dwelling contained in a domestic block. The distance between the storage area and the collection point shall not be more than 30 metres.

*Works of Construction*

The commencement of the development shall not take place until a comprehensive Code of Construction Practice covering all environmental impacts from the clearance/construction phase of this development is provided by the applicant and submitted for approval to the Local Planning Authority. No works shall commence until approval of this report has been given by the Local Planning Authority.

**GBC Regulatory Services - Contaminated Land Comments - Original Comments**

Based on the review of the Phase I Geo-Environmental Desk Study (EPS, 21st September 2017) considers that the report adequately reviews the history and
environmental setting of the site. Waste generated from the demolition of the original building has been spread across the site, the nature of this is unknown and therefore an intrusive investigation is recommended and suggests the following condition:

No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the CLEA guidelines and CLR 11 methodology) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

d) Approved remediation works 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.

e) 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.

f) 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.

Health and Safety Executive - Original Comments
The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

Environment Agency - revised comments

No comments. Recommends that the GBC Environmental Health Officer is consulted on issues with regards to human health

KCC Flood Risk Project Officer, Flood and Water Management - (Lead Local Flood Authority) - revised comments

Has reviewed the information received and generally satisfied with the principles proposed for dealing with surface water, namely via infiltration. Recommends that the following conditions are applied if permission is to be granted:

Condition:

Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall be based upon the Drainage Strategy produced by RAB consultants dated 20/08/19 and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

• That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
• Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Condition:

No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system
constructed is different to that approved. The Report shall contain information and
evidence (including photographs) of details and locations of inlets, outlets and control
structures; landscape plans; full as built drawings; information pertinent to the
installation of those items identified on the critical drainage assets drawing; and, the
submission of an operation and maintenance manual for the sustainable drainage
scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and
neighbouring land are minimised, together with those risks to controlled waters, property
and ecological systems, and to ensure that the development as constructed is compliant
with and subsequently maintained pursuant to the requirements of paragraph 165 of the
National Planning Policy Framework.

Southern Water - revised comments

Southern Water requires a formal application for a connection to the public sewer to be
made by the applicant or developer. Requests that should this application receive
planning approval, the following informative is attached to the consent:

A formal application for connection to the public sewerage system is required in order to
service this development. Please read our New Connections Services Charging
Arrangements documents which has now been published and is available to read on
our website via the following link https://beta.southernwater.co.uk/infrastructure-charges

Initial investigations indicate that there are no public surface water sewers in the area to
serve this development. Alternative means of draining surface water from this
development are required. This should not involve disposal to a public foul sewer.

Notes that the planning application form makes reference to drainage using Sustainable
Urban Drainage Systems (SUDS). Under current legislation and guidance SUDS rely
upon facilities which are not adoptable by sewerage undertakers. Therefore, the
applicant will need to ensure that arrangements exist for the long term maintenance of
the SUDS facilities. It is critical that the effectiveness of these systems is maintained in
perpetuity. Good management will avoid flooding from the proposed surface water
system, which may result in the inundation of the foul sewerage system.

Thus, where a SUDS scheme is to be implemented, the drainage details submitted to
the Local Planning Authority should:
- Specify the responsibilities of each party for the implementation of the SUDS
  scheme
- Specify a timetable for implementation
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory
undertaker and any other arrangements to secure the operation of the scheme
throughout its lifetime.

The drainage design should ensure that no groundwater and/or land drainage will enter
the public sewerage network.

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

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

The proposed development has not been identified and allocated for development by the Local Planning Authority, and therefore Southern Water has not had reasonable time to make provision for the additional treatment capacity that is necessary to service this development. As treatment capacity is not available to serve the development, we would regard the development as premature.

Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. Requests that should this application receive planning approval the following informative is attached to the consent:

“A formal application for connection to the water supply is required in order to service this development”.

The proposed development would lie within a Source Protection Zone around one of Southern Water's public water supply sources as defined under the Environment Agency’s Groundwater Protection Policy. Southern Water will rely on GBC consultations with the Environment Agency to ensure the protection of the public water supply source.

GBC Waste Management - revised comments

Has reviewed the new plans and is happy with the location of the bins and access for the refuse collection vehicle. Asks what measures are being taken to stop parking on the entrance road and concerned that if cars park on the entrance road then the vehicle will not be able to access the site.

The bin requirements are:

**Flats**

Refuse - 1 x 1,100ltr bin per 6 flats
Recycling - 1 x 1,100ltr bin per 6 flats with special recycling lid
Food Waste - 1 x 180ltr bin per 10 flats with an individual 5ltr caddy per flat

**Houses**

Refuse - 1 x 180ltr bin (grey body and lid)
Recycling - 1 x 240ltr bin (grey body and green lid)
Food Waste - 1 x 23ltr bin (black body and orange lid) with an individual 5ltr caddy per property (silver body and lid)

Please note that collection for refuse and recycling are now once every two weeks with food waste collected weekly.
It is the developer's responsibility to provide the bins although the waste management team will happily assist the developer if required.

**(e) Ecology/Biodiversity and Archaeology Responses**

**Natural England - revised comments**

Notes that this application will result in a net increase in residential accommodation, and that impacts to the coastal Special Protection Area(s) and Ramsar Site(s) may result from increased recreational disturbance. The authority has measures in place to manage these potential impacts through the agreed strategic solution which are ecologically sound.

Subject to the appropriate financial contribution being secured, Natural England is satisfied that the proposal will mitigate against the potential recreational impacts of the development on the site(s). Points out that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by the Council, as the competent authority, via an appropriate assessment in view of the European Site’s conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017.

Advises that Natural England has not assessed this application for impacts on protected species but refers to NE’s standing advice. Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

Recommends referring to the SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at [https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice](https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice).

**Kent County Council (Heritage and Conservation) - original comments**

The site of the application seems to lie at the junction of several routeways identifiable on the 1st Ed OS Map and these routeways may be of some antiquity. There are no recorded archaeological remains on the site or nearby but there may be remains associated with travellers crossing this junction.

Recommends the following condition is placed on any forthcoming consent:

*Prior to the commencement of development the applicant, or their agents or successors in title, will secure and implement:*

  *i* archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

  *ii* further archaeological investigation, recording and reporting, determined by the results of the evaluation, in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority

*Reason:* To ensure that features of archaeological interest are properly examined and recorded.
**Revised Development Request Summary**

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<tr>
<th></th>
<th>Per ‘applicable’ flat (x9)</th>
<th>Per ‘applicable’ house (x6)</th>
<th>Total</th>
<th>Project</th>
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<tr>
<td><strong>Primary Education</strong></td>
<td>£831.00</td>
<td>£3324.00</td>
<td>£27,423.00</td>
<td>Towards St Johns Primary School expansion 3-4FE</td>
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<tr>
<td><strong>Secondary Education</strong></td>
<td>£1029.00</td>
<td>£4115.00</td>
<td>£33,951.00</td>
<td>Towards St George’s 1FE expansion</td>
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‘**applicable**’ means: all dwellings, except 1 bed units of less than 56sqm GIA - please confirm the 5 x 1 bed flats proposed are below this threshold?

<table>
<thead>
<tr>
<th></th>
<th>Per Dwelling (x20)</th>
<th>Total</th>
<th>Project</th>
</tr>
</thead>
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<tr>
<td><strong>Community Learning</strong></td>
<td>£22.59</td>
<td>£451.77</td>
<td>Towards additional IT equipment for Gravesend Adult Education Centre</td>
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<tr>
<td><strong>Library Bookstock</strong></td>
<td>£48.02</td>
<td>£960.32</td>
<td>Towards additional bookstock for the new borrowers from this development at Coldharbour Library</td>
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<td><strong>Youth</strong></td>
<td>£65.50</td>
<td>£1310.00</td>
<td>Towards additional resources for the Northfleet Youth Service</td>
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<td><strong>Social Care</strong></td>
<td>£146.88</td>
<td>£2937.60</td>
<td>Towards Extra Care accommodation within the Borough</td>
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</table>

Total KCC Developer Contributions sought: **£67,033.69**

Please note that these figures:
- are to be index linked by the BCIS General Building Cost Index from Oct 2016 to the date of payment (Oct-16 Index 328.3)
- may need to be recalculated due to changes in district council housing trajectories, ongoing planning applications, changes in capacities and forecast rolls, projects and build costs.

**Broadband:**
INFORMATIVE: Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new...
development to make sure that gigabit capable fibre to the premise Broadband connections. Access to gigabit broadband is an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest gigabit connection. We understand that major telecommunication providers are now offering fibre to the premise broadband connections free of charge to the developer. For advice on how to proceed with providing broadband access please contact broadband@kent.gov.uk

NHS Dartford Gravesham and Swanley Clinical Commissioning Group (CCG) - Revised Comments

The CCG has assessed the implications of this proposal on delivery of general practice services and is of the opinion that it will have a direct impact which will require mitigation through the payment of an appropriate financial contribution. In line with the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (the CIL Regulations) (Regulation 122) requests for development contributions must comply with the three specific legal tests:

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

The CCG has applied these tests in relation to this planning application and can confirm the following specific requirements.

<table>
<thead>
<tr>
<th>General Practice</th>
<th>Total Chargeable units</th>
<th>Total</th>
<th>Project</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20</td>
<td>£12,048</td>
<td>Towards refurbishment, reconfiguration of existing premises at The Shrubbery Surgery &amp; Riverview Park and Oakfield Health Centre.</td>
</tr>
</tbody>
</table>

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

Justification for infrastructure development contributions request

This proposal will generate approximately 42 new patient registrations when using the dwelling mix provided. The proposed development falls within the current practice boundaries of:

- The Shrubbery Surgery & Riverview Park
- Oakfield Health Centre

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

General practice premises plans are kept under regular review as part of the GP Estates Strategy and priorities are subject to change as the CCG must ensure appropriate general medical service capacity is available as part of our commissioning responsibilities.

Planning for growth in general practice is complex; physical infrastructure is one element but alongside this workforce is a critical consideration both in terms of new workforce requirements and retirements. Any plans developed need to support delivery of sustainable services for the future.

In addition to the above requests that any agreement regarding a financial contribution:

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

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

Kent Police Crime Prevention Design Advisor - revised comments

If this application is to be approved strongly requests a Condition/Informative be included to address the points below and show a clear audit trail for Design for Crime Prevention and Community Safety to meet our and Local Authority statutory duties under Section 17 of the Crime and Disorder Act 1998.

Has reviewed the application on-line and considers that the following issues need to be addressed including:

1. Access control for the flats - full audio/visual system required for any block of flats containing more than 4 residential units (e.g. plots 13 to 18).
2. Mail delivery for the blocks of flats with communal entrances will need to be carefully considered. Notes that both blocks of flats - plots 1 to 6 and plots 13 to 18 - do not appear to have an internal ‘air lock’ to prevent anyone delivering mail internally, gaining access to the stair core(s). As such, a through the wall mail delivery system is preferable if space allows. If mail is to be delivered into the lobby via a rack of mail boxes, this should be within a secure access controlled lobby that does not allow access to the stair core(s). No trades buttons should be installed in line with SBD guidance. If external post boxes are to be used, they should be certified to TS009 specification.
3. PAS24:2016 certified doorsets and windows (to conform to SBD Homes 2019) should be installed for all front doors, rear doors and French windows. Including any easily accessible windows, e.g. those above flat roof door hoods or porches, ground floor balconies (as shown for the flats) and any first floor balconies, if these can be easily
reached, it may for example be possible to use the balcony supports and railings as climbing aids to upper levels.
4. The use of laminated glazing is recommended.
5. The undercroft parking area beneath plots 19 and 20 is an area of concern. Undercroft parking areas can attract all kinds of crime and anti-social behaviour (ASB). Recommends that the undercroft parking area be secured with automated gates or roller shutters. It should not be possible for pedestrians to bypass the gates/shutters, if there are any gaps in the walls that would allow this, grilles or similar should be installed in the interests of security.
6. There are some concerns regarding the location of the parking court to the side of plot 7. The parking court does not appear to be easily overlooked and lacks general surveillance from active windows. The access into the parking area is via a ‘way through’ running under the flat above. Such routes can attract all kinds of ASB. We recommend that the ‘way through’ be secured with automated gates/roller shutters to deter ASB. The bin store to the rear of flats of plots 9 to 14 does not appear to be gated. Gates should be installed as an additional security measure and bin stores can be used for all kinds of anti-social behaviour (ASB) and bins can also be an arson hazard, climbing aid and used as a means to commit crime.
7. Lighting. Unable to locate a lighting plan.

Welcomes a discussion with the applicant/agent about site specific designing out crime.

*(g) Design and Layout Responses*

5.2 The design and layout of the development of this site has been considered and assessed on an advisory basis by Design South East (DSE) at a number of Graveshams Design Surgeries both at the pre-application stage and in relation to this application and the earlier planning application. Since the application was submitted in late 2017 there have been design surgery reviews on 17 January 2018, 21 March 2018, 13 June 2018 (which was in the form of a design surgery workshop involving a site visit by DSE), 16 January 2019, 13 March 2019 and 13 November 2019.

5.3 The notes/response from the DSE design surgery on 13 March 2019 was as follows:

This site has gone through five surgeries and a workshop. The proposal put forward in the previous surgery (16/01/2019) demonstrated a step back since the proposal from the workshop (13/06/2018). The proposals shown in this surgery demonstrate an improvement in the following areas:

- The reduction in the amount of carriageway is positive.
- The proposed architectural treatment has improved, particularly the terraced housing in the southern area of the site.
- The layout of the site is better organised, particularly with the use of a central green space.

The following issues have been identified:

- Whilst we welcome the proposed central green space, further detail of this and the landscaping (hard and soft), of the site would be welcomed. The proximity of the site to a school should be taken into consideration, and we therefore recommend the use of high-quality materials in the courtyard.
- The proposed adopted public highway is a dominating feature of the scheme. Landscaping as well as a change in the parking layout could help in mitigate this.
- Given the variety of building forms proposed, a simpler approach towards use of materials for the building facades is welcomed.
• The apartment block requires further work, particularly how it addresses the corner of New Homes Road and Coldharbour Road. The windowless facades flanking the central staircase are problematic in this prominent area at the intersection of two roads. More closely referencing the form and architectural treatment of the terraced housing may be one way of approaching this. The staircase on the eastern side of the block is problematic and should be addressed.
• A tighter entrance on the adopted highway could result in a more attractive frontage onto New House Lane by providing a more contained central courtyard. Though this must adhere to visual splays set by the Highways department.
• Access to houses 7-12 seems constrained due to the proximity of the car parking space to the front door.
• The refuse collection for six houses (7-12) is in direct view on entering the site via the adopted highway. A strategy to bring less prominence to this refuse area should be explored.

5.4 The notes/response from the most recent DSE Design Surgery on 13 November 2019 was as follows:

The scheme has been seen six times at design surgery and has undergone one workshop. At the previous surgery (13 March 2019) the scheme was seen to have improved since the surgery previous to that with remaining issues to be resolved pertaining to the dominance of the access road, overly complicated building forms and response to the junction corner amongst others. Since the previous surgery, the scheme has undergone minor changes and continues to comprise of 20 units, an access road, 35 car parking spaces, private and communal gardens and associated facilities.

The case officer has indicated they intend to recommend the application for approval, and in light of this and the history of the scheme at design surgery, the following advice is provided with the aim improving the quality of the proposal where possible.

• In principle, the quantum of development and overall layout is acceptable. The landscape proposal and edge treatment throughout is important in ensuring a high-quality scheme. In particular, the boundary treatment with the playing field and accommodation behind the church, to the east and south-east of the site respectively, should be carefully considered with sensitivity to the adjoining uses.
• The building for units 1-6 has its back to the central amenity space and fails to address New House Lane. Also, vehicular access and car parking seems inefficiently laid out with too much land given to road and car access. Moving the vehicular access further south and reorganising the car parking would result in more amenity space and not require an undercroft entry from the central amenity space, which is unattractive, isolates this part of the development from the rest and disturbs the immediately adjoining residents.
• The central amenity space seems constrained and a confusing space to navigate with priority given to vehicular movement over pedestrian. This is an overly complicated landscape proposal and a lack of hierarchy of access routes to the adjoining residential units, car parking and cycle parking facilities. This is the node of the development and therefore requires careful consideration. The amenity space should be opened up to provide planted spaces that can be used by the residents as well as a link to the front green space on New House Lane. Boundary treatment, hedging and vegetation should be simplified and designed to clearly articulate a hierarchy of routes which allows access from the access road to the car park and adjoining residential units.
• The fenced green space at the north-east of the site, behind the proposed public art piece, could be used as an area for the immediately adjoining ground floor units and
accessible to other residents of the development. Otherwise, access to all residents should be provided.

- The undercroft parking underneath units 19-20 seems too tight for vehicular access and the swept paths should be checked.
- Refuse arrangements for units 7-12 seems unrealistic and the long, narrow alleyway with little overlooking undermines secure by design principles. Removing the alleyway and combining the refuse facilities with those of units 1-6 should be explored.
- Unit 12 has a particular treatment which attempts to address Coldharbour Road and unfortunately results in it seeming isolated from the rest of the development. The entrance should be from the access road, as with the adjacent residential units, and not turning the gable roof would result in a more appropriate architectural form. The garden for unit 12 seems oddly large and ensuring the same garden space as the adjoining units would allow for the green space adjacent to Coldharbour Road to form a continuation of the building line.
- Overall the fenestration design seems ill considered out as windows for different rooms are the same (kitchen/bathroom/bedroom) and this should be reconsidered to reflect the room’s use. The windows facing onto the central amenity space appear constrained in size and larger windows would ensure a more pleasant space through greater passive surveillance necessary for what is the scheme’s node. Floor to ceiling windows appear to be placed behind kitchen worktops, which is not appropriate.
- The elevational composition and roofline of units 7-12 makes it difficult to understand where the division between these lie and this should be clearly articulated. Also, the roofline will mean rainwater will feed onto the roof the adjoining unit; this is problematic and the drainage here should be resolved.
- The three-storey buildings seem slightly out of scale and this could be rectified by introducing a mansard or set back roof for the third storey.

**Publicity and Neighbour Representations**

**Original Public Consultation**

5.5 The original application as submitted at the end of 2017 was advertised on site and in a local newspaper as a major development proposal and under Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In addition individual notification was sent to the owners/occupiers of 114 adjoining dwellings/premises and other interested parties that might have responded to the more recent applications relating to the site (demolition prior approval application/withdrawn application for redevelopment).

5.6 A total of 23 individual representations were received to the original public consultation in 2017/2018 all objecting to the development; one of the objectors had sent in 2 responses, another 3 separate responses

5.7 In addition a letter of objection was received from the ward Councillor, Cllr Shane Mochrie-Cox.

5.8 The ward councillor also provided a copy of a letter of objection that was sent to the developers direct and which contained 60 signatures of members of the Battle of Britain Campaign Group.

5.9 The main points set out in all the original objections including from the ward councillor/campaign group letters are summarised as follows:

**Loss of Public House**
• Public House illegally demolished; prior approval was refused and thus all applications should be rejected
• Loss of community facility; loss of community hall.
• The public house was for provided for pilots; Gravesend was a busy wartime airfield
• The public house was used for charity events and was always busy
• The public house should be rebuilt

Principle of the Development

• Previous applications have been rejected
• Development should be all low cost housing
• 4 bed homes are not needed; should be smaller units for local people
• Development should all be affordable homes to buy or rent for young families and couples
• The development should be low rise bungalows or retirement flats
• The site should be developed for a low maintenance residential home for the elderly
• If development is to take place it should be a community centre/club house and to reflect what the RAF did for Gravesend.
• Development on the site should be limited to a meeting place for the community such as a public house brewing local beers and with a small functions room
• Residents views should be taken into consideration
• There are no public parks with amenities in Northfleet
• There are already hundreds of new houses being built this year in Northfleet.

Impact on Character of the Area/Overdevelopment/Design Concerns

• Development out of character with area – all two storey dwellings; height and massing are out of keeping at three stories
• Footprint of site not large enough for the number of units
• Development does not allow for continuity in the future (expansion) or considers its setting within the existing community
• The application has not been developed with the involvement of the Community or Local Council
• Detached houses are more appropriate
• No indication of materials to be used for the buildings
• The Design and Access statement admits the surrounding area is only two storeys high and therefore how can it be claimed that account has been taken of the scale, height, building lines, layout, materials and other architectural features of adjoining buildings as also then stated in the Design and Access Statement
• The development does not meet the quality land mark building that the public house was
• Indicative street scene houses which clearly are of a greater floor height on the Planning Layout
• Flats are out of character with any other building in the surrounding area
• Standard house types would represent an unsympathetic and incongruous form of development that fails to respond positively to its context and the established character of the street scene; visually intrusive

Impact on Local Amenity

• Overlooking of school playing fields
• Overlooking and blocking of light to kitchen/bathroom windows in St Clements Close
• Views for residents in St Clements Close will be a brick wall.

Impact on Local Facilities

• Pressure on local facilities
• Shortage of spaces in schools and lack of medical facilities

Adequacy of Amenity Space

• New for adequacy amenity space and private space
• Lack of amenity space for flats
• There is a lack of space for refuse/storage for the dwellings and particularly the flats and which can be satisfactorily screened
• There is no planning critique about open spaces and amenity

Traffic and Parking Impacts

• Roads are busy and traffic often stationary at junctions
• Roads congested due to local school and poor junction of New House Lane and Coldharbour Road
• Access to New House Lane is a danger
• There is no footway or crossing point on the east side of New House Lane
• Poor sight lines for the access to New House Lane
• Insufficient parking
• No parking for visitors
• With 51 bedrooms 51 parking spaces should be required; previous applications for 25 units required two spaces per unit (thus 50)
• Lack of parking will mean overspill and parking near road junctions
• Much of the parking is in tandem form
• Access road not wide enough for cars to pass parked cars or for emergency vehicles
• There is no right turn slip proposed in New House Lane; without this the access will be hazardous
• Cycle storage won’t be used; cycling is dangerous in Gravesend
• Inaccuracies in the transport statement in relation to schools, accidents, vehicle tracking
• Historic rights of way cannot be blocked
• Obstruction to emergency vehicles using Coldharbour Road and New House Lane
• No segregation between parking/turning area and flats.

Other Issues

• Lack of sustainable features in the development including low maintenance features using low energy such as solar/wind power
• Noise and disturbance from construction
• Noise, dust and pollution will endanger school children
• The site (including the grassed areas not enclosed by the hoardings) should be maintained in a tidy state while development takes place and all rubbish that has been dumped on the site is removed.
• There are still concerns relating to potential contaminants on the site including harmful substances such as asbestos within the rubble on the site
• There are trees remaining on the site and these should be retained through a planning condition
• The layout needs to be considered for a safety and security point of view
- Private views should not be compromised
- The impact of the development should be taken in conjunction with the current developments already planned or in progress within the surrounding area such as the land west of Wrotham Road
- Inadequate drainage; risk of flooding
- Has adequate provision been made for water/sewerage as has been raised before with other developments including the land west of Wrotham Road
- There is a lack of accessible community facilities for the residents already. Any section 106 monies secured through the development should be used for the local community such as the maintenance and upkeep of the Shears Green Community Centre

Objectors Alternative Plans

The objection letter that was sent to the applicants by the ward councillor on behalf of interested community campaigners included an alternative plan for the site to include the applicants desire to add housing to the site but restore a local community asset and a memorial to the historical association of the site.

It is stated that the alternative plan includes the following features:

- The road entrance feeds through the site from Coldharbour Road and removes the need to enter the site from New House Lane which locals know is a busy road and junction. This is a key problem for the local community.
- There are a variety of units of housing including a mix of houses with gardens, flats and an open space. These, it is requested, must fit in with the character of the local area including, height of accommodation, materials used and layout.
- A memorial by one of the retained trees to our Battle of Britain servicemen and servicewomen
- The roads and recreation area be named after local RAF Battle of Britain Pilots and the aircraft for which the original pilot’s clubhouse was built.
- The creation of a community/social facility of the approximate size of the original Battle of Britain clubhouse (1940’s version). The community have indicated this is something they would be willing to take over responsibility for.
- Adequate parking spaces for residents and visitors to the properties.

Revised Public Consultation

5.10 The revised September 2019 application plans were similarly advertised on site and in a local newspaper as a major development proposal and under Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In addition individual notification was sent to the owners/occupiers of 114 adjoining dwellings/premises and other interested parties that might have responded to the more original public consultation.

5.11 A further 4 individual representations have been received to the revised public consultation all objecting to the development and of which 2 of the respondents had commented on the application proposals at the original public consultation stage.

5.12 The additional representations can be summarised as follows, although it should be noted that many of the points or similar had been made at the original consultation stage:

Loss of Public House
- Public House illegally demolished

**Principle of the Development**

- No community meeting club, to replace the illegal demolition of the Battle of Britain.
- No memorial to the WW2 airmen who erected the first building.

**Character of Development**

- Development out of character; it should be two storey houses

**Amenity Impacts**

- Loss of privacy/overlooking to properties in St Clements Close
- Overlooking of school playing fields and playground

**Traffic and Parking Impacts**

- Insufficient parking - there should be at least 40 spaces
- Possible overflow of car parking from the site in New House Lane or St Clements Close/Church to the detriment of adjoining residents
- Roads will be busier with all other existing developments currently taking place
- Highway safety issues are of concern as New House Lane is an extremely busy road which also abuts the infant/primary school; it is a concern for pedestrians and children
- Access on to New House Lane is close to a busy crossroads and on a hill and blind bend
- The access road on New House Lane will cause long queues especially at the morning and evening rush hour and especially in the school rush.
- A pedestrian crossing needs to be in place as the bus stops are both in close proximity to the planned access road.
- Concern at access for emergency vehicles
- No footway next to the site in New House Lane
- Lack of clear sightlines from the access
- There are no cycle paths in New House Lane or Coldharbour Road and therefore encouraging cycling would be dangerous

**Building Works**

- Potential subsidence if heavy building work and/or excavation work is undertaken.
- Building work will be detrimental to adjoining residents health
- An order should be placed on the land so that no construction can be started for a period of 5-10 years.

**Other Issues**

- Concerns over the drainage of the site

*Note - Some of the above neighbour comments notably in relation to building construction, drainage etc. are not necessarily material planning considerations*

5.13 A further letter of objection has been received from the Coldharbour ward Councillor, Cllr Shane Mochrie-Cox to the recently amended proposals submitted in September/October 2019. The comments made are summarised as:
• Design does not fit in with the character of the area - materials not in keeping nor three storey development;
• Concern at traffic impacts at the junction of New House Lane and Coldharbour Road;
• Access, whilst welcome it is not off Coldharbour Road, is still too close to the junction of New House Lane and Coldharbour Road;
• Concern at low level of parking provision;
• Concern at the design and layout in terms of encouraging crime and antisocial behaviour and lighting issues as raised by Kent Police;
• Preference of residents that the site is used for a community facility;
• Need for potential contamination on the site to be addressed before any development;
• Residents concerns at the circumstances that led to the demolition of the public house;
• Need to take into account the privacy of residents at St Clements Close and avid overlooking of Shears Green playing fields;

6. Planning Analysis and Development Manager Comments

Introduction and Historical Background

6.1 Historical records show that the Battle of Britain Public House had been created by RAF personnel in 1947 and was opened in 1948 in a temporary wooden hut building as a Charrington House (see photograph below). The brewers purchased what was Shears Green House at the corner of New House Lane and Coldharbour Road in 1958 and converted the building into a public house demolishing the old wooden hut in 1962 and extending the car park. Historic OS maps indicate Shears Green House was original built circa 1906. The land adjoining at the rear (now Shears Green School) was a nursery and agricultural land prior to the school being built circa 1956. So the Public House, as now demolished, was therefore originally a residential property.
6.2 The building/public house has been considerably extended over the years. The car parking area was extended in 1977.

6.3 In 1990 outline planning permission was granted for an 80 seat church and 4 x 2 bed maisonettes and 8 x 1 bed maisonettes and 38 parking spaces adjoining the Battle of Britain PH (1900438) and replacing an old timber church hall that had existed towards the rear of the site that had been destroyed by fire that year and which had originally been permitted in 1972. Subsequently detailed planning approval for the church and maisonettes was given in 1991.

6.4 Planning permission was refused in 2004 for a block of 18 flats on a part of the Battle of Britain PH site adjacent to the boundary of the site with Shears Green Primary School playing fields. The reasons why that scheme was rejected were on grounds of over intensive development, conflict of vehicles within the site (as the public house was to remain) and due to the poorly located vehicle access onto Coldharbour Road in close proximity to the junction with New House Lane, as well as insufficient car parking for the occupants of the flats and loss of car parking for the adjoining public house.

6.5 Conversely in 2012 planning permission was granted for a pair of two storey semi-detached dwellings on the site fronting onto New House Lane and with the formation of a new vehicular access on to New House Lane. This still retained the existing public house and its car park but importantly secured the principle of a new access on to New House Lane. That permission was not implemented and has now expired.

Demolition of the Battle of Britain Public House

6.6 An application (20160971) was submitted in early October 2016 for a determination as to whether prior approval was required for the demolition of the public house. The application form confirmed that works were proposed to commence on the 21 November 2016 and would be completed by 28 November 2016. It also noted the reason for the demolition was that the pub was vacant and the owners would like to consider other options. It also noted that redevelopment/rebuilding would be proposed at a later date.

6.7 However it was on 11 October 2016 that works to demolish the public house in its entirety first took place and were completed by the next day. As the building was not a Listed Heritage Asset (in terms of a Listed Building or Conservation Area), and had not been formally nominated by a relevant community group to become a listed Asset of Community Value, it was unlikely that prior approval would have been required for its demolition.

6.8 Notwithstanding this, the developer had not complied with the conditions set out under Class B (demolition of buildings), Schedule 2, Part 11 of The Town and Country Planning (General Permitted Development) (England) Order 2015 in that:

- The developer's site notice was not displayed for 21 days prior to the demolition works commencing, which is required by paragraph B.2(b)(iv);
- 56 days had not passed since the developer wrote to confirm the nomination status of the building in respect of Assets of Community Value, which is required by paragraph B.2(x); and,
- The developer had not provided a written justification as to why demolition was urgently and necessary required in the interests of safety or health, which is a requirement of paragraph B.2(a).
On that basis the decision was issued on 21 October 2016 that the works could not be permitted development and Application for Notification of Prior Approval for Demolition was refused.

6.9 The Borough Council did subsequently consider the expediency of taking enforcement action. However such action would have necessitated the clear setting out of action required and requiring the public house to be rebuilt was unlikely to have been successful at any undoubted appeal by the landowner. There being no reasonable alternative action to require, it was not considered expedient to pursue this path, the purpose of such action being to seek appropriate remedy, not punish the perpetrator.

Planning Application 20170090

6.10 A previous planning application was submitted in February 2017 and being for: Erection of 26 residential units comprising 8 (x) one bed flats; 4 (x) two bed flats; 1 (x) three bed flat; 3 (x) two bed houses; and 9 (x) three bed houses; laying out of associated roads, 44 car parking spaces; refuse and cycle storage, private and communal gardens and vehicular access on to New House Lane. See extract from the layout plan below.

6.11 That application was taken to an advisory Design Surgery with Design South East (DSE) on 22 March 2017. The key points made by DSE were:

• The proposed housing scheme fails to respond to the prominent corner site in an appropriate way. A more distinctive proposal with a stronger presence should be required for this site.
• The site appears overcrowded, with too little space left between building frontages and the main roads. Allowing sufficient space for existing mature trees is of importance, with an accurate tree survey required
• The focus should be on the creation of well-designed streets and spaces.
• The scheme is too dominated by parking
• A landscape strategy considering issues such materials, planting and topography is required
6.12 The application was not formally determined and was withdrawn by the applicants on 06 July 2017 as it would have been refused for reasons of:

1. Design, Character and Appearance
   • Failing to respond to the prominent corner
   • Development being overcrowded with little space between building frontages and the main roads.
   • Too dominated by parking.
   • Parking poorly integrated.
   • Lack of space for retention of trees.
   • Communal space and public open space poorly integrated.
   • No cohesive design – form of development confused with a combination of mock traditional appearance and more modern flatted block; overly complicated; too many house types.
   • Poor street scene to New House Lane.
   • Houses too close to Coldharbour Road and would have direct access to the road.
   • Density exceeding target density in policy terms.

2. Parking, Highways and Usability.
   • Usability of parking a concern.
   • Low number of independently accessible parking spaces.
   • Lack of parking plan or strategy.
   • Likely parking spill.

Generally it was considered to be overdevelopment of the site.

Pre-Application Enquiry

6.13 Prior to the current planning application being submitted a view was sought on a revised planning layout plan and numbers/types of units (as a pre-application enquiry) at a Design Surgery with DSE on 20 September 2017.

6.14 The key features were a reduction to 21 units, the provision of a service road serving frontage development to New House Lane and Coldharbour Road but also with vehicular accesses from both New House Lane and Coldharbour Road, effectively as a through route.
Some brief comments were made by DSE at the surgery on 20 September 2017 commenting that whilst the scheme was an improvement and the setting back responds to character of the area and the reduction in parking was advantageous on the negative side:

- The scheme was fragmented with a large part of the site given over to roads.
- There should be more flexibility in how the main access road runs through the centre of the site.
- Possibility of connections to St Clements Close could be explored.
- Further research into the wider area should be conducted.
- Dual aspect flats should be achieved.

Current Planning Application - 20171245

The current application was originally submitted in November 2017 and being for:

Construction of 20 residential units comprising 5 x four bedroom houses; 5 x three bedroom houses; 4 x one bedroom flats; and 6 x two bedroom flats; laying out of access road, provision of 35 car parking spaces, refuse and cycle storage, private and communal gardens, and construction of vehicular access onto New House Lane.

The key features of the application as originally proposed were 20 units with a 50/50 split of houses and apartments; a single access road into the site from New House Lane with a turning head; a service road direct from the entrance into the site, a mix of two and three storey development and mix of styles from modern to traditional.

The application proposals were publicised and consulted on. The various responses received are as set out in an earlier section of this report.

The design and layout of the proposals has been amended significantly on a number of occasions since the original submission in late 2017 in the light of design, planning and...
highway comments in particular. Whilst the original scheme could not have been supported and could have been recommended for refusal officers considered that there was a real opportunity to explore with the developers how a satisfactory layout that met with planning and highway requirements, that might harmonise with the character of the local area, that would respect local amenity and would deliver to some extent the aspirations of the local community, could be achieved notwithstanding the underlying concerns expressed by local residents to the loss of the public house as a community facility.

6.20 The current revised plans that have been submitted and re-publicised and re-consulted on were submitted in September/October 2019 and these were further refined in December 2019 in the light of recent DSE design comments and following the conclusion of discussions and negotiations with the applicant’s agents.

The Key Issues

6.21 The key issues to consider in the assessment of this application are:

- The Principle of/Need for the Development;
- Impact on the Character of the Area/Visual Impact; Design and Layout;
- Suitability of accommodation for future occupiers and compliance with local/national standards
- Impact on local Residential Amenity;
- Highway and Parking Impacts;
- Other Material Planning Considerations

Principle of/Need for the Development

6.22 The site to which this application relates is not allocated for residential development and is shown in the Local Plan Core Strategy Policies Map as being within an urban area. The application site is not shown for community facilities or services nor is it shown as a site for open space or green space. Therefore development proposals would need to be judged against the general policies of the adopted development plan and the NPPF.

6.23 It is acknowledged and accepted that the loss of the commercial use of the site and specifically as a public house serving the local community and the wider area is unfortunate particularly in the circumstances in which the public house was demolished. The public house did have a community/events hall attached to the public house building. It is noted that there are a number of local objections from the local community to the loss of public house. At the time of its demolition there was a strong call from the community for the public house to be brought back ‘brick by brick’ and in response to the local consultation on the current planning application there are still a number of suggestions from the local community that the development of the site should only be for a community/social facility.

6.24 Such alternative schemes have not been tested against local or national policy with no guarantee that they would necessarily be found acceptable in planning terms. The viability of such alternative schemes has also not been tested.

6.25 The loss of a public house (also similarly already demolished) and its replacement with two buildings comprising 20 No. flats and a small self-contained community facility was the subject of a recent planning appeal decision (05 November 2019) relating to a
planning application that was refused in October 2018 by Mole Valley District Council (in Surrey). Although the Inspector found that the public house was required and alternative uses had not been fully considered and that while there was a range of facilities available in the area, none of them provided a realistic alternative to the public house and its loss had therefore reduced the opportunities for social interaction in the local community and harm arose from this, nevertheless the Inspector cited benefits of making use of previously developed land to provide additional housing, including affordable housing, which would improve the supply of housing and was a benefit which attracted significant weight, in view of the current shortfall. The Inspector also considered there would be employment generated by its construction, which would be a limited temporary benefit due to its relatively small scale. In respect of the local concern that the public house was demolished without planning permission and no action was taken by the Council to prevent this, the Inspector commented:

While I understand the frustration of local residents, the fact that the public house has been demolished without permission is not a reason in itself to dismiss the appeal. I appreciate that there is a local desire to see the public house rebuilt on the site, or incorporated into a mixed use redevelopment, but I have determined the appeal on the basis of the submitted scheme.

He accordingly allowed the appeal applying the ‘tilted balance’ pointing towards the grant of planning permission. (Appeal Ref: APP/C3620/W/19/3223148)

6.26 Similarly this application for redevelopment of the Battle of Britain PH site needs to be considered on its own planning merits having regard to all material planning considerations rather than in relation to alternative suggestions for the site or what might seem desirable suggestions for other forms of development on the site.

6.27 Although acknowledging that Paragraph 92 of the NPPF seeks an integrated approach to the location of housing, economic uses and community facilities and services in support of the promotion of healthy and safe communities, there are no local policy reasons that would resist the proposed alternative use of the site and that protect the use of/cluster/number of public houses or would protect the local area from the current mix of uses. Although ideally it might be useful to have seen from the applicants some evidence of the potential marketability of the premises for continuing commercial use and as a public house there is no policy requirement for such an exercise.

6.28 In the applicant agents Supplementary Planning Statement of March 2018 it is indicated that alternative community facilities are available within walking distance from the application site. Examples of alternative public houses suggested include:
   a) The Six Bells (0.6 mile)
   b) The Earl Grey (0.6 mile)
   c) The Rose Inn (0.6 mile)
   d) Painters Ash (0.6 mile)
   e) Woodlands (0.7 mile)
   f) Pelham Arms (0.7 mile)

6.29 If a commercial use of the site is unlikely due to viability reasons it is considered that a residential use would be an appropriate use in planning terms.

6.30 In respect of housing need Policy CS02 (LPCS) sets out the Borough’s objectively assessed need for housing over the Plan period (up to the year 2028) and finds that there is a need for at least 6,170 new dwellings during the period. Evidence now available shows that the Council is not able to currently demonstrate a five-year housing supply. This engages the first part of footnote 7 of the NPPF and this means for
decision-taking that planning permission for applications involving the provision of housing should be granted in line with the requirements of the NPPF Para 11(d) unless:

i. The application of policies in the Framework (the NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

6.31 Policy CS02 of the Gravesham Local Plan Core Strategy (LPCS) prioritises development in the urban area as a sustainable location for development. It seeks to achieve this by promoting regeneration by prioritising redevelopment and recycling of previously developed land. The site is within a highly sustainable location being near to a local centre and adjacent to an existing primary school and the site is also close to existing bus stops in New House Lane and Coldharbour Road.

6.32 The residential development of the site also supports the Government's greater emphasis on delivering and prioritising housing land as set out in the current version of the NPPF (section 5 - delivering a sufficient supply of homes).

6.33 The redevelopment of sites within the urban area can help reduce the pressures for the release of fresh land in rural locations, which is of particular importance in a Local Authority constrained by Green Belt policy. This would be in conformity with paragraphs 118 and 137 of the NPPF. Evidence of land scarcity can be found in paragraph 2.14 of the Site Allocations: Issues and Options consultation document, which identifies a shortfall in the supply of housing sites of 2,000 dwellings.

6.34 The proposed development for a net increase of 19 no. dwelling units (as there was a flat over the original public house) would therefore offer a modest contribution towards meeting this local need and, accordingly, gives some weight in support of the application.

6.35 Therefore to conclude in terms of the principle of the development it is considered that there are no planning policy objections although it is acknowledged that this has to be balanced against other requirements of the NPPF and in particular paragraphs 127 and 130 of the NPPF which requires, amongst other things, development to add to the overall quality of the area, be visually attractive, sympathetic to local character and create an acceptable standard of amenity for future occupiers.

Impact on Character of the Area/Visual Impact and Design and Layout

6.36 Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) states that the design, layout and form of new development will be derived from a robust analysis of local context and character and will make a positive contribution to the street scene, the quality of the public realm and the character of the area. The National Planning Policy Framework (NPPF) in Section 12 (Paragraphs 124 - 132: Achieving well-designed places) sets out that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and add to the overall quality of the area, not just for the short term but over the lifetime of the development. It also states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.
6.37 A key feature of development along Coldharbour Road, including residential development, is how much of the development has been significantly set back from Coldharbour Road with wide amenity strips and grass verges adjacent to the highway.

6.38 The application has been the subject of extensive discussions and negotiations over the layout, built form, scale, massing and design involving the advice and guidance from Design South East (DSE) including at five advisory design surgery sessions since the application was first submitted and also at a separate design workshop. Design advice had also been given by DSE in relation to an earlier withdrawn application and to a pre-application submission.

6.39 In terms of the overall layout of the development this has been significantly changed and improved as a result of discussions and negotiations between the applicant’s architects and officers and with the involvement, advice and support of DSE.

6.40 The original layout for the development of the site, as submitted at the end of 2017, is shown in the extract from the site layout plan below (along with the original street elevations of the development to New House Lane and Coldharbour Road) and was for 20 units with a 50/50 split of houses and apartments; a single access road into the site from New House Lane with a turning head; a service road direct from the entrance into the site, a mix of two and three storey development and mix of styles from modern to traditional. It had development fronting towards Coldharbour Road although with no direct vehicular access to the units from Coldharbour Road.

6.41 It should be noted that the original proposals included a greater number of the dwelling units and flats as three storey development or with second floor accommodation within the roofspace than shown in the most recent proposed layout.
As a result of the discussions and negotiations there have been 5 further alternative layouts produced since late 2017 before the current layout (as shown below) was submitted in September 2019, and this was further revised in December 2019. The layout as now proposed retains the character of development in Coldharbour Road with no dwellings fronting directly on to Coldharbour Road, a reasonably wide green verge is
retained along the frontage of the site to Coldharbour Road and development has been
pulled well away from the existing maisonettes to the south east in St Clements Close.

6.43 There has also been a succession of changes to the design and appearance of the
dwelling units on the site. The October 2019 designs were contemporary in design style
(see below).
6.44 At the most recent Design South East DSE surgery on 13 November 2019, DSE considered that the overall layout of development now works well but further attention was still needed to the design detailing including to the fenestration, entrances to the buildings and car parking, rainwater goods and roof design, access and enclosure of the open spaces and ease of pedestrian movement, and perhaps a mansard roof to the corner building (see paragraph 5.4 of this report). The contemporary designs and with a limited palette of materials (brick, timber boarding and roof tiles) were generally supported by DSE.

6.45 However in revising the plans to take on board the DSE design comments, including the concerns about the elevational composition and roofline of units 7-12, the applicants architects have reverted back to a more traditional appearance as shown in the extracts from the strip elevation drawings below.

6.46 In responding to the DSE design comments at the Gravesham design surgery on 13 November 2019 the applicant’s agents have advised:

If you recall, highways had objections about linking the block to New House Lane with a pedestrian access which was why the main access to the building was relocated to the rear. Highway’s point was that it was more likely vehicles would stop on the New House Lane (to drop off deliveries and the like) and preferred vehicles to enter the site to clear the main highway.

The access and parking area for plots 1-6 has been adjusted so that there no longer a drive through undercroft area. The access has been moved south and the cycles and bins are now accommodated within the previous undercroft space. This has reduced the extent of hard surfacing and increased the amenity area.
It is unlikely that the central amenity space is going to be used by all of the residents of the development but rather the occupants of the 8 flats (plots 13-20). The houses each have their own private gardens and plots 1-6 have their own communal amenity space.

It is intended that the green space wrapping around plots 13-20 will also largely be used by the same residents here. This area is more of a landscape feature rather than an amenity space due to the levels but nevertheless, a link has been created to this space area adjacent to the cycle stores.

The ground floor units do have individual patios to create defensible space outside their living areas. When we first started this process, queries had been raised on how areas of amenity spaces would be dealt with (ownership and maintenance). The private, semi-private and public are clearly defined and as each space is associated with a block, the responsibility for these spaces is also clearly defined.

The undercroft parking under plots 19-20 has been adjusted to enable sufficient on site turning (tracking for a large car also attached). The access to the flats above have been moved to the side of the building and a sliding gate rather than rolling shutter has been introduced.

Due to the reconfiguration of the undercroft drive through for plots 1-6, the bin storage for plots 7-12 have been relocated.

Plot 12 has been reoriented and now sits in line with the other terraced units. The communal amenity area adjacent to plot 12 links the green space around the front boundary and would be associated with plots 7-12.

The kitchen windows within the flats have been increased so there is a better distinction between bathroom and kitchen uses.

Plots 7-12 have been redesigned externally to follow a more traditional approach. Unfortunately the contemporary design used did not reconcile with each unit needing to be defined. Whilst the houses are now slightly more traditional to avoid the overlapping of units and issues of drainage as identified, the materials remain consistent with the other proposed buildings on the site and so the design theme is continued. In terms of the use of the materials, weatherboarding has been used in the recently approved Persimmon scheme on land off Coldharbour Road.

The three storey corner block now features a mansard roof.

The boundary treatment between to the site and the school playing fields would remain. A large hedge and associated trees sit on the boundary which would obscure any view into the playing fields. This has been plotted onto the site layout. This would be reinforced with a close boarded fence on the development site. There are also no private windows within the side elevation of plots 1-6, only a communal staircase window.

6.47 In terms of the scale of the development it is considered that the proposal for three storeys limited to only the corner building with all of the other units as two storey is appropriate to the site and would not be harmful to local character and amenity. It should be noted that there are three storey residential apartment buildings that are being built within the Bovis/Persimmon Homes development of 400 dwelling units nearby at Coldharbour road. There are also three storey dwellings locally at Mulberry Road and in Springhead Road Northfleet.
It is considered that the development as now proposed would be in conformity with Policy CS19 of the Gravesham Local Plan Core Strategy and Section 12, Paragraphs 124 - 132: Achieving well-designed places of the NPPF.

Suitability of accommodation for future occupiers and compliance with local/national standards

Policy CS19 (LPCS) requires that all development should be ‘fit for purpose’ and be ‘adaptable to allow changes to meet the need of users’ and that ‘the design and layout of new residential development, including conversion, should accord with the adopted GBC Residential Layout Guidelines’.

The Supplementary Planning Guidance Note 2 Residential Layout Guidelines sets out the Council’s standards in relation to internal space standards and to private garden areas. The introduction of new nationally described housing technical standards on 1 October 2015 means that the Borough Council now interpret Tables 1 and 3 of the Residential Layout Guidelines July 1996 in accordance with the new standards.

The national technical standards are prescribed standards, which set an overall unit area (which includes built in storage) and bedroom size and effectively supersede the room sizes set out in Council’s Residential Layout Guidelines and referred to in Core Strategy policy CS19, although it should be noted that the national technical standards are not Council adopted standards and the Council’s Residential Layout Guidelines for the time being and to some extent will still apply.

To ensure that adequate living space is provided for future residents, the units have been assessed to confirm that they meet the national technical standards (Nationally Described Space Standards) and the GBC Residential Layout Guidelines.

The accommodation sizes for both the apartments and the houses are as set out in paragraph 3.5 of this report. Internal space standards are compliant with both GBC Standards and National Technical Standards, as the table below illustrates.

<table>
<thead>
<tr>
<th>Unit type</th>
<th>Technical standard</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed/ 2 Person apartment</td>
<td>50m²</td>
<td>51 - 55m²</td>
</tr>
<tr>
<td>2 Bed/ 3 Person apartment</td>
<td>70m²</td>
<td>73 - 82m²</td>
</tr>
<tr>
<td>3 Bed/ 4 Person dwelling</td>
<td>84m²</td>
<td>114m²</td>
</tr>
</tbody>
</table>

The National Technical Standards require bedroom sizes of 7.5m² for a single bedroom and 11.5m² for a double bedroom. For the three bed dwellings the double bedrooms are 15.75m² and single bedrooms are 12.75m² and 8.5m². There have been some subsequent minor changes to the internal layout to accommodate storage space within the flat units in response to the comments of the GBC New Homes Development and Strategy Manager.

The proposed 3 bed dwellings on the south side of the site all have their own private rear gardens. They have depths of 10m and a minimum of 70m². Private garden depths and areas are therefore in accordance with GBC Residential Layout Guidelines Supplementary Planning Guidance 2 (February 1996). The minimum standards are depths of 10m and an area of 60m² for 3 bed dwellings. If the development is only just meeting minimum standards it can be appropriate in such circumstances to impose planning conditions that might restrict permitted development rights which if exercised could reduce private amenity space to unacceptable levels if there are no controls in place.
6.56 For the 14 apartments 3 small amenity areas totalling over 200m² are being provided on the site plus an enclosed amenity area of 75m² plus around the corner apartments. As the GBC Residential Layout Guidelines recommends communal areas of 10m² for each flat this is well in conformity with the adopted guidelines.

6.57 Therefore in terms of the suitability of the accommodation for the future occupants of the development it is considered that the development in is conformity with Gravesham Local Plan Core Strategy Policy CS19.

Impact on Local Residential Amenity

6.58 In considering any proposals for development it is important to ensure that it does not cause demonstrable harm to the amenity of any existing residents or property such that it will materially harm their living conditions. It is also important to assess the quality of any residential environments that are proposed as part of the scheme. Policies seeking to protect amenity and ensure acceptable future living conditions are included in the Local Plan Core Strategy. Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of its occupants and those of neighbouring properties and land.

6.59 The NPPF (paragraph 127) 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”.

6.60 The Board will note that there been only a very limited number of neighbour responses and objections received to the extensive publicity that has been given by the Borough Council to the revised proposals although it is acknowledged that there was a significant volume of objection to the original proposals as much to the principle of the development rather than the specific detail. Nevertheless it is noted that there are some neighbour concerns in relation to the proximity of the development to the existing maisonettes in St Clements Close. The nearest proposed dwelling (plot 7) to the maisonettes is situated at right angles (but off set) to the front of the maisonettes and is 13m away at its nearest point. There would be no direct overlooking and it should be noted that the nearest dwelling to the side elevation of the maisonettes is now 25m away whereas in an early submitted layout the nearest dwelling was some 4m from the flank wall of the maisonettes (and where there are some windows to habitable rooms) so the current revised scheme has resulted in a significant improvement in terms of the impact on neighbouring properties.

6.61 The proposed residential buildings fronting on to New House Lane are some 38m plus away from dwellings opposite thus well in excess of the minimum privacy distance of 21m set out in the Supplementary Planning Guidance Note 2 Residential Layout Guidelines.

6.62 No specific detailed assessment has been made by the applicants in respect of Sunlight and Daylight impacts but having regard to the fact that the development only impacts on the fronts of the maisonettes in St Clement Close such an assessment is not considered necessary in this case. The distances of the proposed houses from the adjoining development is such coupled with the height of development on the south side of the site being only two storey and the orientation of the proposed housing it is evident that the development would not have any material impact in terms of loss of sunlight and daylight and the 25˚ rule as set out in the GBC Residential Layout Guidelines Supplementary Planning Guidance 2 (February 1996) would not be contravened.
There may be some perceived impacts relating to the greater intensity of the development, and additional parking and traffic movements, but overall it is not considered that the development would conflict with Core Strategy policy CS19 in terms of neighbour impacts.

**Highway and Parking Impacts**

The proposed development needs to be considered against Gravesham Local Plan Core Strategy Policy CS11 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.

At a national level the NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability objectives. All developments that generate significant amounts of movement are required to be supported by a Transport Statement or Transport Assessment. The NPPF clearly states at Paragraph 109 that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In this instance the nature and scale of the development does not require a full transport statement or transport assessment (the trigger is 100 dwellings under SPG4) but the application is nevertheless accompanied by a Transport Statement (TS).

The Transport Statement summary demonstrates the following:

The TRICS (Trip Rate Information Computer System) results show that the new residential development will lead to a reduction of 15 no. trips onto the network over the AM and PM peak periods. This is because, during the PM peak, the public house traffic generation was higher than the predicted residential traffic flows. Therefore, the total traffic flow figures from the proposed development are considered not to present a material traffic impact concern.

The proposed level of car parking provided for each dwelling unit complies with KCC’s parking standards, whilst garden sheds and communal undercover cycle parking will be provided for dwellings to meet KCC’s cycle parking standards. As the site is in a convenient location, in terms of its proximity to bus stops and footway links many of the residents may not require a car or a parking space.

The residential development will be located to take advantage of the network of pedestrian and cycle links that are available off the main highways for cyclists and walkers. The site offers good connectivity to other areas such as Swanscombe and Gravesend for wider interconnecting rail and bus services.

The collision data shows that there have been 14 no. recorded collisions within the identified search area. 13 were considered slight and 1 serious but there have been no recorded serious and fatal accidents or accident attributable to the existing site access. Two slight accidents have occurred at the New House Lane and Coldharbour Road junction. One accident involved a goods vehicle and pedestrian and the other involved a vehicle turning right out and colliding with a vehicle travelling along Coldharbour Road. Therefore, it is assumed that the positioning of the proposed access along New
House Lane away from its junction of Coldharbour Road with new footway provision will not be seen to exacerbate the propensity for accidents near the site access.

The TS concludes:

The TS demonstrates that the proposed new residential development will operate with no detriment to the local highway network in terms of traffic impact of highway safety concerns. The predicted levels of traffic calculated are likely to be introduced to the local highway network during the peak AM and PM operating periods on the network are negligible. The traffic will have a minimal or no impact on Coldharbour Road or the wider local highway network.

6.67 The Board will note that in respect of highways, transport and parking impacts no objections are raised by either Kent County Council Highways and Transportation or the GBC Highways Development Management Officer to either the level of traffic generated by the development, parking provision within the site and the location of or visibility from the proposed access road on to Coldharbour Road, but subject to the imposition of a number of planning conditions. In respect of the access to the site the existing access off Coldharbour Road when the site was operating as a public house was close to the junctions with New House Lane, as shown in the extract plan below. KCC Highways did not consider that it was safe to have either the sole access from Coldharbour Road or an access through the site.

![Diagram](image)

6.68 Although the site is elevated adjacent to the carriageway in New House Lane it is considered that satisfactory sight lines can be achieved. Visibility splays are shown of 2.4m by 39m to the left of the proposed access and 2.4m by 59m to the right of the proposed access. It should be noted that when permission was granted for the pair of two storey semi-detached three bedroom dwellings with semi-detached garage at the rear in 2012 this included the formation of a new access on to New House Lane.

6.69 It should be noted that the proposals include the provision of a new 2.0m wide footway along the southern side of New House Lane to the frontage of the site as well as a new crossing point to the right of the proposed vehicular access and this is a highway and pedestrian safety gain as there is no such provision at present adjacent to the site.

6.70 The residential (Class C3) ‘maximum’ parking standards in the adopted Kent vehicle parking standards (SPG4) are:
### Car Parking

<table>
<thead>
<tr>
<th></th>
<th>Car Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bedroom</td>
<td>1 space per dwelling</td>
</tr>
<tr>
<td>2 and 3 bedrooms</td>
<td>2 spaces per dwelling</td>
</tr>
<tr>
<td>Mixed Development of 1, 2 &amp; 3 bedroom</td>
<td>Average of 1.5 spaces across development</td>
</tr>
<tr>
<td>4 or more bedrooms</td>
<td>3 spaces per dwelling</td>
</tr>
<tr>
<td>Sheltered Accommodation</td>
<td>1 space per resident warden + 1 space per 2 units</td>
</tr>
</tbody>
</table>

#### Notes:

1. Flats and Apartment Blocks consisting of 2 and 3 bedroom units will be regarded as Mixed Developments.
2. For 1-bedroom dwellings the parking will usually be provided as a communal space. For other size dwellings part or all of the parking can be provided on a communal basis.
3. The level of car parking provision includes any garages, provided as an integral part of the dwelling or within its curtilage, and/or driveways, provided within the curtilage, subject to the preferred sizes set out in Appendix B.
4. In Controlled Parking Zones the parking provision should result in no net loss of on-street parking.

Generally car parking spaces should be 5m by 2.5m increasing to 2.7m where the spaces are at the end of on aisle or 2.9m next to walls etc. of buildings.

6.71 The revised scheme provides parking to the front of the houses and to the side and rear of the apartments and overall there will be 32 car parking spaces across the development at an average of 1.6 per unit and with 5 of the apartment parking spaces being for visitors and 1 of the spaces is a disabled bay. The maximum parking requirement under the adopted standards is 34 spaces. As indicated above there is no highway objection to this level of car parking. Adequate provision is being made for cycle storage for the houses and apartments. Parking bays would have ducting installed for future electric charging point provision and this can be secured through a planning condition.

6.72 The development is therefore not contrary to Gravesham Local Plan Core Strategy Policy CS11 (Transport), the NPPF (section 9) or saved highway and parking policies in the Gravesham Local Plan First Review.

### Affordable Housing Provision

6.73 The scheme is providing 6 affordable housing units and the proposals are supported by the Council’s New Homes Development and Strategy Manager. The plans have been more recently revised to include both additional storage for the flats and winter gardens for the balconies. The scheme accords with Policy CS16: Affordable Housing of the Gravesham Local Plan Core Strategy which requires the provision of affordable housing on all new housing developments of 15 dwellings or more and that the amount of affordable housing to be provided by private housing sites above the threshold is 30% in the urban area.

### Developer Contributions

6.74 It is important to ensure that sufficient infrastructure is provided to meet the needs of new residents, employees and businesses in the Borough. As recognised in the NPPF, the provision of new infrastructure is an important part of new development and the Council has worked with local service providers to identify their infrastructure needs
over the plan period. Local Plan Core Strategy Policy CS10 states that where new
development generates a need for new infrastructure, developers will have to provide or
contribute towards such provision, subject to viability consideration.

6.75 The applicant has confirmed a willingness to agree to financial contributions under a
S106 Agreement subject to a review and justification / substantiation of the need to
which contributions are intended to be allocated.

Ecology and Biodiversity Impacts

6.76 The application site falls within 6km of the Thames Estuary and Marshes Special
Protection Area (SPA) classified in accordance with the European Birds Directive which
requires Member States to classify sites that are important for bird species listed on
Annex 1 of the European Directive, which are rare and/or vulnerable in a European
context, and also sites that form a critically important network for birds on migration. It
is also listed as a Wetland of International Importance under the Ramsar Convention
(Ramsar Site). Studies have shown marked declines in key bird species, particularly in
areas that are busiest with recreational activity. Research conducted in 2011 found that
additional dwellings were likely to result in additional recreational activity, causing
disturbance to protected bird species that over-winter or breed on the SPA and Ramsar
Site. The studies found that 75% of recreational visitors to the North Kent coast
originate from within 6 km of the SPA boundary and Ramsar Site. The impacts of
recreational disturbance can be such that they affect the status and distribution of key
bird species and therefore act against the stated conservation objectives of the
European Sites.

6.77 The Borough Council has mitigated out the impacts of this on each and every planning
application for a new residential development of one or more units within the 6km zone
since September 2015 by accepting a Strategic Access Mitigation and Monitoring
Strategy (SAMMS) (tariff) payment (currently £245.56 per dwelling). This approach is
approved by Natural England for all new residential developments.

6.78 For every planning application for a new dwelling (including new flats) which does not
require any other contributions to be secured through a s106 legal agreement or
unilateral undertaking the tariff has been secured through a contribution agreement.

6.79 The tariff has been accepted effectively in lieu of an Appropriate Assessment (AA)
under the Habitat Regulations and thus avoiding the need to progress into a full AA.

6.80 However a more recent Court of Justice European Union (CJEU) ruling means that this
approach is now no longer valid and although the mitigation measures (in the form of a
tariff payment) will still need to be made the first stage will be a screening assessment
as to whether the development either alone or in combination, is likely to have
significant effects on a designated site without mitigation. The CJEU sees a distinction
between “the plan or project” itself and “measures intended to avoid or reduce the
harmful effects of a plan or project on a European site”. This means that mitigation
measures, which are intended to avoid or reduce effects, should be assessed within the
framework of an AA and cannot be taken into account at the screening stage.

6.81 A Habitat Regulation Assessment (HRA) to be undertaken and the level of contribution
through the tariff as mitigation has been accepted by the applicants and would be
included as a commitment in a S106 Agreement.
Other Matters

6.82 There are a number of detailed planning matters relating to Trees, Landscaping / Boundary Treatment, Secure By Design, Lighting etc. which it is considered can be satisfactorily addressed through planning conditions/informatives.

6.83 It should be noted that the Council’s Horticultural Services officer considers that the soft landscaping proposals that indicate that a total of 30 standard trees and 7 multi stemmed trees are to be planted as part of this scheme and that the existing trees on the site perimeter are to be retained and protected during construction is really positive and will not only help to soften the new built environment but will also mean that there will be a net benefit in terms of biodiversity.

6.84 Similarly it is considered that matters relating to drainage, archaeology can also be addressed through planning conditions.

6.85 The availability and accessibility of storage for domestic refuse is an important factor, which needs to be considered at the design stage of any scheme to reduce the opportunity for refuse cluttering up the street. The dwelling designs include refuse storage space and the layout includes spaces as bin collection points.

6.86 Under the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 introduced on 1 October 2018 any potential pre-commencement planning conditions in the event of planning permission being granted need to be agreed with the applicants.

Financial Benefits

6.87 In terms of other financial benefits, it is noted that these will accrue to the area as and when permissions are granted. The Government wishes to ensure that the decision making process for planning applications is a transparent as possible, so that local communities are more aware of the financial benefits that development can bring to their area. In this instance the proposed new residential units would generate the New Homes Bonus and Council Tax receipts.

7. Conclusions and Balancing Exercise

7.1 Following the loss of the public house, there remain a number of calls from local residents for community use only of the site, however, such alternative schemes have not been tested in viability terms or tested against local or national policy with no guarantee that they would necessarily be found acceptable in planning terms. The application needs to be considered on its own planning merits rather than in relation to alternative suggestions for the site or what might seem desirable suggestions for other forms of development on the site. Residential development of the site would offer a modest contribution towards meeting local need and, accordingly, gives some weight in support of the application. The site is within a highly sustainable location and therefore the principle of residential development would accord with Gravesham Local Plan Core Strategy policies CS01 and CS02 and paragraph 11 of the National Planning Policy Framework (NPPF).

7.2 The layout and scale of the development are considered to be satisfactory and accord with Core Strategy Policy CS19 and section 12 of the NPPF.
7.3 The density of the development at 44 dwellings per hectare accords with the target density in the urban area as set out in Core Strategy Policy CS15. The scale of development is principally two storeys with three storeys only for the corner building, integrating reasonably well with nearby development in Coldharbour Road. It should be noted that there is three storey housing within the Bovis and the Persimmon Homes development currently under construction in Coldharbour Road.

7.4 The current, amended drawings were received on 11 December 2019 to respond to the latest DSE design comments and the revised design for the development now appropriately accords with local character.

7.5 The development is broadly compliant in terms of adopted standards relating to internal space and garden areas. The development of the site based on the submitted scale and layout will not result in material harm to local amenity.

7.6 The development would provide 6 affordable housing units thus complying with affordable housing policy CS16 of the Local Plan Core Strategy that requires the provision of 30% affordable housing on all new developments of 15 dwellings or more. The scheme is supported by the Council’s New Homes Development and Strategy Manager. The applicants have agreed to meet the developer contributions towards community infrastructure as sought by Kent County Council.

7.7 The scheme open space offer includes small grassed amenity areas to the flats that front New House Lane as well as landscaped areas around the blocks of flats and private gardens for the houses. The Council’s Leisure Manager acknowledges that due to the constrained nature of the site it would not be expected that the developer would provide all types of formal and informal leisure provision on site, but requests a financial contribution to offset the impact of the development on existing leisure facilities in the area.

7.8 In respect of highways, transport and parking impacts no objections are raised by either Kent County Council Highways and Transportation or the GBC Highways Development Management Officer to either the level of traffic generated by the development, parking provision within the site and the location of or visibility from the proposed access road on to Coldharbour Road, subject to the imposition of a number of planning conditions.

7.9 It is considered that other potential impacts and issues, notably ecology, trees and landscaping, lighting, secured by design, drainage and archaeology can be addressed and mitigated through appropriate planning conditions.

7.10 It is therefore recommended that PLANNING PERMISSION is granted subject to conditions, reason and informatives and the completion of s106 legal agreement.

Recommendation

RECOMMENDATION

PERMISSION subject to conditions, reason and informatives and the completion of s106 legal agreement

Note: Planning conditions and informatives will be drafted to cover the following matters and these will be set out in supplementary report
Conditions

- Time Limit Condition
- Approved Plans and Particulars
- Code of Construction Practice
- Hours of Construction
- Contamination
- Unsuspected Contamination
- Archaeological Field Evaluation Works
- Foul and Surface Water Sewerage Disposal
- Submission of detailed sustainable surface water drainage scheme
- Verification Report, pertaining to the surface water drainage system
- Provision and Protection of Parking Spaces
- No occupation until crossing point and footway constructed in New House Lane
- Reinstatement of Footway Crossover in Coldharbour Road
- Provision and Protection of Visibility splays
- Provision of Secure and Covered Cycle Parking Facilities
- Electric Vehicle Cabling
- Submission of Lighting Details
- Submission of Detailed External Appearance and Materials including boundary treatments
- Submission of Details of Public Art
- Permitted Development Rights – Extensions
- Permitted Development Rights - Windows and Openings
- Permitted Development Rights - Roof Alterations
- Permitted Development Rights – Hardstandings
- Submission of Details of Soft and Hard Landscaping
- Retention of and Protection of Existing Trees
- Provision of amenity areas/spaces before first occupation of the development
- Ecology Provision

Informatives

1 Status of Submitted Plans and Documents
2 Deviation from the Approved Plans
3 Building Regulations and Party Wall Act 1996
4 Statement of Positive and Proactive Approach to Decision-Taking
5 Environmental Requirements - Refuse Arrangements
6 KCC Highways and Transportation
7 Kent Police Crime Prevention Design Advice
8 Southern Water Advice
9 Superfast Fibre Optic Broadband
10 Section 106 Agreement
11 Pre-Commencement Conditions
12 Naming and Numbering

That the legal agreement under s106 of the Town and Country Planning Act 1990 be drafted covering/securing the following matters:

- financial contributions towards primary and secondary education and library bookstock as requested by Kent County Council Development Contributions;
• financial contributions to NHS Dartford Gravesham and Swanley Clinical Commissioning Group towards local health services;
• financial contributions to Gravesham Borough Council towards off site open space/playing pitch provision, and a SAMMS payment to mitigate the impact on the North Kent Marshes SPA/Ramsar site;
• the provision of affordable housing on the site;
• management and maintenance of the open amenity areas and the provision and maintenance of a public art display within the site;

and such agreement to be completed within six months of the resolution to grant planning permission unless an alternative period is agreed in consultation with the Chair and Shadow Chair of the Board.