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## SUMMARY REPORT

**Application Ref:** 20230366

**Site Address:** Clifton Slipways, West Street, Gravesend, Kent.

**Application Description:**

Application for variation of condition 2 and 7 attached to planning permission reference no. 20191122 for the erection of two buildings to provide residential units (Use Class C3) with associated vehicle parking, cycle storage, highway works, and landscaping. Building 1 comprises the erection of a 23 storey tower on the north side of West Street to provide residential dwellings with B1a floor space at ground floor level; and Building 2 from four storeys to 12 storeys on the south side of West Street which will provide residential dwellings. The proposal includes the restoration and adaptation of the existing pier structure to provide public and private amenity space to include the erection of Business units (Class B1a) and a cafe (Class A1/A3); **to remove the basement at lower ground, relocation of bin store and plant, reduction of 23 car parking spaces and replacement of car parking at level 0 with 9 additional units (loss of 55 car parking spaces) within the Stuart Road Block.**

**Applicant:** Quinn Estates on behalf of Downriver Properties Ltd

**Agent:** Mrs Hannah Young, Icen Projects

**Ward:** Town

**Parish:** Non-Parish Area

**Decision due date:** 1<sup>st</sup> November 2023

**Publicity expiry date:** 16<sup>th</sup> August 2023

**Decision Level:** Planning Committee – 25<sup>th</sup> October 2023

**Reason for referral:** Called in by Councillor

**Recommendation:** Delegated to the Head of Planning in consultation with the Chair and Vice Chair, to grant Permission subject to finalisation of planning conditions and completion of a deed of variation to the Section 106 agreement attached to 20191122.

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### Summary of Reasons for Recommendations

Subject to planning conditions and amendments to the original Section 106 agreement the proposals will have no detrimental impact on the surrounding townscape, character of the area, amenity of neighbouring occupiers or future occupiers of the development, highway safety or parking. The development has been lawfully implemented via works having been commenced on site. The development is therefore considered to comply with local and national policy.

In order to be positive and proactive, during the course of the applications where appropriate discussions took place with the agent to address comments received from consultees.

All representations received have been taken into account when considering this proposal.

The recommendation is for the application to be delegated to the Head of Planning in consultation with the Chair and Vice Chair, to grant Permission subject to finalisation of planning conditions and completion of a deed of variation to the Section 106 agreement attached to 20191122.

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## MAIN REPORT

### 1. Proposal

- 1.1. The application has been submitted as a section 73 application to amend condition 2 (Approved plans) and 7 (Highways Works). The Local Planning Authority has judged the principle of the development to be acceptable with the approval of 20191122 and works have commenced lawfully on site.
- 1.2. For the purposes of this section 73 application, only issues relating to the variation of condition 2 and 7 can be considered and **no other matters pertaining to the original application can be considered.**
- 1.3. Section 73 of the 1990 Act provides for applications for planning permission to develop land without complying with previously imposed planning conditions. The local planning authority can grant permission unconditionally or subject to different conditions, or the local planning authority can refuse the application if it is decided that the original condition(s) should be kept. The only limits imposed by the wording of s73 itself is on the type of amendment which can be affected are as follows:
  - The amendment must be facilitated through an amendment to a condition.
  - The original planning permission must have been lawfully implemented or still be capable of implementation.
  - The amendment cannot have the effect of extending the time within which a development must be begun or within which an application for approval of reserved matters must be made.
- 1.4. The description of the application has been amended to reflect the revised description approved by Non-Material Amendment approval 202301553, which essentially removes reference to the number of units within the description of development for the proposed development.
- 1.5. The changes being sought under this application, are primarily due to the proposal as permitted under 20191122 not being financially viable and also due to the need to ensure that the scheme meets fire regulations brought in by the Government as a result of the Grenfell disaster. To address viability a further nine residential units are proposed with reductions in the amount of car parking provided, together with changes to the layout, design of the proposal and proposed materials in terms of the Stuart Road block.
- 1.6. The changes to the approval are listed below and they only relate to the conditions being amended and do not impact on the operative part of the permission. It is therefore considered that a S73 application is the correct approach for the changes proposed.

#### *Stuart Road Block*

- Removal of full basement at lower ground floor (level -2). This level previously provided accommodation for the bin store and plant – to be relocated to Levels 0 and -1 respectively.

- Reduction of building footprint at Level -1 (no change to the vehicular access position). This will result in a reduction of 23 car parking spaces at this level from 57 to 34. The changes to the basement levels reduce excavation and material removal cost.
- Replacement of part of the car parking at Level 0 (loss of 32 spaces) with nine residential units. This would increase the number of dwellings to 236. Total number of parking spaces at Level 0 is 22.
- Access to Level 0 parking area moved by 1.5 metres to accommodate floor plan changes.

1.7. The implications of the above changes result in the following changes to the overall scheme.

*Overall Scheme Schedule*

	Approved scheme	Proposed Scheme	Net change
<b>Dwellings</b>	227	236	+9
<b>Car Parking Spaces</b>	111	56	-55
<b>Cycle Spaces</b>	227	243	+16

	Approved Scheme	Proposed Scheme
<b>1-bed</b>	90	90
<b>2-bed</b>	56	65
<b>Total</b>	137	146

*Stuart Road Block Schedule*

	Approved scheme	Proposed Scheme	Net change
<b>Dwellings</b>	106	115	+9
<b>Car Parking Spaces</b>	111	56	-55
<b>Cycle Spaces</b>	227	243	+13

## **2. Site Description and Surroundings**

2.1. The application site comprises two parcels of land; the northern part includes a cast iron pier built in 1878 that acted as a railway terminus for boat trains connecting with passenger ferries crossing the Thames and the English Channel.

- 2.2. Gravesend West was a railway station on the Gravesend West Line which served Gravesend in Kent. It opened in 1886 and was, for some time, a regular destination for boat trains from London which linked with steamers on the station's pier to ferry passengers to a variety of coastal towns and resorts. The station closed in 1953 to passengers and later to freight in 1968. The pier is now the only remaining structure of the site's original use and is considered to be a non-designated heritage asset.
- 2.3. Following the closure of the railway line the former station and viaduct arches were used as a builder's merchant and boat repair yard. The two parcels of land were linked by a viaduct which was demolished in 2006 and the station buildings had been previously demolished in 1991. The site has been vacant in excess of 15 years.
- 2.4. The site is a short walk from Gravesend town centre which is served by High-Speed rail domestic line and Fastrack bus services. Due to the town centre location, the site is considered to be accessible and well served by public transport (rail and buses).

### **3. Relevant Planning History**

3.1. The relevant planning history for the site is laid out in the below table:

<b>Application Ref. No.</b>	<b>Description</b>	<b>Decision</b>	<b>Decision Date</b>
20230155	Application for a non-material amendment to planning permission reference number 20191122 to allow change of description of development and changes to wording of condition 4 (Code of Construction Practice) to allow for phased approval.	Approval of non-material amendment	06.03.2023
20230224	Application for the approval of condition 4 attached to planning permission reference 20191122 (as amended by 20230155) Code of Construction Practice Strategy.	Approval of Details	02.05.2023
20230137	Application for approval of condition 5 attached to planning permission reference number 20191122 relating to parts (i, ii, and iii) of the Contaminated Land Strategy	Approval of Details	23.05.2023
20200544	Application for non-material amendment to planning permission reference number 20160046 to allow the variation of the wording of conditions 3, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29.	Approval of non-material amendment	18.06.2020
20191122	The erection of two buildings to provide a total of 227no. dwellings with associated vehicle parking, cycle storage, highway works, and landscaping. Building 1 comprises the erection of a 23 storey tower on the north side of West Street to		04.12.2020

	provide 121no. dwellings with 1no business Unit (B1a) comprising 90 sqm of floor space at ground floor level; and Building 2 from four storeys to 12 storeys on the south side of West Street which will provide 106no. dwellings. The proposal includes the restoration and adaptation of the existing pier structure to provide public and private amenity space to include the erection of 16no. Business(B1a) units comprising a total of 510 sqm of floor space; and a cafe (A1/A3) comprising up to 60 sqm of floor space.	Permitted	
20160046	Erection of two buildings to provide a total of 133no. dwellings with associated vehicle parking, highway works and landscaping, comprising erection of a thirteen storey building on the north side of West Street to provide 54no. dwellings and one ground floor B1(a) unit and a second building ranging in height from four storeys to nine storeys on the south side of West Street to provide 79no. dwellings; and the restoration and adaptation of the existing two-level pier structure to provide public and private amenity space to include erection of a glazed pavilion.	Permitted	09.08.2017

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

4.1. The relevant development plan policies are laid out as follows:

##### Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS08 – Retail, Leisure and the Hierarchy
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 - Green Infrastructure
- CS13 – Green Space, Sport and Recreation
- CS14 – Housing Type and Size
- CS15 - Housing Density
- CS16 - Affordable Housing
- CS18 - Climate Change
- CS19 - Design & Development Principles
- CS20 - Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- T5 – New Access onto Highway Network
- LT6 – Additional Open Space in New Housing Developments
- TC2 – Listed Buildings
- TC3 – Conservation Areas

4.2. Paragraph 33 of the NPPF (2023) states that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

4.3. The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

Gravesham Local Plan: First Review (1994)

- Policy P3: Vehicle Parking Standards; and
- Policy T1: Impact of Development on the Highway Network.

National Planning Policy Framework (2023)

- Section 2 – Achieving sustainable development
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places

Draft South East Marine Plan (January 2020)

- Se-ml-1 – Marine litter
- Se-acc-1 - Access
- Se-soc-1 – Social Benefit
- Se-bio-1 – Biodiversity
- Se-inns-1 – Invasive non-native species

**Other Material Considerations**

Supplementary Planning Guidance

- SPG2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- KCC Guide to Development Contributions and the Provision of Community Infrastructure (2007)
- National Design Guide (October 2019)
- Security Measures for Shopfronts and Commercial Premises (July 1996)
- Kent Design Guide
- Planning Guidance on Waste Collection Requirements (2019)

## 5. Consultations and Publicity Responses

### *External Consultees – comments received only*

#### 5.1. Port of London Authority

Thank you for consulting the Port of London Authority (PLA) on the application referenced above, for the variation of conditions 2 and 7 attached to planning permission (ref: 20191122) for the proposed development at Clifton Slipways, West Street, Gravesend. I have now had the opportunity to review the submitted documents and have the following comments to make.

Several physical amendments are proposed as part of this application, including the following:

##### Stuart Road Block

- Removal of basement
- Reduction of car parking spaces
- Creation of an additional nine residential units
- Other internal reconfigurations
- Minor elevational amendments

To confirm the PLA has no comments to make on the proposed physical amendments as part of this application.

The application also proposes an amendment to the existing Section 106 agreement via a deed of variation to change the trigger for the completion of the Pier works being completed from 50% to 90% of the private residential units being occupied. It is stated that the applicant remains committed to a scheme which delivers the required restoration works to the pier, represented by a £2million investment into this asset and a commitment to the provision of 16 workspaces along the pier, but due to viability issues the trigger point in the S106 for the delivery of this is proposed to be extended from 50% to 90% of the private units being occupied.

To confirm the PLA has no objection to the proposed amendment and the suggestion for this to be dealt with via a deed of variation to the S106, provided that the overall investment commitment to deliver the essential restoration works to the pier remains a key part of the development, and the essential nature of this part of the development must be reiterated. In addition, as part of the S106, the PLA has previously made comments on the river related use of the pier, and that, should it not be possible to provide river related uses at/on the pier, then the opportunity should be taken to secure an off-site contribution to river related activities in the Borough, of which the PLA could advise the Council on recreational groups in the Borough who might benefit from such a contribution. It is recommended that this is considered for inclusion in an amended S106 as part of this application.

#### 5.2. KCC Floor and Water Management

Thank you for your consultation on the above referenced planning application. Kent County Council as Lead Local Flood Authority have reviewed the documents submitted in support of varying conditions 2 and 7, for which we raise no objections to the changes proposed.

#### 5.3. Environment Agency

Thank you for consulting us on the above application. We require further information on the offset to the tidal flood defences.

#### Flood Risk Background

The submission includes changes to the proposed cladding which may limit access to the tidal flood defences.

The site benefits from tidal flood defences which require access for maintenance and inspection for the development's design life. Due to site constraints, a very limited amount of landward space is available to carry out these works. From the submitted information, it is not clear if the cladding changes would reduce access space to the landward face of the flood defences.

#### Further information required

Please clarify any change in offset to the tidal flood defences. From page 26 of the addendum to the design and access statement, it appears there may be changes at and below ground level to support the exterior changes. We would maintain an objection where these may further limit access to the flood defences.

Please do not hesitate to contact us should you require any further information.

**The applicant provided additional information and the EA responded with 'no objection'.**

#### 5.4. Health and Safety Executive

Following a review of the information provided by the applicant, HSE raises the following concern:

##### *Means of escape*

It is noted that on Level 00 General Arrangement Plan for Stuart Road Block, both stairs discharge directly into a common corridor, connected with the bin store and final exit through a foyer. BS 9991:2015 (updated 2022) states: "Protected stairways should discharge either: 1) directly to a final exit; or 2) into a protected corridor leading to a final exit which is itself lobbied from any accommodation. "

BS 9991:2015 also states: "An arrangement in which two stairs terminate in the same enclosure at final exit level should not be employed, because an outbreak of fire leading to penetration of the enclosure at that level would render both stairs simultaneously unusable." Design changes to resolve this issue are likely to affect land use planning considerations such as the layout and appearance of the development.

Addendum to Design and Access Statement (DAS) states: "The materials will use a high-quality selection of durable materials which respond sympathetically to the site context and perform well in their riverside setting as well as creating an architecturally playful façade as was previously approved."

Also the DAS further states: "Planning condition 19 states that 'Notwithstanding the details shown on the approved plans and application form, before any above ground works commence within the relevant phase as approved pursuant to Condition 3, additional details (and samples where requested by the local Planning Authority) of all the external facing materials to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.'" However, for information, it should be noted that on 1st December 2022, Building Regulations were amended and now state 'Building work shall be carried out so that relevant metal



composite material does not become part of an external wall, or specified attachment, of any building'. This will be subject to later regulatory consideration.

*Further drawings were submitted showing a separation of the corridors and bin store by a lobby. Upon further consultation HSE responded with:*

#### *Means of escape*

It is noted that the 'Stuart Road GA Plan – Level 00' has been amended, one of the staircase doors leading to the escape route of the other staircase was removed. Now the ground floor design contains two independent final escape routes, one from each staircase, to avoid both stairs terminating in the same enclosure at final exit level. HSE welcomes this change, which will also be subject to later regulatory consideration.

### 5.5. Kent Highways & Transportation Services

Thank you for your consultation in relation to the above planning application. I have the following comments to make with respect to highway matters :-

The parking provision which proposes a reduction from 111 to 56 is acceptable in such a town centre location where there is adequate public car parks that could accommodate any overspill arising. The increase of Car Club provision helps to offset any such reduction in car parking and will potentially reduce the car ownership in these to residential blocks. The KCC Residential Parking Standards (IGN3) recommends a maximum level of car parking in a town centre location and therefore there is no justification in objection to the lower parking provision.

I would recommend that a Car Parking Management Plan is submitted and approved prior to first occupation to ensure that certain residents are given priority in parking allocation.

I therefore raise no objection on highway grounds to this application provided the above CPMP is Conditioned.

Informative: It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

#### **Internal Consultees – Comments received only**

### 5.6. GBC Highways Officer

This revised proposal is a significant departure from the approved development and requires very careful consideration.

The figures I have for vehicle ownership in and around the town centre is an average of 0.93 vehicles per dwelling with 34% having no vehicle whilst 21.5% have two or more vehicles.

Whilst it is possible for some occupiers of flats to have to more than one car an assumption will be made that a maximum of one parking space would be available to anyone property, until all spaces are occupied. Discounting the average number of properties without a car, this would mean 156 flats served by 56 parking spaces, approximately a 36% provision of the potential demand. This demand can be further reduced by the provision of a suitable car club that always ensures there is a vehicle or if demand warrants it more vehicles readily available, even if it is a short distance away. The provision of suitable cycle parking may also reduce the need for parking but this should include adaptive cycles, and parking for adaptive cycles should be located within each block. In addition, suitable provision needs to be made

for the charging of electric cycles that do not have removable battery packs.

Returning to the car parking, this must be controlled by a suitable Car Parking Management system/protocol, which should give priority to the mobility impaired and those with young children.

The Kent and Medway Structure Plan 2006 Mapping out the future, Supplementary Planning Guidance SPG4 Kent Vehicle Parking Standards July 2006 suggests for car parks between 40 and 200 spaces 5% or a minimum of 4 spaces should be accessible. So, a fifty-six space car park would require the minimum of four spaces set aside for the mobility impaired. By careful selection, it should be possible to designate spaces for the disabled, without altering the proposed car parking layout. Similarly, it should be possible to designate some spaces as suitable for parent with child spaces, although there is no policy or guidance to support this.

In terms of the car park layout there are a couple of issues that need attention.

Flats A.00.01 and A.00.02 have doors opening out into the car park presumably as an emergency exit, it is essential that the adjacent car parking spaces are so designed to ensure it is impossible for the door swing to be obstructed by an overhanging vehicle.

In terms of the swept path/tracked drawings, it is noted on drawing number 18-091-009 Revision E, the lower two swept paths only demonstrate access and not egress. This needs to be corrected.

With regards to displacement of any excess demand, the surrounding streets are well controlled with restrictions, permit parking and pay and display car parking so there should be no disruption to existing residents. There are also public car parks nearby in the town centre, so any excess demand should be accommodated within the town centre, all be it chargeable, which in itself may discourage vehicle ownership.

I have no objections to the loss of the car parking or the increase in the number of flats, but this needs to be balanced with better provision for cycles. In particular the provision for parking adaptive cycles and the recharging of electric cycles where the battery is contained within the frame. Kent County Council's draft revised vehicle parking standards, suggests that 5% of all cycle parking for use by disabled cyclists. So, 240 cycle spaces should have a minimum provision for 12 adaptive cycles, although more would be preferable allowing for abled bodied people to use adaptive cycles for work and transport/leisure.

It is suggested that the car parking on site, should not be allocated to any particular property, instead, being rented or leased under terms defined in the Car Parking Management Plan. A charge of £5 per day per space would result in an income of some £100,000 which should be set aside for the operation, management and maintenance of the car park, although it would be for the developer to decide the actual charge to ensure all costs including future maintenance are accounted for.

The applicant has responded to this with the following points:

- The reduction in parking is from 0.49 spaces per dwelling to 0.23 spaces per dwelling
- The TA note identifies 2021 census data for the town centre shows that 43% of households do not have a car or van – and that this includes all households
- The transport note provides a commentary on the connectivity to bus routes, the proximity to the station and details of the car club that is secured by s106
- Re electric bikes racked bike storage is shown with the car park of the Stuart Road building and further bike parking within the tower building. EV charging is complex within enclosed

carparks with regulations catching up with change and there is concern over unregulated E bike batteries. This would need to be picked up on at detailed design stage with the fire consultant. A condition would be acceptable in this instance

- A condition to provide a Car Parking Management system/protocol would be acceptable

*The following was received from the Highways Officer on 13 September 2023 and 27 September 2023:*

I have no objections to the revisions proposed. The site is adjacent to the town centre with its extensive public car parks, which have spare capacity and offer free overnight car parking, at least in part. Gravesham Railway station is close by as is access to buses, including Fastrack. Perhaps most importantly the surrounding roads are adopted and currently the waiting restrictions on those roads are enforced by Gravesham Borough Council, which gives the Council the opportunity to control indiscriminate and hazardous parking. The car club proposals are also more advanced than the Northfleet Harbour application.

The important thing is to ensure there is adequate cycle parking, including electric (built into frame) and adaptive cycles, which may require some form of additional provision given the concerns regarding rechargeable batteries being charged in unattended areas within/under buildings.

The submitted swept paths are acceptable given the current guidance and so I have no objections.

However, it should be noted that cars are tending to be getting bigger particularly in width as electric vehicles are developed.

Ford Kuga	1.883m wide Hybrid
Ford Puma	1.842m wide Hybrid
Ford Focus	1.825m wide
Ford Mustang Mach E	1.881m wide by 4.731m Electric vehicles
Tesla Model 3	2.088m wide by 4.694m Electric Vehicle

Whilst there is some flexibility given the length is less than the 4.8 metres, some vehicles will still equal or exceed the standard vehicle, making access and egress difficult progresses.

BMW Series 5	1.900m (2.156m including mirrors) wide by 5.060m Electric Vehicle.
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So, there is the dilemma that what is suitable for today, may not be suitable in the future. Equally there is some suggestion as technology develops electric vehicle batteries will get more efficient and size of the battery pack may get smaller, or the range will be extended. So, without a crystal ball and no policy to support something different we must as I see it, accept the current standard vehicle.

### Neighbouring properties

The application has been advertised as a major development proposal by site notice, press notice and individual letters to 396 neighbouring dwellings. The overall expiry date was 7 September 2023.

One letter of objection was received, with the following matters raised:

- Out of character with the historic area
- The whole town needs regenerating before more houses are built

- Lack of infrastructure in the area
- There is anti-social behaviour in the town at night

Two letters of support (from the same person):

- West Street Tower now has a refreshing appearance and the overall viability enhanced via a slight increase in units.

## **6. Planning Analysis and Head of Planning Comments**

6.1. Hopkins Homes Ltd v Secretary of State for Communities and Local Government [2017] 1 W.L.R. 1865, Lord Carnwath reemphasised that the National Planning Policy Framework is only a material consideration in planning decisions and that that planning applications should be determined in accordance with the development plan. Paragraph 12 of the NPPF expressly states that the starting point for decision-making is the development plan. Lord Carnwath as part of the Supreme Court decision stated,

*“It is important, however, in assessing the effect of the Framework, not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications (by contrast with plan-making in which it has statutory recognition), it is no more than “guidance” and as such a “material consideration” for the purposes of section 70(2) of the 1990 Act... It cannot, and does not purport to, displace the primacy given by the statute and policy to the statutory development plan. It must be exercised consistently with, and not so as to displace or distort, the statutory scheme.”*

6.2. It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point a decision is taken. The Council published a revised 5 year housing land supply statement in March 2023, it demonstrates that based on data up for the period 2022-2027, the Council can only demonstrate a land supply of 2.9 years.

6.3. Given the Council’s current inability to demonstrate a 5-year housing land supply, and as the delivery of housing was substantially below (less than 75%) that required by the Housing Delivery Test, the housing delivery element of Gravesham’s Local Plan Core Strategy (LPCS) (2014) Policy CS02 must be regarded to be out of date, as required by the Paragraph 11(d) of the National Planning Policy Framework (NPPF) (2023). This requires that in regard to housing development, planning permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- 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.

6.4. In the Gravesham context, the policies referred to in paragraph 11(d)(i) above are those set out in the NPPF at footnote 7 (rather than those in development plans) relating to any of the following:

- Habitats sites (and those sites listed in NPPF paragraph 182)
- Sites of Special Scientific Interest
- Green Belt
- Local Green Space

- Areas of Outstanding Natural Beauty
- Irreplaceable habitats
- Designated heritage assets (& other heritage assets of archaeological interest, see NPPF footnote 68)
- Areas at risk of flooding or coastal change.

6.5. In determining applications for planning permission involving housing, the Council will therefore apply a weighted balance in favour of granting planning permission in accordance with relevant case law and guidance, having regard to the acceptability or otherwise of the proposals when evaluated against development plan policy, the need to make efficient use of land (paragraph 125(c)) in context, the relative contribution the proposal makes towards the alleviation of any shortfall in housing delivery at that time and any other considerations material to the proposed development.

6.6. The proposed development for a net increase of nine additional units, 236 in total, would offer a significant contribution towards meeting this local need and, accordingly, officers considers that this should be accorded appropriate weight in support of the application. However, this has to be balanced against other requirements of the Development Plan and NPPF (2023) which requires new development to contribute positively to the overall quality of the area, be visually attractive, sympathetic to local character and create acceptable amenity for future occupiers.

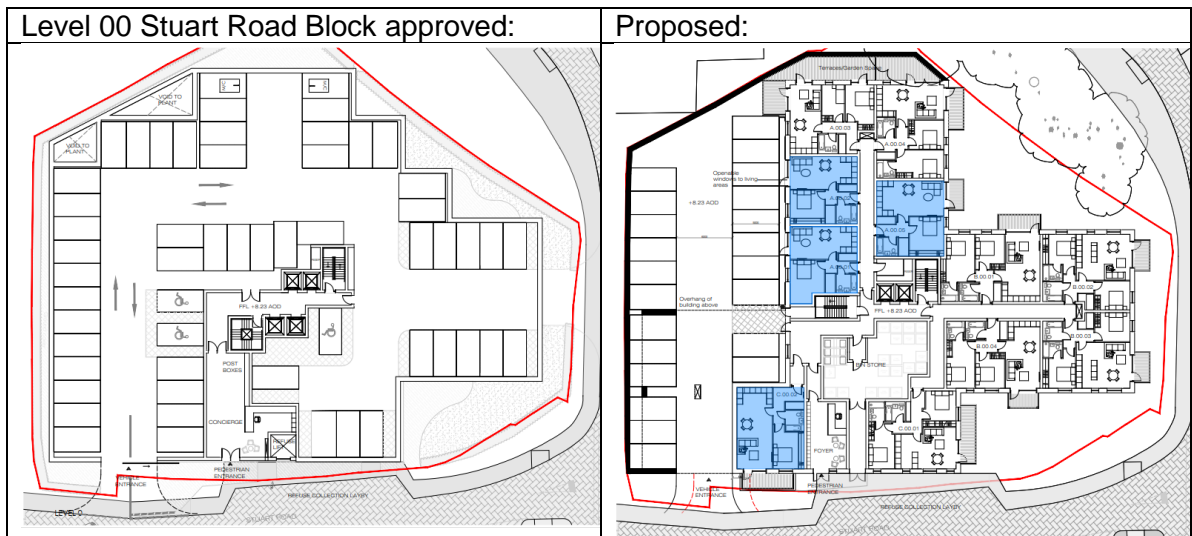
### **Design and Heritage**

6.7. Policy CS19 (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 NPPF (2023) sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The NPPF goes on to state 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.

6.8. Policy CS20 (LPCS) sets out that the Council will accord 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. Proposals and initiatives will be supported which preserve and, where appropriate, enhance the significance of the Borough's heritage assets, their setting where it contributes to the significance of the asset and their interpretation and enjoyment, especially where these contribute to the distinct identity of the Borough.

6.9. Section 16 of the NPPF (2023) sets out national policy on heritage matters and it states that great weight should be given to a heritage asset's conservation. Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets. This stance is reflected in saved Policy TC2 (LPFR) which requires the setting of a Listed Buildings to be protected and Saved Policy TC3 (LPFR) expects development to make a positive contribution to Conservation Areas. The Council also has a statutory duty under 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for development which affects the setting of listed buildings, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Planning Listed Building and Conservation Areas Act 1990 (as amended) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

6.10. The proposal is to make both internal and external changes to the Stuart Road block. Internally level 00 of Stuart Road block is to have 34 car parking spaces removed and 9 additional units to provided. This is shown below:



6.11. Externally changes to the design are proposed, which result in the loss of the varied angular treatments, in favour of a more a traditional design which emphasises the verticality of the building.

6.12. Within the supporting Design & Access Statement, the architect’s rationale for this change is to create a more distinct finish to the upper level of the tower by using vertical columns with the windows being recessed. Furthermore, the roof is now concealed to create a more seamless roofline.



6.13. It is considered that this change to the Stuart Road block do not impact on the architectural vision of the block which was wharf style architecture with elevations broken down through a mix of materials along with light and airy apartments.

6.14. It is not considered that the external changes to the building would compromise the high-quality design of wider development.

6.15. Whilst the application site is not within a Conservation area. There are a number of designated and non-designated heritage assets within the vicinity which may be impacted

upon by this development. It was concluded under the original approval that through the submission of substantial Heritage statement and Townscape Visual Impact Assessment that there was not an adverse impact on heritage assets.

- 6.16. With the bulk and massing not changing with this proposal and the changes being related to changes to the top of the building along with additional openings to serve the new units it is considered that there will be no determinantal impact on heritage.
- 6.17. It is considered that the external changes to the Stuart Road block will not detrimentally impact on the landmark development for the town and the final external appearance is appropriately conditioned.
- 6.18. With the removal of level -2 of the Stuart Road block and partial reduction of level -1 footprint and the minor external changes to allow the openings to serve the new apartments the overall character of the wider development is not compromised.
- 6.19. In respect of Heritage and design, the proposal amendments to the southern block, subject to conditions, considered to protect the architectural and historic interest of the surrounding designated heritage asset and the scheduled monument and restore the non-designated heritage asset (the pier). Therefore, the proposal meets the requirements of Policies CS19 and CS20 (LPCS) Saved Policies TC2 and TC3 (LPFR), Sections 12 and 15 of the NPPF (2023) and Sections 66(1) and 72(1) of the (Listed Buildings and Conservation Areas) Act 1990.

### **Amenity of Future Occupiers**

- 6.20. 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, will accord with the adopted Residential Layout Guidelines'. On 25 March 2015, the Government issued a written ministerial statement which introduced new technical housing standards in England. As approved this block contained 47 one-bedroom apartments and 58 two-bedroom apartments (total 105 apartments).
- 6.21. As a result of there being a net increase of 9 units within Stuart Road Block and the internal layout of the block being reconfigured, a total of 11 units will be provided at level 00 (formally car parking level) and all the units meet the Technical Housing Standards in terms of floor area. Each unit has its own private amenity space in the form of private amenity space. It is noted that two of the flats (A.00.02 and A.00.01) have obstructed outlook due to overlooking the car park. There is no roof over the carpark at this point and therefore daylight and a view to the sky is not significantly obstructed however, looking out onto a car park is not ideal. It is felt that, on balance, a rearrangement of the parking area to allow for some soft landscaping to the front of these two flats would be sufficient to mitigate against this poor outlook and this defensible barrier can be controlled by condition.

### *Noise*

- 6.22. The original application dealt with noise and it was felt that the proposed development could be designed and constructed in a way to adequately protect the amenity of its future occupants and those already in the vicinity. A condition was recommended that the building be design and constructed with regard to the findings set out in the Environmental Noise Assessment. A suitable post-installation report demonstrating compliance is also required by condition. The additional nine apartments raise no specific noise issues and would be subject to these same conditions; therefore no concerns are raised.

### *Air Quality*

6.23. Air quality constitutes a material consideration in the determination of planning applications (as set out in paragraph 005 (air quality) of the planning practice guidance) and this is reflected in Policy CS19 (LPCS) which requires new development to avoid adverse environmental impacts which include air quality. This is reflected within the NPPF (2023) at paragraph 186 which states decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.

6.24. This site lies between and very near to two Air Quality Management Areas (AQMAs). The A226 One-way System Gravesend AQMA declared for nitrogen dioxide emissions from urban traffic lies immediately to the east and the Northfleet Industrial Area AQMA declared for windblown particulate matter (PM10) lies immediately to the west of the site.

6.25. In support of the original application an air quality assessment considering the impact of the proposed development on the air quality during the construction and operation phases and this report was reviewed by Gravesham Regulatory Services. During the course of this review additional clarification was required which then informed the final comments from Gravesham Environmental Protection.

### **Neighbouring Amenity**

6.26. Policy CS19 (LPCS) requires new development to safeguard the amenity, including privacy, daylight and sunlight, of neighbouring properties and land. Paragraph 130 of the NPPF (2023) requires development to have a high standard of amenity for existing users in this case surrounding properties.

6.27. Consideration has been given to the proposed changes to the Stuart Road Block, and the changes proposed have no adverse impact on the amenity of surrounding properties.

6.28. In summary the development will not be detrimental to the amenity of surrounding properties and there is no conflict with local or national planning policy.

### **Refuse Storage and Collection Arrangements**

6.29. Policy CS19 (LPCS) requires new development to incorporate facilities for the storage and recycling of waste generated. In order to ensure this proposal complies with Policy CS19 (LPCS) a refuse strategy was submitted with the original application.

6.30. As per the approval the southern block originally had the refuse store within the basement at level 0-02 and was accessible via a stair case with a lift to take the bins to level 00 where they would then be at street level.

6.31. With this proposal the communal bin store is at level 00 and this will be accessible internally for future occupiers and there will be direct access from the communal bin store to the highway.

6.32. It should be noted no highway concerns are raised regarding the lay-bys.

6.33. It is considered that the revised refuse arrangements for the Stuart Road is acceptable and the proposal complies with Policy CS19 (LPCS).

### **Highways Impacts and Vehicle Parking**



- 6.34. The proposed development needs to be considered against policy CS11 (LPCS) which states that new development should mitigate their impact on the public highway and that transport assessments should be provided and implemented to ensure delivery of travel choice and sustainable opportunities for travel. Furthermore, it states that sufficient car parking in new developments will be provided in accordance with adopted standards which will reflect the availability of alternative means of transport accessibility to services and facilities. This is also reflected by Saved Policy T1 (LPFR) which requires proposed development to be adequately served by the highway network and Saved Policy P3 (LPFR) which sets out highways parking standards for development.
- 6.35. At a national level the NPPF (2023) states at paragraph 105, significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. The NPPF (2023) goes on to state development should only be prevented or refused on transport grounds where the cumulative impact of development is severe.
- 6.36. The proposed changes to the application will involve the increase in the number of apartments by nine and the loss of 55 parking spaces and an increase of 16 cycle spaces. The loss of spaces in a town centre location is acceptable where there are adequate public car parks that could accommodate any overspill car parking. The proposed increase in Car Club provision will assist in offsetting the reductions proposed to car parking and will potentially assist in reducing car ownership levels in these residential blocks. The KCC Residential Parking Standards (IGN3) recommends a maximum level of car parking in a town centre location and therefore there is no justification in objecting to the lower parking provision.
- 6.37. The development does not provide any dedicated visitor parking, but with this development being within a town centre location with public car parking being available directly to the within a short walking distance, visitors will have sufficient parking options available to them. The site is also within an accessible location, which means visitors can arrive to the site via walking, cycling and through using public transport (buses, trains and the ferry).
- 6.38. Regardless of the above parking provision, the site is considered to be in a highly sustainable location, given it is in close proximity to Gravesend Town Centre, which is served well by public transport (bus, railway and ferry). Both Kent Highways and Gravesham Highways officers were consulted and raise no concern with the either the loss of the car parking or layout of the car park for Stuart Road Block.
- 6.39. In conclusion when considering the parking changes to this scheme there will be no adverse impact on the highway network and no conflict with local and national planning policy.

### **Ecology and Biodiversity**

- 6.40. The Thames Estuary and Marshes Special Protection Area (SPA) is 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.

- 6.41. The Local Planning Authority 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. In part this has been done by accepting a Strategic Access Mitigation and Monitoring Strategy (SAMMS) (tariff) payment (currently £314.05 per additional dwelling). This approach is informed by an Appropriate Assessment, and is approved by Natural England for all new residential developments. Where a developer is unwilling to make the SAMMS payment, sufficient evidence is required to be supplied by the applicant to enable the Council to undertake a more detailed Appropriate Assessment to ascertain what other measures if any are required to mitigate any potential Likely Significant Effect.
- 6.42. The tariff has previously been accepted effectively in lieu of an Appropriate Assessment (AA). However, in a recent Court of Justice European Union (CJEU) ruling this approach was not considered to be valid, as the CJEU considered the first stage to 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. In this respect, the CJEU judgement made 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 Appropriate Assessment and that mitigation measures cannot be taken into account at the screening stage.
- 6.43. The applicant accepts that a Strategic Access Management and Monitoring Strategy (SAMMS) mitigation contribution would be required to offset any potential recreational impacts, and that with the adoption of this payment then the scheme will prevent any likely significant impact occurring, but that further adverse impacts from the proposed development on designated sites are not anticipated. The Local Planning Authority is therefore satisfied that the proposals would put in place adequate measures to mitigate potential significant adverse impacts on the Thames Estuary and Marshes SPA/Ramsar sites and to protect their integrity in accordance with their conservation objectives. On this basis, the proposal is considered to comply with Paragraphs 180 and 181 of the NPPF (2021) and policy CS12 (LPCS), and the requirements of the Conservation of Habitats and Species Regulations 2017. Potential impacts on the European Sites do not therefore impose an impediment on the grant of planning permission in this instance.
- 6.44. The figure of £2826.45 for the additional 9 units, will be paid by the applicant prior to the decision being issued.

### **Flood Risk and Surface Water Drainage**

- 6.45. Policy CS18 (LPCS) requires proposals in areas at risk of flooding to demonstrate that they are adequately defended and safe over their lifetime and planning permission will not be supported for schemes which do not pass the sequential and exception tests.
- 6.46. The pier is on the riverward side of the existing flood wall - Flood Zone 3 whilst the southern parcel of land is behind the defences on the rising land which is Flood Zone 1 and it is considered that the primary source of flooding is considered to be from a breach in the defences.

6.47. The proposed changes relate to the southern piece of land which is in Flood Zone 1 and the Environment Agency raises no objection to the additional apartments within the Stuart Road Block.

6.48. In summary the changes proposed result in no conflict with local and national planning policy.

### **Fire Safety and Tall Buildings**

6.49. Following the Grenfell Tower fire on 14 June 2017 the government commissioned the Independent Review of Building Regulations and Fire Safety led by Dame Judith Hackitt. The report highlighted the need to transform the fire and building safety regime and recommended that “some minimum requirements around fire safety will need to be addressed when local planning authorities are determining planning applications and will require input from those with the relevant expertise.”

6.50. As outlined by the applicants covering letter the scheme as permitted could not be constructed as it does not comply with recently adopted fire safety Regulations.

6.51. The Health and Safety Executive (HSE) was not a statutory consultee when the original application was decided as this was submitted prior to the establishment of HSE as a consultee for relevant buildings in relation to fire safety. Initially they raised an objection to the revised plans due to both sets of stairs discharging directly into a common corridor connected with the bin store and final exit through a foyer. The applicant submitted further information showing two independent cores of stairs with separate corridors and fire escapes as well as a lobby to the bin store and HSE removed their objection.

6.52. It is therefore concluded that the revised plans and fire safety statement are acceptable and no further information is required. The applicant will still be required to address all fire safety issues during required to comply with Building Control Regulations.

### **Planning Obligations**

6.53. Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are a mechanism that we as a Council, often use to secure financial contributions or other forms of mitigation such as affordable housing from developers, to make a development proposal acceptable in planning terms.

6.54. In order for the Local Planning Authority to request financial contributions on behalf of third parties any contributions will need to meet all of the tests listed below:

- (A) necessary to make the development acceptable in planning terms;
- (B) directly related to the development; and
- (C) fairly and reasonably related in scale and kind to the development.

6.55. 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 (2023), 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. Policy CS10 (LPCS) 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.

6.56. The original application was subject to a viability assessment and Members agreed the following contributions.

Obligation	Sum	Trigger Point
Gravesham Leisure Services	£92,762.00	Prior to occupation of any dwelling.
Financial contribution towards SAMMS	£56,838.00	Prior to commencement of development.
Air Quality Monitoring	£10,400.00	Prior to occupation of any dwelling.
Car Club	-	Prior to occupation of any dwelling.
Management of the Site	-	Prior to occupation of any dwelling.
Discounted Business Units	20% discount marketed rent for 5 years.	50% occupation of private dwellings
Affordable Housing	22 Apartments for rent	Prior to occupation of any dwelling.
PLA Mitigation Measures	Various mitigation measures	Prior to commencement of Northern Block

6.57. The applicant has submitted a viability appraisal in support of this application, setting out that the permitted development (extant permission) is unviable and that the proposed development barely breaks even. The conclusion reached by the applicant's viability consultants (BNP Paribas Real Estate) is set out below:

*Moving on nearly four years, it is clear that the proposal (extant permission) is now less viable than it was before. Costs have increased significantly more quickly than sales values (23.16% increase in costs versus 12.37% increase in sales values) and the changes to building and fire regulations have added further cost and reduced sellable area... The proposed scheme barely breaks even, generating only a nominal profit of £210,000. This is before any Section 106 contributions are factored in. As such, the applicant will need to find ways to value engineer the development to generate an acceptable margin of 20%, but at least the scheme as proposed could come forward at break-even point*

6.58. This viability appraisal has been independently reviewed for the Local Planning Authority by BPS, who came to the conclusion that the scheme was unviable at present, and state:

*Given the scale of the scheme and the probability that market conditions will vary over the period of being delivered, we consider that were consent to be granted, it would be essential to include comprehensive provisions for open book review based on a pre-implementation, mid and late stage review. Such provisions would ensure that the actual costs and values generated by the scheme would be available to populate an updated appraisal and were this to give rise to a surplus then the scheme could be said to be delivering the maximum reasonable level of affordable housing.*

6.59. There is agreement that the scheme in its present form, under current housing market conditions, is not viable. To address this the applicant is seeking to remove the Gravesham Leisure Services contribution so that they are not required to make the £92,762 contribution towards open space and leisure. In addition to this the applicant is seeking to make changes

to the affordable housing offer and trigger points related to when contributions should be paid and the pier restored.

6.60. As a starting point, based on the advice received by the Council from BPS, it is considered that rather than agreeing to further contributions being deleted from the s.106 agreement, the agreement should be varied so that an open book viability review is undertaken prior to implementation, upon completion of the Stuart Road block and prior to the completion of the West Street tower. This would allow the Council to ensure that the maximum contributions are secured from this development. For clarity, the following elements would not be subject to the above review and would need to be paid for / provided by the developer in any event:

- Financial contribution towards SAMMS (Paid)
- Air Quality Monitoring
- Car Club
- Management of the Site
- 22 one bed units of affordable housing

#### *Affordable Housing*

6.61. The approved scheme included 22 x one bedroom units within the Stuart Road building for Discount Market Rent (DMR) which is 20% below open market rent and resulted in 10% of the scheme providing affordable housing. Even though the scheme as originally approved was not viable the applicant has agreed to deliver these units, however, the applicant is now seeking to vary the s.106 agreement, so that these units can be delivered as discounted market rent or discounted market sale. The explanation provided is:

*Due to significant build cost inflation, outstripping value increase in this location, the viability position has worsened since this application was considered in July 2020. Quinn Estates understands the importance of providing an affordable product on-site, and is therefore not proposing to reduce the level at this time. However, it is requested that the associated legal agreement is varied, through a deed of variation, to allow for these units to either be discounted market rent or discounted market sales. This should provide further flexibility for these to be delivered.*

6.62. With the proposal being open market housing the flexibility of having the 22 one bedroom units as either discounted market sales or discounted market rent is acceptable as they meet the definitions set out in the NPPF. For both affordable products the rent and sale price would be 20% below local market value and these units would be retained as affordable units in perpetuity for future households.

6.63. It is therefore considered the flexibility for the affordable housing is acceptable and will be secured through the deed of variation application.

#### *Pier restoration works and business unit viability*

6.64. At present the s.106 requires the delivery of the pier before more than 50% of the development is occupied overall.

6.65. The applicant wishes to change the trigger point, so that it is tied to when 50% of the West Street Tower is occupied, rather than the development overall. The explanation provided is:

*Given the viability issues with the current permission, we consider it appropriate to review the existing clause within the s106 Agreement. Additional funds to deliver the business units speculatively, and the Pier works being completed before more than 50% of the private units are occupied, contribute to the gap in viability of the scheme. Accordingly, we request this trigger is extended for the works to the Pier being completed so as to reflect 50% of the*

*completion of the West Street Tower, and workspaces built out when economically viable to do so.*

6.66. The applicant states they are committed to the restoration works of the pier and have advised that they support this multi-million pound investment, however, to ensure it's delivery, they need to phase the works for when sufficient cashflow is available. This is considered to be appropriate given the complexities associated with the scheme and the current viability position.

6.67. With regards to the proposed business units, given the applicant's position, and the current viability position of the scheme, it would be appropriate for the delivery of these units to be tied into the viability review stated earlier, thereby linking delivery to the financial position of the development at the time the viability reviews are undertaken, rather than under current economic circumstances, given it is clear that the implemented and proposed schemes are both currently undeliverable.

*SAMMS and Air Quality Monitoring*

6.68. Due to the requirements of SAMMS and Air Quality Monitoring these contributions are not being amended.

6.69. Taking into account the viability of the site it is recommended that the S.106 contributions are amended via a deed of variation for the following contributions.

<b>Obligation</b>	<b>Sum</b>	<b>Trigger Point</b>
Air Quality Monitoring	£10,400.00	Prior to occupation of any dwelling.
Car Club		Prior to occupation of any dwelling.
Management of the Site	n/a	Prior to occupation of any dwelling.
Discounted Business Units	20% discount marketed rent for 5 years.	50% occupation of private dwellings
Affordable Housing	22 Apartments	Prior to occupation of any dwelling.
PLA Mitigation Measures	Various mitigation measures	Prior to commencement of Northern Block

**7. Final Balancing Exercise**

7.1. The proposal accords with policies CS01, CS02, CS10, CS11, CS12, CS14, CS15, CS19 and CS20. On balance it is considered that the proposal is in accordance with the development plan as a whole and that there are no material considerations which indicate otherwise. In particular, the Council also has concluded that the clear and convincing justification has been given which is required by the NPPF (2023). It is therefore recommended that that the proposal can be supported.

7.2. Conditions 4, 5 and 6 of 20191122 have been discharged and the remainder of the conditions save for condition 2 and 7 which are subject to this variation will be re-imposed as originally set out. Some minor re-wording and re-ordering of the conditions for consistency is also necessary.

7.3. Permission is recommended and a deed of variation will need to be signed to secure the revised S.106 agreements.

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## **Recommendation**

Recommendation to grant PERMISSION subject to the original conditions being included but making reference to conditions 4,5 and 6 of 20191122 have been discharged and the time limit condition removed as works have lawfully commenced on site.

### Condition 2 (Approved Plans)

#### GA Plans

18.137.100.03 rev P3 - Proposed Site Plan

#### West Street Tower

18.137.200.00 - West Street Tower - Level -01

18.137.200.01 - West Street Tower - Level 0

18.137.200.02 - West Street Tower - Level 1

18.137.200.03 - West Street Tower -Typical Plan A: Levels 2,3-4

18.137.200.04 - West Street Tower -Typical Plan B: Levels 5,6,13-14

18.137.200.05 - West Street Tower -Typical Plan C: Levels 7,8,15-16

18.137.200.06 - West Street Tower -Typical Plan D: Levels 9,10,17-18

18.137.200.07 - West Street Tower - Typical Plan E: Levels 11,12,19-20

18.137.200.08 - West Street Tower - Level 21

18.137.200.09 - West Street Tower - Level 22

18.137.200.10 - West Street Tower - Roof Level

18.137.210.00 -West Street Tower - Elevation A Rev P1

18.137.210.01 - West Street Tower - Elevation B Rev P1

18.137.210.02 - West Street Tower - Elevation C Rev P1

18.137.210.03 - West Street Tower - Elevation D Rev P1

18.137.220.00 - West Street Tower - Section A Rev P1

#### Stuart Road Block

##### Cover Letter

##### Design and Access Statement Addendum

##### Transport Technical Note rev D

18.137.300.01 rev P7 - Stuart Road Block - Level -1

18.137.300.02 rev P10 - Stuart Road Block - Level 00

18.137.300.03 rev P4 - Stuart Road Block - Level 01-03

18.137.300.05 rev P8 - Stuart Road Block - Level 4

18.137.300.06 rev P6 - Stuart Road Block - Level 05

18.137.300.07 rev P5 - Stuart Road Block - Level 06-09

18.137.300.08 rev P5 - Stuart Road Block - Level 10-12

18.137.300.09 rev P3 - Stuart Road Block - Roof Level

18.137.310.00 rev P4 - Stuart Road Block - Elevation A

18.137.310.01 rev P4 - Stuart Road Block - Elevation B

18.137.310.02 rev P4 - Stuart Road Block - Elevation C

18.137.310.03 rev P4 - Stuart Road Block - Elevation D

18.137.320.00 rev P2 - Stuart Road Block - Section A

#### Pier Development

18.137.400.00 - Pier - Level 1

18.137.400.01 - Pier - Level 1.5

18.137.400.02 - Pier - Site Sections B-B

18.137.400.10 - Pier - Elevation

Site Sections

18.137.500.00 - Site Section A-A

18.137.400.02 - Site Section B-B

Sea Defence Wall

HC-2269-1601 Rev E - Conceptual Sea Defence Wall Section A - A

HC-2269-1600 Rev D - Conceptual Sea Defence Layout

HC-2269-1602 - Conceptual Sea Defence Wall Section B - B

and those approved pursuant to any conditions contained herein after and there shall be no deviation therefrom.

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

Condition 7 states:

*Highway Works*

No above ground construction work shall take place before a detailed highway scheme (to accord substantially with Drawing No 18-091-011 rev F and 18-091-009 rev F contained in the Transport Assessment) and to include arrangements for an interim phased scheme if necessary, has been submitted to and approved, in writing, by the Local Planning Authority in consultation with the Local Highway Authority. For the avoidance of doubt this shall include details of construction and surface finishes for roads, footpaths, cycle-ways and car parking areas. The development shall only be completed in accordance with the approved details to be delivered through agreement (including timeframe) with the Local Highway Authority.

Reason: To ensure adequate highway improvement works are provided in a timely manner to ensure no adverse impact to the safe and free flow of traffic on the highway network; to ensure that the final external appearance of the public highway is acceptable and built to appropriate and recognised safety standards and in accordance Policy CS11 of Gravesham Local Plan: Core Strategy (September 2014). *Condition 7 requires amending purely because it refers to a previously approved drawing.*

*Car Parking Landscaping (Additional Condition)*

Prior to the occupation of the dwellings within the Stuart Road Block details shall be submitted to and approved in writing by Local Planning Authority for boundary treatment in front of flats A.00.01 and A.00.02. The approved details shall then be implemented.

Reason: To ensure a reasonable amount of amenity in terms of outlook from these dwellings in accordance with Policy CS19 of the Gravesham Core Strategy 2014 and paragraph 130f of the National Planning Policy Framework 2023.