

## DEVELOPMENT CONTROL BOARD

11 November 2021

**Reference:** 21/00724/FUL **Officer:** Richard Elder

**Location:** Land North Of Railway Line  
Station Road  
Greenhithe  
Kent

**Proposal:** Erection of 3 buildings up to four storeys in height to provide 47 flats with off-street car parking, communal amenity space, hard and soft landscaping, recycling and refuse storage facilities and new vehicular accesses serving the site from Station Road and Station Approach

**Applicant:** Regent Land And Developments Ltd

**Agent:** Q Square/Mr Richard Quelch

**Parish / Ward:** Swanscombe And Greenhithe / Greenhithe & Knockhall

### RECOMMENDATION:

#### Approval

Approve subject to conditions and the satisfactory prior completion of a Section 106 Agreement within six months of the date of this resolution.

#### SITE DESCRIPTION

(1) The site is located on the corner of Station Road, Greenhithe and Greenhithe Station Approach fronting the roundabout which connects Station Road with Crossways Boulevard and St Clements Way, approximately 50 metres from Greenhithe Station. It falls within the urban area and is predominantly residential to the north, east and south whilst commercial development dominates to the west, including a supermarket and the Crossways Business Park to the west of the roundabout.

(2) The site covers an area of 0.48 hectares of greenfield land on the north side of Station Road. The land was identified for the development of the Fastrack route and so did not come forward as part of the residential development to the north. The new station approach road and Fastrack route to Ingress Park was completed several years ago now and the application site is residual land which has remained undeveloped. The southern boundary fronts onto Station Approach and the western boundary fronts Station Road. Between these application site boundaries and the adopted footway is a grassed strip verge, owned and managed by KCC Highways which comprises road signage and street lights. The northern boundary of the application site is shared with rear gardens of houses along Woodland Way and Admirals Walk which is lined with trees and vegetation for much of the boundary and which are set at a higher ground level than the application site. The ground levels of the application site gradually slope downwards to Station Approach and slope steeply downwards to the western end of the site towards Station Road. The entire site slopes gradually upwards to the east with the gradient of Station Approach where the east side of the site occupies the highest ground level.

(3) The site is made up of low level vegetation, scrub and grassland and several semi-mature trees. The ground levels increase in height from south to north where the site backs on to housing in Woodland Way and slopes gradually up to the east in line with the Station Approach gradient. Although the site has effectively been created by the creation of Station Approach and the Fastrack route it has been a greenfield grassed site for several years.

## THE PROPOSAL

(4) The proposal is for the erection of 3 buildings up to four storeys in height to provide 47 flats with off-street car parking, communal amenity space, hard and soft landscaping, recycling and refuse storage facilities and new vehicular accesses serving the site from Station Road and Station Approach.

(5) The proposed development involves the erection of 3 separate blocks within the site. Block A to the west side would be part 3, part 4 storeys in height comprising 15 apartments, block B would be 4 storeys comprising 19 apartments and block C would be part 3 storey adjacent to no.21 Woodland Way rising to 4 storeys closer to Station Approach comprising 13 apartments.

(6) The proposed accommodation would comprise 15 x 1 bedroom flats and 32 x 2 bedroom flats and a total of 47 car parking spaces plus 1 delivery vehicle space in each car park. Vehicular access to the proposed development would be taken from the east side of the site off Station Road, approximately 50 metres from the roundabout and from a separate access to the east side of the site from Station Approach.

## RELEVANT HISTORY

(7) 20/00565/FUL - Erection of a building of up to 5 storeys containing 66 dwellings comprising of 1 and 2 bedroom flats with associated parking and hard and soft landscaping - withdrawn 18.03.2021.

(8) 17/00883/RCON - Application for removal of condition 26 of planning permission DA/16/00016/OUT relating to the completion of the medical centre - refused 17.07.2017. A subsequent appeal was allowed on 21st December 2017 and an application for costs was awarded against the Council.

(9) 16/00016/OUT - Outline application (approval sought for access only) for the erection of up to 33 residential units, comprising 3 x 3 bed houses and 4 x 2 bed houses, 15 x 2 and 11 x 1 bed apartments, together with medical centre and associated parking, landscaping and amenity space - approved 09.06.2016

(10) 14/01035/OUT - Outline application (approval sought for access only) for the erection of up to 33 residential units, comprising 3 x 3 bed houses, 4 x 2 bed houses and 26 x 1 bed apartments, together with medical centre and associated parking, landscaping and amenity space - refused 11.11.2015.

(11) 02/01206/FUL - Erection of a detached 3 storey office building together with 40 car parking spaces and new access road - refused 07.04.2003.

## COMMENTS FROM ORGANISATIONS

(12) Environment Agency - No objection subject to conditions requiring information relating to contamination and drainage.

(13) KCC Highways - No objections subject to conditions requiring submission of a construction management plan.

(14) Environmental Health - No objection subject to conditions.

(15) KCC Flood & Water Management - No objection subject to conditions requiring a surface water drainage scheme and a verification report.

(16) Natural England - No objection. The proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

(17) KCC Biodiversity - No objection subject to conditions requiring a detailed management plan, a plan showing Ecological Features to be incorporated into the site and a lighting strategy for the site.

(18) KCC Heritage and Archaeology - No objection subject to a watching brief and a written scheme of investigation.

(19) DBC Housing Manager - No objection. The application and proposals for the provision of affordable housing are not policy compliant. However, it is accepted that the applicant has provided evidence of viability demonstrating a deficit on 100% private scheme but is willing to provide 11% affordable housing on a shared ownership basis. It is also accepted that the provision of affordable rent is not viable given the current deficit and the location of the affordable units within a private block.

(20) KCC Developer Contributions - KCC notes that the Borough has introduced its Community Infrastructure Levy and highlight infrastructure requirements that this development will require which are covered by CIL payments, which includes primary and secondary education of £54,400.00 and £41,408.00 respectively. KCC asks that the Borough Council prioritises the CIL funds received to ensure the impacts are mitigated. They also seek funding for community service requirements which are not covered by CIL and require £2606.15 towards library book stock, £771.74 for Dartford adult education additional IT equipment, £6903.36 towards social care, £3078.50 towards improvement of youth services and £8,632.49 towards a new waste transfer station. They also seek a condition requiring High Speed Fibre optic connections. They also require all units to be wheelchair accessible and adaptable.

(21) Council's Arboricultural Consultant - No objection subject to conditions. The proposal does appear to provide more of a landscape buffer along the northern boundary with the adjoining properties of Woodland Way. This northern buffer is an improvement, although due to the relocation of the buildings closer to southern boundary it does compromise the available space for any significant planting along Station Approach Road. The overall landscaping strategy that is proposed does appear to be native friendly but where space allows, larger tree species such as Hornbeam, Lime and Field Maple should be considered to give structure and longevity to the planting. Full details on plant sizes, numbers, planting densities and a maintenance programme will need to be provided, although this could be secured by a suitable landscaping condition.

(22) NHS (Clinical Commissioning Group) - No response. The NHS have responded informally that as Dartford is a CIL authority, the CCG would not generally comment on specific applications unless there are significant impacts arising from a proposed development.

(23) Thames Water - No objection subject to standard conditions.

(24) Southern Water - No objection subject to standard conditions.

#### NEIGHBOUR NOTIFICATION

(25) Swanscombe and Greenhithe Town Council - Objection summarised as follows:

- Overdevelopment of the site which is not compatible with surrounding developments.
- Would have adverse effects on nearby existing properties.
- Parking provision does not meet the requirements/standards and would be insufficient for all residents and visitors which will result in excess vehicles parking in adjacent roads that already suffer with serious parking issues.
- Proposed access/egress points are not suitable as these are already busy roads (for the train station) and especially at peak times when drop offs and pick ups occur. Further traffic in this area will make it dangerous and more difficult for the users of the roads in this area.

- Proposal must include mitigating provisions regarding the environmental impact and the needs of the community for their development and include the provision of Electric Vehicle Charging Points.
- It is not felt that the benefits of developing this site for high density housing would be outweighed by the disbenefits.

(26) A wide consultation was carried out of neighbouring residents and businesses and representations of objection have been received from 162 people and 1 neutral representation. These objections originate from 68 different streets within Dartford Borough and 1 from outside the Borough. Many objections received contained issues relating to the amount of development in Greenhithe, the decline of Greenhithe and the planning history of the site, not directly related to the proposed development. The Planning related objections relevant to the proposed development are summarised as follows:

- Overdevelopment of the site containing too many dwellings.
- Buildings too high and dense and will be visible in the skyline ruining views. Will have an overbearing impact on residents of Woodland Avenue.
- Reduction in residential amenity.
- Will result in additional traffic congestion.
- Adverse impact on highway safety at the roundabout.
- Adverse impact on infrastructure such as schools, dentists, hospitals and doctors surgeries capacity.
- No infrastructure to accompany the proposal and no medical centre provided.
- Loss of important green space/corridor and natural habitat which acts as a buffer between existing residents and a heavily polluted road network.
- Loss of trees and vegetation.
- Insufficient parking which will result in parking within surrounding roads. 1 space per flat is not enough and no visitor parking provided.
- Insufficient loading and turning facilities.
- Overlooking and loss of privacy. Overlooking from balconies.
- Noise and pollution during construction.
- Increased noise and disturbance from residents and cars entering and leaving the site.
- Increased air pollution in an area already polluted.
- Design and layout is out of character with surrounding area.
- Overshadowing and loss of sunlight and daylight to neighbouring houses.
- Limited visibility to the proposed access to the site on a hill.
- Access to Station Road is too close to the zebra crossing.
- Increased potential for crime/anti-social behaviour.
- Greenhithe already overpopulated and do not need additional flats.
- Pressure on refuse collection and water supplies.
- Insufficient affordable housing provision.
- Flats are small and cramped with no outdoor space.
- No benefit to the area and does not meet local needs.
- No electric vehicle charging points provision.
- No details of secure vehicle entry system provided.
- Poor access to bins for collection.
- The benefits do not outweigh the disbenefits.

#### RELEVANT POLICIES

(27) The Dartford Core Strategy 2011, the Dartford Development Policies Plan 2017 and the Kent Minerals and Waste Local Plan 2016 form the Dartford's Development Plan and the application should be determined against this unless material considerations indicate otherwise.

(28) Adopted Dartford Core Strategy adopted 2011

CS1: Spatial Pattern of Development  
CS10: Housing Provision

CS11: Housing Delivery  
CS14: Green Space  
CS15: Managing Transport Demand  
CS16: Transport Investment  
CS17: Design of Homes  
CS18: Housing Mix  
CS19: Affordable Housing  
CS21: Community Services  
CS23: Minimising Carbon Emissions  
CS24: Flood Risk  
CS25: Water Management  
CS26: Delivery and Implementation

(29) Adopted Dartford Development Policies Plan 2017:

DP1: Presumption in favour of sustainable development  
DP2: Good Design  
DP3: Transport Impacts of Development  
DP4: Transport Access and Design  
DP5: Environmental and Amenity Protection  
DP6: Sustainable Residential Locations  
DP8: Residential Space and Design in New Development  
DP9: Local Housing Needs  
DP11: Sustainable Technology and Construction  
DP13: Designated Heritage Assets  
DP24: Borough Open Space  
DP25: Nature Conservation and Enhancement

(30) Dartford Local Plan to 2037 - pre-submission Document September 2021. The policies in the draft Plan are now a material consideration in the determination of planning applications but currently carry only limited weight.

(31) Dartford Parking Standards Supplementary Planning Document 2012.

(32) The National Planning Policy Framework 2021 is also a material consideration as well as the National Design Guide.

## BACKGROUND

(33) In April 2003 an application (ref.02/01206/FUL) for the erection of a detached 3 storey office building in the centre of the site together with 40 car parking spaces and new access road was refused on grounds that, "by reason of its overall size, bulk and location, the proposed development would have resulted in an overbearing impact on residential properties in Woodland Way, contrary to Policy B1 of the Dartford Local Plan and Policy DD11 of the Dartford Local Plan Review Second Deposit Draft".

(34) In November 2015 an outline application (ref. 14/01035/OUT) for the erection of up to 33 residential units, comprising 3 x 3 bed houses, 4 x 2 bed houses and 26 x 1 bed apartments, together with a medical centre and associated parking, landscaping and amenity space was refused by the Development Control Board on the following grounds: (1) The proposal would allow for an excessive proportion of one bed flats at the expense of family housing provision contrary to Policy CS18 of the Core Strategy, and the resultant high density layout compounded by the near proximity to the existing residential dwellings to the north would constitute an unneighbourly form of development, out of character with its immediate surroundings and this would not be outweighed by the favourable accessibility factor, and; (2) The proposal would be contrary to Policy CS10 of the Core Strategy in that the benefits of developing this windfall site for high density housing would be outweighed by the disbenefits.

(35) In June 2016, an outline application (ref. 16/00016/OUT) for the erection of up to 33 residential units, comprising 3 x 3 bed houses and 4 x 2 bed houses, 15 x 2 and 11 x 1 bed

apartments, together with medical centre and associated parking, landscaping and amenity space (consideration of access only with all other matters reserved) was approved by the Development Control Board.

(36) In July 2017, an application (ref. 17/00883/RCON) was refused for outline planning permission (approval sought for access only) for the erection of up to 33 residential units, comprising 3 x 3 bed houses and 4 x 2 bed houses, 15 x 2 and 11 x 1 bed apartments, together with medical centre and associated parking, landscaping and amenity space without complying with condition 26 attached to planning permission Ref DA/16/00016/OUT. Condition 26 required that "Prior to the 23rd occupation of the residential development hereby approved, the medical centre shall be constructed, completed and be available for use in accordance with the details to be submitted pursuant to condition 1. The reason given for the condition is: To secure and enable delivery of the medical centre for the benefit of the local community. The application was recommended for approval by officers on grounds that after consultation with the Clinical Commissioning Group (CCG), it was concluded that the location and size of the facility were not consistent with the CCG's strategic estate plans to develop a suitably sized facility to accommodate current and new populations in the area. The CCG raised no objections to the removal of this condition. The application was, however, refused by the Development Control Board for the following reason:

"The removal of condition 26 of planning permission DA/16/00016/OUT would reduce the likelihood of the medical centre being delivered, which, as a community facility, was considered a key benefit in favour of the principle of the development. The removal of this condition would therefore reduce the value of that benefit to the extent that it is considered the disbenefits would outweigh the benefits contrary to Policy CS10 of the adopted Core Strategy 2011".

(37) The application was subsequently allowed at appeal on 21st December 2017 on grounds that applying condition 26 would require the speculative construction of a medical centre without an identified end user and the position of the CCG means that to require the completion and making available of a medical centre prior to the occupation of the 23rd residential unit would not meet the tests of reasonableness and necessity that must be applied to condition 26.

(38) Reserved matters applications were not submitted for this application and the permission has since lapsed.

(39) Application (ref. 20/00565/FUL) for the erection of a building of up to 5 storeys containing 66 dwellings comprising of 1 and 2 bedroom flats with associated parking and hard and soft landscaping was withdrawn in March 2021 due to officers concerns relating to overdevelopment of the site, excessive scale of the proposed building, poor design and layout, adverse visual impact, loss of sunlight and daylight and overshadowing to rear gardens on Woodland Way together with overlooking of their rear gardens and windows, loss of trees and vegetation to the north boundary, insufficient landscaping and communal amenity space, insufficient biodiversity enhancements and poor quality residential accommodation at ground level and outlook and light to bedrooms facing the rear deck access. The applicant has sought to overcome the concerns raised by officers and residents and the application now submitted is to address these many issues. The current proposal is significantly redesigned using new architects and based on the advice given by officers prior to the withdrawal of the previous application.

## COMMENTS

### Key Issues

(40) The key issues relevant to the determination of this application are the principle of development given the site's planning history, location and inclusion within the Council's SHLAA, layout, scale and appearance, transport and highway considerations relating to sufficient parking, access to the site and traffic generation; affordable housing provision, impact on surrounding residential amenity, quality of residential accommodation including open space

provision, the impact on biodiversity, biodiversity net gain and enhancements, contamination and drainage.

#### Principle of Development

(41) The application site falls within the Thames Waterfront priority area for development where Policy CS10 of the Dartford Core Strategy makes provision for up to 3,750 homes within this priority area. Policy CS10 states that the main housing needs in the Borough are made provision for in the priority areas and within the SHLAA and advises that sites not identified in the SHLAA will be assessed in the same way as planned development - a) sustainability, b) whether benefits of development outweigh disbenefits, c) capacity of infrastructure, d) ability to provide infrastructure.

- o The application site is included in the draft Dartford Borough Council Strategic Housing Land Availability Assessment (SHLAA) at site 102 and has been assessed to provide up to 47 residential units with the following constraints identified to the site: Archaeology; Noise; Access.

(42) The draft SHLAA forms part of the publication of the pre-submission Local Plan, the consultation period for representations has finished at the time of writing this report but these representation are still to be considered and are due to be submitted to the Inspector at the end of this year. The site's inclusion within the SHLAA does not indicate that any such residential planning application would be approved but it does mean that it has been considered as part of the emerging Local Plan. Similarly SHLAA information on suitability, identified site constraints or residential capacity (in particular) should not be considered as necessarily sufficient or comprehensive for the purposes of making a planning application, however, it will represent a material consideration in its consideration.

(43) Therefore, until the SHLAA is formally adopted, the site will remain classified as a windfall site. Policy CS10 (4) requires assessment of all sites not identified as deliverable or developable in the SHLAA against the same criteria used for planned development, to avoid undermining the strategic approach. This requirement is further echoed in policy DP6 (2).

(44) As the Council has in excess of a 5 year housing land supply, the proposed development should be wholly acceptable in relation to all other relevant development plan policies and material planning considerations in terms of the benefits of the development outweighing any disbenefits. A major development of this scale may have a significant impact on planned infrastructure and local housing needs which has not been taken into consideration.

(45) The Borough of Dartford has a large housing land supply relative to the size of the current population, and the Core Strategy made provision for up to 17,300 homes in the 20 year period to 2026. This makes capacity for both meeting housing needs and providing an impetus for regeneration. To avoid adverse impact from such a significant increase on existing and proposed communities, a strong spatial strategy for growth has been adopted and is predominantly through development of large sites within the 3 priority areas identified by policies CS1-CS6, allowing for planned provision of infrastructure. These large strategic sites and other sites were identified in the Council's Strategic Housing Land Availability Assessment 2010 as delivering approx 15,000 new homes between 2011 and 2026. The long term housing supply can therefore largely be met. As of November 2020, Dartford Borough can demonstrate 4,591 deliverable dwellings in the period which equates to more than five years supply of deliverable housing sites. It means Dartford's robust 5 Year Deliverable Housing Land Supply remains fully compliant with new national policy (with 5% buffer). Dartford's current minimum LHN figure is now confirmed for 2020 at 776 homes per annum. This is within the Dartford Local Plan current housing aims of 585 to 865 dwellings per annum and the deliverable 5 year housing supply is currently 5.63 years.

(46) The principle of development has been accepted by the grant of planning permission 16/00016/OUT for the erection of up to 33 dwellings on 9th June 2016 at Dartford Development Control Board meeting together with the allowed appeal for the removal of condition 26 to exclude the provision of a medical centre. The Planning Inspector in his report dated 21

December 2017 stated "I am not persuaded that the principle of a residential development of the density allowed would be unacceptable in this location if it was not enabling the bringing forward of a medical centre". The Inspector considered that Policy CS10 does not preclude windfall development on sites which do not comprise previously-developed land. The development approved would be supported by this policy in being within an urban area with a good range of services nearby and conveniently located for bus and train travel. The Inspector concluded that "the relatively small development of up to 33 units would not prejudice the Council meeting the CS target for 80% of brownfield development which the evidence shows is being achieved. The development is not rectifying a five year housing land supply deficit but nonetheless the location is highly sustainable in respect of the adjacent train/bus interchange and nearby food store, despite the nearest schools being more than the ideal 10 minute walk away". Given the above, it is considered that there have been no significant change of circumstances since this appeal decision, except that the site is now included within the draft Strategic Housing Land Availability Assessment (SHLAA) where it has been judged to have satisfied all assessment criteria and found to be a suitable, available, achievable and 'deliverable' site for provision of up to 47 units.

(47) The impact on infrastructure is one of the assessment criteria for windfall sites. However, given the site is included in the Council's draft Strategic Housing Land Availability Assessment as a deliverable or developable major housing development site, it is considered that the main infrastructure impact of the development would be addressed by the CIL contribution of £577,000.00, also given that the proposed development is not of sufficient scale to significantly impact on local infrastructure where the proposed dwellings would yield a maximum of 108 people within a period of the next 2 to 5 years where the build time is estimated at 2 years. In addition, as the CCG have not responded to the consultation, it is assumed that they do not consider the impact of the proposed development cannot be provided for in their plans to provide additional healthcare provision. The applicants have also submitted an Infrastructure Impact Assessment which concludes that a review of the estimated total number of future residents and the estimated total number of primary and secondary age children generated by the proposed development, there are not expected to be any impacts on the education and primary healthcare provision in the long term at the local level as a result of the proposed development. Similarly, there are not expected to be any adverse cumulative effects on secondary educational facilities or primary healthcare provision in the long term at the local level. There is sufficient capacity within the existing primary education provision to accommodate the children of primary age generated by the proposed development and those generated by the cumulative sites. Furthermore, with the delivery of the proposed educational infrastructure in the borough, particularly within the locality of the site, there will be further surplus capacity in primary education provision. As such, there is not expected to be any cumulative effect on primary educational facilities in the long term at the local level.

(48) The proposed development would also provide 10.6% affordable housing provision meeting the minimum requirement of 10% set out in paragraph 65 of the NPPF 2021, which is acknowledged to be below, the 30% policy requirement. However, this is due to the proposed development not being viable with any larger provision and is justified by the submission of a Viability Assessment.

(49) I consider, therefore, that the principle of development is acceptable subject to compliance with other local and national policy requirements addressed below.

#### Layout, Scale and Appearance

(50) Policy DP2 of the Dartford Development Policies Plan 2017 states that development will only be permitted where it satisfies the locally specific criteria for good design in the Borough responding to, reinforcing and enhancing positive aspects of the locality and ensuring appropriate regard is had to heritage assets. Consideration will be made of the height, mass, form, scale, orientation, siting, setbacks, landscaping and access.

(51) Policy DP5 states that particular consideration must be given to areas and subjects of potential sensitivity in the built and natural environment and other potential amenity/safety factors.



(52) Policy CS17 of the Dartford Core Strategy relates to the design of homes and seeks to achieve quality living environments and requires the application of the principles of Kent Design. It sets criteria for the design of homes including appropriate internal spaces and useable private amenity space. The policy also sets out broad indications of appropriate net densities, which for this site is over 50 dwellings per hectare.

(53) The proposed development provides 3 separate blocks of apartments within the site, block A to the west side fronting the roundabout at the junction of Station Road and Station Approach, block B fronting Station Approach sited to the southern boundary within the centre of the site and block C to the east end of the site.

(54) The proposal is significantly reduced in scale and bulk in comparison to that proposed in the previous application 20/00565/FUL withdrawn in March 2021. Block A is part 3, part 4 storeys in height comprising 15 apartments. Block B is 4 storeys comprising 19 apartments and block C is part 3 storey adjacent to no.21 Woodland Way rising to 4 storeys closer to Station Approach comprising 13 apartments.

(55) The blocks have been scaled to ensure no significant overlooking or overshadowing of neighbouring houses and rear gardens within Woodland Way and are sited appropriate distances from these houses. Block C is sited to the south flank side of 21 Woodland Way, reflecting the current pattern of development of houses along the east side of Woodland Way incorporating east/west aspects.

(56) A parking area containing 21 spaces including a delivery van space would be located between blocks B and C terminating approximately 4 metres from the north boundary with 12 Woodland Way. Another parking area containing 28 spaces including a delivery van space and 3 disabled spaces would be located between the rear of block A and the northern boundary with nos. 4 and 6 Woodland Way and terminating approximately 4 metres from their rear boundary. The spaces between the blocks would be used as landscaped communal amenity areas and to facilitate the biodiversity mitigation and enhancements given the site's greenfield status.

(57) Given the change in land levels between the site and the nearest neighbouring houses in Woodland Way, I consider that provision of 4 storey blocks are appropriate on this site. Block A, sited at the lowest ground level of the site would be approximately 2 metres higher than the roof ridge of no.6 Woodland Way and 15 metres from its rear garden boundary. Block B would be approximately 1 storey higher than the roof ridge of Woodland Way houses and would be sited approximately 30 metres from the rear elevations of nos. 8 to 12 Woodland Way and 19 metres from their rear garden boundary. Block C is sited at an obscure angle to nos. 8 to 12 Woodland Way and given the part 3 storey scale closest to the houses and rising to 4 storeys further away to the south, the scale and siting would not have such a significant visual impact. Given the 4 storey scale of the proposed blocks and separation distances between the blocks and Woodland Way houses and the lower ground levels within the application site, it is considered that the scale and siting of the proposed blocks are acceptable and would not have an adverse visual impact when viewed from rear gardens of windows of nos. 4 to 12 Woodland Way.

(58) The layout and separation of the blocks provide: visual permeability through the site to provide additional light and views; landscaping to enhance the visual appearance of the site; and an appropriate green setting to the blocks as well as pleasant communal amenity spaces and pedestrian routes within and around the blocks. The separate blocks also allow the provision of balconies to the side elevations to prevent undue overlooking to surrounding houses and a higher level of amenity for future residents of the apartments, for example avoiding disturbance from the adjacent roads.. Access to the site to provide 2 separate parking areas reduces the amount of hard road surface within the site and to ensure that cars do not drive through and around the site as proposed previously, creating additional pollution noise and disturbance to surrounding residents. Landscaping to the northern boundary and east corner of the site is proposed to provide a visual and noise buffer in addition to retaining the trees and vegetation to the north boundary. It is considered, therefore, that the layout of the proposed development is acceptable.

(59) The shape of the blocks are effectively governed by keeping the scale of the blocks to a minimum by incorporating shallow sloping mono-pitch roofs rather than flat roofs to provide more visual interest. The blocks would be constructed of red multi bricks and would have a monolithic design incorporating predominantly square and rectangular features throughout as a design concept. The use of large grey aluminium windows and wide glazed doors to the balconies create additional interest to the facades and a sense of openness and modernity to the design. A variety of grey aluminium window styles and sizes with framed inset balconies and projected grey bay windows along the front elevations to create visual interest to the most visually prominent facades and creating a variety of form to the elevations. Block A would incorporate an impressive cantilevered overhanging section of the building facing the roundabout to provide a quality visual feature at the most visually prominent part of the site facilitating 5 parking spaces below within the recess and the main residents entrance to the building providing cover and focal feature.

(60) As such, I consider that the overall design and layout of the proposed development is of high quality and would create an appropriate visual statement development on this prominent corner site. The scale of the proposed building at part 3, part 4 storeys is appropriate on this site given the separation distances between the buildings and Woodland Way houses and lower ground levels and thus would accord with Policies DP2 and DP5 of the Dartford Development Policies Plan 2017 and Policy CS17 of the Dartford Core Strategy. I also consider that the proposal complies with the ten characteristics set out in the newly published National Design Guide and the high quality design and layout of the proposal would be considered as a benefit of the development in creating a quality design.

#### Impact on Surrounding Residential Amenity

(61) Policy DP5 of the Development Policies Local Plan 2017 states that development will only be permitted where it does not result in unacceptable material impacts, individually or cumulatively, on neighbouring uses, the Borough's environment or public health.

(62) As set out above, the separation distances of the between the blocks and Woodland Way houses are appropriate at the proposed scale and ground levels. The property most affected by the proposals would be no.6 Woodland Way as the closest house with a relatively shallow rear garden and a glazed rear conservatory. The rear boundary includes a line of mature trees to the southern section of the garden but an open area to the west side next to the patio/seating area.

(63) The rear side boundary of no 6 is located approximately 15 metres at the closest point to the rear elevation of block A. The proposed section drawings show that the 2nd floor of block A would be level with the 1st floor of no.6 Woodland Way and separated by a distance of approximately 20 metres. The 3rd floor of block A is sited slightly further away to the south and at a slight obscure angle. However, the 3rd floor windows to this elevation are angled facing north and south and not towards the rear of no.6 Woodland Way. It is considered therefore, that there would be no significant overlooking of this property or adverse visual impact from block A on the amenities of the residents.

(64) The separation between block B and the rear windows of nos. 6 to 12 Woodland Way is approximately 30 metres and is an appropriate distance given the 4 storey scale of the block which would be only 2 metres higher than the roof ridge of these houses. The distance between the rear elevation of block B and the rear boundary to these house is 19 metres and is also appropriate given the 4 storey scale and reduced ground levels. The existing trees to the rear boundary and additional tree planting within the communal amenity area will also assist in providing an additional screen.

(65) The residents of no.21 Woodland Way have objected on grounds of overlooking from the rear east facing windows of block C. Block C is designed to continue the existing pattern of development of houses along the east side of Woodland Way, and therefore outlook from 1st and 2nd floor rear bedroom windows is eastwards across the landscape area with only oblique views toward the rear garden of 21 Woodland Way which constitute a normal form of indirect overlooking(as if from an adjacent house) which avoids the more private area next to the rear

elevation, in this case a patio and seating area. The residents of 12 Woodland Way have raised objection from overlooking of their rear garden from the upper floor west living room windows and balconies of block C. However I consider that as the overlooking is not direct and the only potential would be from the 1st and 2nd floor balconies within the 3 storey section of this building which are set 15 metres from the south east corner edge of the rear garden and approximately 27 metres at an oblique angle towards rear windows. As such, I consider that due to the distance and oblique angle of view, there would be no significant overlooking which would be unacceptable and would justify refusal of planning permission.

(66) A transient shadow study has been submitted to demonstrate that the reduced scale of the proposed development in comparison to the previous withdrawn application is significantly improved and would not result in any significant overshadowing of rear gardens of Woodland Way houses. The study shows that there would be some overshadowing of these gardens in the mid to late afternoon on 21st March and 21st September but not in the morning and by 6pm, the whole area is predominantly in shadow due to the early setting sun. By 21st June within the summer when most residents will be using their gardens, the study shows that there would be no overshadowing of neighbouring gardens at all up to 6pm. Then by 21st December, there would be some overshadowing of rear gardens after midday but it would not be significant given the time of the year when residents will mostly be inside and the entire area would be overshadowed after 3pm. It should be noted that the transient shadow study modelling cannot include the existing tree line to the rear gardens boundary into consideration which will result in some overshadowing of the rear gardens on 21st March, 21st September and 21st December currently.

(67) A Daylight and Sunlight Study has been submitted to consider any loss of sunlight or daylight to surrounding windows, particularly those of 4 to 12 and 21 Woodland Way. The study uses the various numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition 2011. It concludes that all neighbouring windows (that have a requirement for daylight or sunlight) pass the relevant BRE diffuse daylight and direct sunlight tests and that the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.

(68) The car parking areas are inset from the rear boundaries of Woodland Way houses by 4 metres and set behind a 1.3 metre high retaining wall at its highest point and the slope up to the rear boundary. These measures together with additional landscaping to the sloping verge will help to provide an acoustic buffer to the car park and prevent any undue noise from revving engines, doors slamming and people conversing within the parking areas. A Noise Report has also been submitted to support the application addressing noise levels arising from vehicle movements within the car parking areas. The results of the assessment conclude that resultant noise levels will not cause undue disturbance to neighbouring residents.

(69) In terms of light intrusion, a lighting report has been submitted to support the application which confirms that the external lighting will be provided by building mounted luminaires, bollards, column mounted luminaires and recessed low/medium level luminaires which will cover pedestrian way finding, the car parking area, entrance canopies, amenity areas and private balconies. The private balconies will be illuminated with light fittings that will provide suitable illuminance levels and will also aim to minimise any light intrusion to the neighbours. The six properties at 4 to 12 and 21 Woodland Way have been assessed as they are likely to be the most affected properties. As a worst-case scenario, it was assumed that the lighting in the buildings' entrances, the circulation lights along the footpaths and the lighting in the car parking area and the driveways to the development would be at 100% from dusk till dawn for safety and security purposes. The lights on the private balconies are expected to be controlled by the tenants and as a worst-case scenario these were also assumed to be switched on at 100% from dusk till dawn. Measures that will be taken to avoid glare and minimise the impact of any external lighting installations on the surrounding footpaths and any environmental sensitive areas are as follows:

- Minimise the spread of light to downwards direction only and ensure minimal light spillage to the surroundings, by using flat cut-off diffusers and covers or

- other accessories, to shield or direct light to where it is required and restrict it from distributing upwards or horizontally;
- Where possible, narrow beam angle luminaires to be utilised to limit illumination to target areas;
- Limit the times when lights will be on to provide dark periods (where possible), as adaptive lighting can tailor the installation to suit human health;
- Mounting heights of building mounted luminaires to be considered to ensure illumination is focused to targeted areas/surfaces;
- Use light sources that emit minimal ultra-violet light;
- Avoid white and blue wavelengths of the light spectrum to reduce insect attraction.
- Luminaires shall distribute light downwards to focus on paths and away from windows and doors, and will be located to ensure that minimal impact is made on neighbouring properties and the surrounding areas.

(70) Environmental Health have been consulted and raise no objection to the proposal. A condition is recommended requiring full details of the lighting and mitigation measures to be implemented prior to occupation of the development.

(71) Although I recognise resident's concerns about change due to the development of the application site I can find no reason to justify refusal of planning permission on the grounds of impact on neighbouring amenity. I consider that the proposed development under consideration has been carefully designed to mitigate any adverse impact on surrounding residents and thus I consider that it would have no significant impact on surrounding residential amenity in accordance with Policy DP5 of the Development Policies Local Plan 2017.

#### Living Conditions for Future Occupiers

(72) Policy DP5 of the Development Policies Local Plan 2017 states particular consideration must be given to areas and subjects of potential sensitivity in the built and natural environment and other potential amenity/safety factors.

(73) In accordance with Policy DP8, all new dwellings should meet the Nationally Described Space Standards unless the site circumstances can justify an exception. Development should contribute to the accommodation requirements of residents with restricted mobility, or as they age. Accessible/ adaptable accommodation should be maximised on each site under Core Strategy Policy CS18:1c.

(74) The proposed layout of the apartments would be acceptable and the internal floor areas of the apartments provided would meet the minimum requirements of the National Space Standards and Policy DP8. All of the flats will benefit from level access through from the street to the flat entrances via lifts. The architects have confirmed that all of the flats would be classed M4(2) (accessible/adaptable) or M4(3) (wheelchair user dwellings) as accommodation in accordance with Policy DP8 and to meet the requirements of the building regulations.

(75) All flats within the building would have access to a good sized useable private balcony space as well as use of the communal gardens around the blocks. Balconies which face or are close to Station Approach and Station Road are inset to provide a quieter, covered and less polluted amenity space.

(76) A Daylight and Sunlight Report has been submitted to determine the sunlight and daylight levels achieved within the proposed flats. The study uses the numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a good practice guide, 2nd Edition 2011. The modelling results report conclude that the proposed development design achieves a very high level of compliance with the BRE recommendations. Whilst a small number of rooms and outdoor amenity areas do not meet the recommendations, the results are not unusual in the context of an urban location. In conclusion, I consider that the proposed design will provide the development's future occupiers with adequate levels of natural light and acceptable living standards whilst making efficient use of land.

(77) The submitted Lighting Assessment addresses the potential impact of street lights situated to the boundary edges of the site serving Station Approach and the corner of the roundabout which would be in close proximity to blocks A and B where there is potential for light intrusion from the street lights into apartments facing the road. To assess the extent of this impact, the proposed building and the existing street lighting have been modelled and simulated with the exact coordinates of the streetlight fittings as well as the type of luminaires (manufacturer, range, lumen output etc) provided by Council officers to assist in conducting the assessment. The modelling concludes that the light intrusion into the apartments from the expected street lighting is expected to be minimal based on the current development layout and the type/position/orientation of the existing streetlights and their distance from sensitive areas (apartment balconies).

(78) The submitted Noise Report concludes that noise within the proposed residential accommodation can be mitigated with sufficient acoustic double glazing to windows and installation of acoustic ventilation to avoid the opening of windows if necessary.

(79) An Air Quality Assessment has been submitted which concludes that annual mean concentrations and residual impacts are predicted to be below the air quality assessment levels (AQALs) at the residential units closest to the roads. Therefore, air quality at the proposed development will be acceptable for future residential occupiers. Mitigation measures to reduce pollutant emissions from road traffic are being delivered in the longer term by the introduction of more stringent emissions standards, largely via European legislation and therefore, it is not considered appropriate to propose further mitigation measures for this scheme beyond the requirement for EV charging infrastructure.

(80) Environmental Health have been consulted and raise no objection to the proposal subject to conditions to ensure that the noise mitigation measures are implemented prior to occupation and to offset the air quality impacts of the development and future proof the site by requiring the provision of active electric vehicle charging points prior to first occupation and that all parking allocation is provided EV charging infrastructure to allow for active charging points to be installed as demand increases.

(81) Overall, subject to conditions, I consider that the new residents will be able to enjoy a good living environment in accordance with Policies DP5 and DP8 of the Development Policies Local Plan 2017.

#### Transport and Highway Considerations

(82) Policy CS15 of Dartford Core Strategy 2011 states that in order to reduce the need to travel and minimise car use, the Council will develop a Car Parking standards SPD. The adopted Parking Standards SPD states that non-residential development should demonstrate that consideration has been given to the provision of electrical charging points.

(83) Policy DP3 of the Development Policies Local Plan 2017 states that development will not be permitted where the localised residual impacts from the development would result in severe impacts on road traffic congestion and air quality, highway safety or on-street parking pressure.

(84) Policy DP4 states that where appropriate, proposals should ensure that the extent and nature of proposed car parking provision, taking into account any existing provision, must be in full accordance with the adopted Parking Standards SPD.

(85) The site is well located in proximity to public transport 50 metres from Greenhithe train station and on the route of Fastrack buses with bus stops located at Greenhithe train station. Bus Services Fastrack A, Fastrack B, 475 and X80 can be accessed from these bus stops providing routes to Bluewater, Dartford town centre, Gravesend, Temple Hill and Chafford Hundred.

(86) Greenhithe Train Station sits on the London Charing Cross line (via Woolwich Arsenal and Lewisham or via Sidcup) and services are operated by Southeastern and Thameslink.

Services from Greenhithe station generally operate at a frequency of four per hour to London Charing Cross. There are two trains per hour to Gillingham (Kent) and two per hour to Gravesend.

(87) Access to the proposed development would be taken from the west side of the site off Station Road, approximately 50 metres from the roundabout and also from a separate access to the east side of the site from Station Approach, each providing access to a parking and servicing area. The access on the northern side of Station Approach is 6m in width and comprises a wide bell-mouth (Radii 6metres) on the eastern edge to provide space for a refuse vehicle to reverse into the car parking area. The western access on Station Road (B255) is 6m in width and consists of a similar arrangement comprising a wide bell-mouth (Radii 4metres) to accommodate a reversing refuse vehicle into the car park area. Pedestrian access would be provided via paths directly from the pavement to each block's resident entrance.

(88) A Transport Assessment (TA) has been submitted with the application. It confirms that the existing pedestrian infrastructure in the vicinity of the site is of a good standard. Station Approach comprises shared foot/cycleways on the southern side of the carriageway and a footway on the northern side with numerous crossing facilities. Crossing facilities are present at the Station Approach/Station Road (B255) roundabout across Station Approach, Station Road (B255) and Crossways Boulevard (A206). On Station Road (B255), approximately 35 metres north-west of the site's proposed egress, a pedestrian crossing facility provides access from the site to Asda situated on the western side of Station Road.

(89) In terms of cycle related infrastructure, an extensive and good quality cycle network also exists in close proximity to the site with clear way-finding information. A shared foot/cycleway is situated on Station Approach. Crossways Boulevard (A206) comprises dedicated cycle lanes on both sides of the carriageway which continue approximately 3.2km west to the A206/A282 Littlebrook Interchange, and then continue towards Dartford town centre utilising an off-road cycle route situated on the north-western side of the A282.

(90) Many objections have been received concerning insufficient parking provision for the proposed development. The Dartford Car Parking Standards require the provision of 1.2 spaces per home in this urban location and 3 visitor spaces per 10 homes resulting in a maximum provision of 70 parking spaces. The proposed development would provide 47 unallocated car parking spaces at 1 space per flat and 1 delivery vehicle/servicing space within each car parking area. No visitor spaces would be provided in addition to this. The Transport Assessment justifies the reduced parking provision by examining car ownership statistics for the Greenhithe Ward from the 2011 Census data which shows that privately owned flats in the vicinity of the site typically own 0.89 vehicles per unit, and shared ownership/rented flats own 0.68 vehicles per unit. Applying this to the proposed development equates to a demand for circa 39 vehicles and would leave approximately 8 parking spaces for visitors. By providing 1 car parking space per unit, the proposed development would provide parking in excess of the anticipated demand from prospective residents and would accommodate some visitors parking also without resulting in displaced parking on the local highway network. In the unlikely event of additional visitor parking being required, it is suggested that this could be accommodated on site or alternatively within the public car park at Eagles Road. The Transport Assessment confirms that the car parking spaces will not be sold or allocated to specific units in order to ensure spaces do not sit vacant and allow for different uses at different times. In addition, for residential developments consisting of unallocated car parking provision, it is recommended that 100% of proposed spaces should have access to an EVC point. It is suggested that 20% of spaces are fitted with active EVCP's with the remaining spaces fitting with passive provision to allow future conversion if demand warrants. This accords with the Environmental Health officers recommendation on provision of EVC points and future demand and secured by condition.

(91) In terms cycle parking, the Dartford Parking Standards require provision of 1 cycle space per flat and 1 space per 8 units resulting in a total provision of 53 spaces within a secure covered facility and in an easily accessible location for residents. The submitted plans and TA show that the proposed 53 sheltered cycle parking spaces would be located in segregated cycle stores within each block with 17 spaces within block A, 21 spaces within block B and 15 spaces

within block C. The cycle stores are shown to be close to the main entrances and thus would be easily accessible to residents to encourage the use of a more sustainable form of transport. A condition is recommended requiring full details of the cycle storage and that the cycle stores are maintained for cycle storage in perpetuity.

(92) The application has generated a large number of objections based on additional traffic that would be generated from the proposed development that would exacerbate existing high traffic levels at peak times resulting in queues to and from the roundabout. The Transport Assessment has undertaken junction modelling to present the cumulative effect of the development proposals and local committed developments in terms of changes in traffic flows at key local junctions, specifically the Station Approach/Station Road (B255) roundabout that provides the link to the A206 travelling south to the B255/A226 and west onto Crossways Boulevard that provides the connection to the A282. It concludes that the traffic generation of the development proposals would have a beneficial impact on the local highway network compared to the previously permitted development for 33 dwellings and is also not considered to be at a severe level. A junction modelling assessment has also been undertaken on the A206/Crossways Boulevard (A206)/Station Road (B255)/Station Approach Roundabout in the vicinity of the site. The assessment demonstrates that the proposed development would not lead to a material impact on the operation of this roundabout against that of the 2025 future baseline scenario.

(93) KCC Highways have been consulted and consider that the site is within a sustainable location with good access to rail and bus services. The site is within walking distance to local amenities. The site will have two separate vehicular accesses to the car parking areas for the residential units both of which would achieve acceptable visibility splays. They advise that the landscaping areas noted in the Design and Access Statement Chapter 11 and noted in paragraph 4.2.5 of the Transport Assessment may require landscaping proposed to be within the highway; any changes to the landscaping must be approved by KCC Soft Landscaping Team before commencing. KCC would not accept any landscaping areas which require increased maintenance. Details must be conditioned to be agreed with KCC before any work can take place on the highway. The updated trip generation figures have been provided and agreed with KCC, which have been derived from TRICS the industry standard software for trip rates. The proposals are likely to generate 3 arrivals and 10 departures in the AM peak hour (08:00-09:00), 9 arrivals and 4 departures in the PM peak hour (17:00-18:00), it is considered that the proposals will have a minimal impact on the roundabout of Station Road/ Station Approach/ A206/ Crossways Boulevard. KCC Highways recommend that the 47 spaces are controlled through a Car Parking Management Plan secured by a S106 legal agreement to ensure spaces are managed on site appropriately as set out in Chapter 5 of the submitted Transport Assessment which is acceptable.

(94) Therefore, subject to the submission of a Travel Plan, a Car Parking Management Plan and a Construction Management Plan together with a Travel Plan monitoring fee of £600 to cover the appointment of a Travel Plan Co-ordinator to monitor the plan for a period of 5 years, secured via a S106 legal agreement, KCC Highways raise no objection.

(95) I consider, therefore, that subject to suitable conditions and a S106 agreement set out above, the approach to transport and car parking on this site is appropriate for this highly sustainable location in accordance with Policy CS15 of the Dartford Core Strategy 2011 and Policies DP3 and DP4 of the Development Policies Local Plan 2017.

#### Ecology and Landscaping

(96) Policy DP25 of the Development Policies Local Plan 2017 states that development should avoid any significant adverse impact on existing biodiversity and any potential loss must be mitigated. Where mitigation measures require relocation of protected species this will only be acceptable when accompanied by clear evidence that the proposed method is appropriate and will provide for successful translocation. Developments will be expected to preserve and, wherever possible, enhance existing habitats and ecological quality, particularly where located in Biodiversity Opportunity Areas.

Policy CS14 of the Dartford Core Strategy 2011 states that biodiversity enhancements will be focussed on the Biodiversity Opportunity Areas.

(97) Paragraph 174 of the NPPF 2021 states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- 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;

(98) Paragraph 179 states that to protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity<sup>61</sup>; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation<sup>62</sup>; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

(99) Paragraph 180 states that when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

(100) The application site is not located within a Biodiversity Opportunity Area, nor within a Green/Wildlife Corridor due to its isolated location within an urban area. A Preliminary Ecological Appraisal has been submitted in support of the application which confirms that the site is dominated mainly by a number of 'habitat types' being scattered broadleaved trees, dense continuous scrub, tall ruderal and amenity grassland. The majority of the site comprises dense, continuous scrub with bramble which has gradually encroached south over former semi-improved grassland due to the lack of management. Tall ruderal successional species dominate the southern section of the site and the perimeter of the site comprises planted scattered broadleaved trees which are now semi-mature, planted approximately 15 years' ago. The appraisal considers that none of these are classed as Habitats of Principal Importance under Section 41 (S41) of NERC.

(101) The survey found that there were no signs of badger on the site, however there were areas within the dense scrub which were inaccessible. There are no features suitable to support a bat roost such as mature trees/structures and biological records show that bats are in the vicinity of the site, thus the site may have some value for foraging/commuting bats. The site is not considered to comprise suitable habitat to support hazel dormouse. The site is likely to support fox and the scrub and scattered tree habitats on the site all have the potential to support nesting birds. Based upon a reptile survey undertaken at the site in 2015 and subsequent assessment of habitat, further reptile surveys were originally not recommended. Following a request from KCC to undertake further surveys, subsequent reptile surveys were undertaken in 2020, but no reptiles were found. The desk study identified a single pond within 250m of the site, an isolated balancing pond located 120m southwest. The habitat between the site and the balancing pond comprises a busy dual carriageway, roundabout and railway and is therefore assessed as having negligible potential to support Great Crested Newts. The limited habitats on the site are unlikely to support a diverse assemblage of invertebrate species. And finally, no rare or protected flora were identified during the walkover survey and no non-native invasive species were identified. I consider, therefore, that the habitat value of the site currently is low based on the submitted Preliminary Ecological Appraisal.



(102) KCC Biodiversity officers were consulted on the submission and responded confirming they were happy with the results of the Ecological Appraisal but requested additional information on the suitability of the site to be used by breeding birds and foraging/commuting bats.

(103) The applicants in response have submitted a breeding birds survey and an updated bat survey report and a proposed landscaping plan for the site. The breeding bird survey confirms that amber and red listed species (which include house sparrows) have been recorded within the site but that the species recorded are those typically found within gardens/scrub, ie the habitats present within the site. The site will result an overall loss of scrub within the site and an increase in artificial lighting and therefore it is likely that the proposal will have a negative impact on the existing bird population. The updated bat survey confirms that during 3 activities surveys, low numbers of bats were recorded within the site.

(104) A site wide soft landscape masterplan has been submitted to both visually enhance the setting of the site and mitigate the visual impact of the proposed buildings and car parks but also to ensure the retention and enhancement of the ecological value of the site including mitigation measures to ensure that the completed development provides a good quality landscaping design and ecological environment. The soft landscaping plan shows the provision of tapestry hedge to the northern boundary on the west and east side of the site. The central northern boundary where a tree line of semi-mature trees currently exists is to be addressed with native planting and flower rich perennial and shrub planting which would also be provided around most of block A and the adjacent car park, the north side of block B and the north and south sides of block C. The east corner of the site tapering to a point would be planted with a wild flower meadow to enhance insects and bees and native planting to the southern boundary with Station Approach. The central communal amenity space would be laid with hardwearing grass seed mix and bounded by native planting to the north and Yew hedge to the east side. Planting to the road frontage would involve a mix of low planting and flower rich perennial and shrub planting to ensure visibility splays at the site entrances and to avoid interference with street lights and road signs. Extensive tree planting is shown to the north boundary of the site and to the east corner with several decorative trees within the amenity areas and to the gaps within the frontage to soften the appearance of the site and to provide visual benefits. The shallow roofs to the blocks would be green roofs and laid with 80mm min depth with sedum blanket and wildflower plug planting and log piles on block A and block C roofs.

(105) The Council's Arboricultural Consultant has been consulted on the details and considers that unlike the previous withdrawn application 20/00565/FUL, the proposed layout under consideration provides more of a landscape buffer along the northern boundary with the adjoining properties of Woodlands Way. This northern buffer is an improvement, although due to the relocation of the buildings closer to southern boundary it does compromise the available space for any significant planting along Station Approach Road. I would advise, however, that it is not possible to provide tree planting to the Station Approach boundary due to the presence of the street lights to the edge of the pavement as trees would interfere with the light projected and the columns. KCC were informally consulted on the previous application 20/00565/FUL and raised objection to tree planting to the road frontage. The overall landscaping strategy that is now proposed does appear to be native friendly where space allows, larger tree species such as Hornbeam, Lime and Field Maple should be considered to give structure and longevity to the planting. A landscaping condition is recommended, therefore, to secure full details on plant sizes, numbers, planting densities, biodiversity and a maintenance programme.

(106) KCC Biodiversity officers were reconsulted on the additional information and confirm that there will not be a significant impact on bats from the proposed development. The proposed landscaping and green roofs are likely to continue to provide foraging opportunities for bats within the site. Lighting can have a negative impact on bats and therefore it is recommended that the lighting is designed to minimise light spill on to the habitats within the site or impacting the bat tubes to be incorporated in to the buildings and secured by condition requiring a biodiversity lighting plan to follow the recommendations within the Bats and artificial lighting in the UK document. In terms of breeding birds KCC officers acknowledge that the proposal is intending to create areas of scrub within the site boundaries, green roofs and erecting bird boxes and therefore there will be suitable habitat within the site to support breeding birds. A

condition is, therefore considered necessary to ensure that these enhancements will be managed to ensure that they will provide opportunities to provide foraging and nesting opportunities for birds requiring the submission of a detailed management plan.

(107) The submitted information has detailed that 4 bat tubes and 2 sparrow terraces will be incorporated into the buildings. KCC officers consider that more features can be incorporated into the site and buildings and, therefore, a condition is recommended requiring a plan providing details of all ecological features within the site. A further condition is considered necessary to ensure that these enhancements will be managed to provide opportunities for foraging and nesting opportunities for birds within a detailed management plan.

#### Habitat Regulations Assessment:

(108) The site is located within 6-10km of the North Kent SPAs and Ramsar sites. The coastline of North Kent encompasses three Special Protection Areas (SPAs): the Thames Estuary and Marshes SPA; the Medway Estuary and Marshes SPA; and the Swale SPA. They are classified in accordance with the European Birds Directive which requires Member States to classify sites that are important for bird species and an important network for wintering birds on migration. None of the SPAs and Ramsar sites are located in Dartford Borough.

(109) Studies have shown marked declines in key bird species within the North Kent SPAs and Ramsar sites, but have not found sufficient evidence to enable an adequate assessment of the cause of these declines. The 2012 study considered available evidence and the impact of visitors to the North Kent SPAs and Ramsar sites with regard to distance and amount of development. Overall, it is concluded that additional planned dwellings are likely to result in additional recreational activity, with the potential to cause disturbance to protected bird species that over-winter or breed on the SPAs and Ramsar sites. Therefore, new development would result in a negative impact on the integrity of the European sites. The study delineated a zone of influence to include the vast majority of visitors who are likely to access the European sites. It found that 75% of visitors to the North Kent coast originate from within 6km of the SPA and Ramsar site boundaries. These areas are almost wholly outside the Dartford Borough area.

(110) A further study 'Large Site Options and developments in Dartford and Implications for European Sites along the North Kent Coast' (2016) drew on analysis of previous studies on the origin of visitors to the North Kent SPAs and Ramsar sites and planned development within the zone of influence. This indicated that the substantial majority of visitors to the European sites travel less than 10km - The study concluded that beyond 6km and up to 10km, large developments or large scale changes to housing levels may result in some increase in recreational use that would have potential to further harm the integrity of the European Sites. As such, large residential development falling within 6-10km of the European sites could have a potentially significant effect on their integrity. The 'Large Site Options and Habitat Regulations in Dartford July 2017' document (the Dartford document) sets out the approach for large developments in Dartford. It recognises that any development above 15 dwellings within 10km of the Thames Estuary and Marshes SPA and Ramsar site should be treated as triggering a likely significant effect on them.

(111) The applicants have submitted a Habitat Regulations Assessment to identify any likely significant effects on a designated European site through a screening process and consequently whether or not an Appropriate Assessment stage is required.

(112) The report confirms that during the screening stage, a single European designated site was identified within the zone of influence from the site being the Thames Estuary & Marshes Ramsar / SPA, some 8.8km east, designated primarily for wintering bird populations. Five impact pathways were identified and assessed to determine whether the project is anticipated to result in any likely significant effect on the integrity of the Ramsar / SPA: Recreational pressure, urbanisation, air quality, water quality and hydrology. All of the impact pathways were 'screened out' as not being anticipated to have a likely significant effect, and thus an Appropriate Assessment has not been undertaken as part of the HRA process.

(113) Natural England have been consulted and raise no objection to the proposed development based on the submitted supporting documentation and consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes, either European sites or Sites of Special Scientific Interest.

(114) As such, I consider that the proposed development would not significantly impact on protected species and local wildlife and with provision of mitigation measures, compensation and additional biodiversity enhancements together with a detailed landscape and biodiversity management plan secured via conditions, I consider that the proposed development would result in an overall minor benefit to the ecological value of the site in accordance with Policy DP25 of the Development Policies Local Plan 2017. Policy CS14 of the Dartford Core Strategy 2011 and paragraphs 174, 179 and 180 of the NPPF 2021.

#### Affordable Housing

(115) Policy CS19 of the Dartford Core Strategy requires the provision of 30% affordable housing on the site. The applicants have submitted a detailed viability assessment to demonstrate that it would not be viable to provide a policy compliant 30% affordable housing on the site but 10.6% of the total units is offered to meet the minimum requirement as set out in paragraph 65 of the NPPF. The Council's independent consultant surveyors have confirmed that the scheme generates a deficit of £559,000.00 on a 100% private basis and is unable to support an affordable housing contribution. However, the applicants have offered a 10.6% affordable contribution and thus the 10.6% provision as proposed represents the maximum reasonable level of affordable housing consistent with scheme viability but complies with paragraph 65 of the National Planning Policy Framework 2021 (NPPF 2021). This is in addition to a Community Infrastructure Levy of £577,000.00 to address impacts on infrastructure directly associated with the proposal.

(116) The 10.6% affordable housing on-site provision would constitute 5 units occupying the 1st floor of block B on a shared ownership basis.

- o 2 x 1 bed 2 person apartments;
- o 1 x 2 bed 3 person apartment; and
- o 2 x 2 bed 4 person apartments.

(117) The Council's Housing Officer has been consulted and raises no objection to the affordable housing provision following the outcome of the viability assessment and accepts that the provision of affordable rented accommodation is not viable given the current financial deficit of the scheme and the location of the affordable units within a private block. It is recommended that the provision be secured via a S106 legal agreement.

(118) It is regrettable that the development cannot deliver 30% affordable housing but this is an increasing issue on development sites, due to the increase in construction costs. However, this development would bring other additional public benefits including biodiversity enhancements and additional tree and native planting, a high quality design and delivery of a designated major housing site within the Council's Strategic Housing Land Availability Assessment which will contribute significantly towards the Council's 5 year housing supply as well as a Community Infrastructure Levy contribution towards infrastructure.

(119) It would be regrettable if the quality of the development and additional benefits of the proposed development were reduced to facilitate additional affordable housing on this site or if the site did not come forward due to viability issues. I consider therefore that the provision of 10.6% affordable housing is acceptable and would accord with the minimum requirement set out in paragraph 65 of the NPPF. As the viability of the development has been assessed and audited I do not consider that there would be any valid reason to refuse planning permission on the basis of the reduced level of affordable housing provision.

## Contamination and Drainage

(120) Policy DP5 of the Dartford Development Policies Local Plan 2017 states that development will only be permitted where it does not result in unacceptable impacts on water quality including groundwater source protection zones and ground contamination.

(121) A phase 1 and 2 Geo-Environmental Assessment has been submitted with the application which confirms that the site is located within a groundwater source protection zone 2 and the underlying bedrock geology is designated as a Principal Aquifer.

(122) The phase 1 report concludes that based on the site's history, there is a low to moderate risk to human health, there is high risk posed to controlled waters given the site is underlain by a principal aquifer and the close proximity to a principal river and overall, the preliminary risk classification of the site in relation to the proposed redevelopment is considered to be low to moderate.

(123) The phase 2 report concludes that there is no significant risk posed by contaminants on site to human health or to controlled waters given the new proposed development plans and that no unacceptable risk by ground gas is found. No further works are deemed necessary in line with the updated development plan.

(124) Environmental Health have been consulted and raise no objection subject to a condition to ensure that contamination not previously identified is brought to the Council's attention so a suitable remediation scheme is agreed.

(125) KCC Flood Management have been consulted and consider that the ground investigations (Phase 2 Geo- Environmental Assessment) identified the depth to Seaford Chalk is relatively shallow likely to permit infiltration and supports the proposed drainage design. Whilst this formation is likely to provide infiltration, we have concerns regarding the perched water identified from borehole WS103 in the second and third week of groundwater monitoring. This could have detrimental effect on infiltration within this area of the site and we would advise that further investigations are undertaken on site along with infiltration testing. Whilst we express concerns with perched groundwater, we are satisfied for these additional investigations/tests to be carried out as part of pre-commencement detail design condition, should planning approval be granted.

(126) A Flood Risk Assessment and Surface Water Drainage Strategy Report has been submitted incorporating the principles of below ground cellular soakaways, green roofs and permeable paving remain. KCC Flood Management Officers have been consulted and raise no objection to this strategy subject to conditions requiring a detailed sustainable surface water drainage scheme for the site prior to commencement and a verification report prior to occupation.

(127) Subject to the conditions set out above, I consider that the proposal would accord with Policy DP5 of the Dartford Development Policies Local Plan 2017

## Other Issues

(128) Archaeology: The application site lies within an area of multi-period archaeological potential and the application has been accompanied by a Written Scheme of Investigation for an archaeological watching brief to be maintained on groundworks in the event that planning permission is granted and development proceeds. KCC Heritage have been consulted and have responded raising no objection subject to a condition requiring the implementation of an archaeological watching brief to be undertaken by an archaeologist in accordance with a written scheme of investigation.

(129) Energy and Sustainability: To meet requirements of Local Plan Policies DP11 'Sustainable Technology and Construction' and CS23 'Minimising Carbon Emissions' the proposed development will achieve carbon emission reductions of 9.37% compared to Part L 2013 Building Regulations through building fabric improvements. The proposal is of insufficient

scale to efficiently provide a communal space for heating and hot water system and therefore the units will be provided with individual heating systems. In addition, the apartments will achieve a water efficiency target of 110 litres per person per day and secured by condition. Solar panels have been considered but are not appropriate on a green sedum roof and have been discounted.

(130) Fire Strategy: The proposal has been designed to be compliant with Approved Document Part B: Fire Safety of the statutory Building Regulations in order to provide means of escape and prevent fire spread in the event of a fire. Flats at ground level will be provided with escape windows where necessary in accordance with the building regulations.

#### PLANNING OBLIGATION

(131) Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 provides that a planning obligation can only constitute a reason for granting consent if the obligation is:

- (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.

(132) A section 106 legal agreement is required to deal with the direct impacts of this development on land immediately adjacent to the site or on-going management on-site as well as securing the required level of affordable housing. The agreed principles are summarised in the Heads of Terms set out below:

- o Provision of 10.6% affordable housing made up of 5 units located on the 1st floor of block A comprising 2 x 1 bed 2 person apartments, 1 x 2 bed 3 person apartment; and 2 x 2 bed 4 person apartments on a shared ownership basis.
- o Provision and permanent retention of LAP play area within the central courtyard for use by the public.
- o Travel plan to be submitted for approval and implemented and travel plan co-ordinator to be appointed and funded.
- o Contribution of £600.00 travel plan monitoring fee to KCC Highways.
- o Car Park Management Plan
- o No individual car parking spaces sold/conveyed.
- o Exclude the ability to charge ground rents by special condition.

#### FINANCIAL BENEFITS

(133) Under section 75ZA of the Town and Country Planning Act officer reports to the Development Control Board are required to include a list of 'financial benefits' which are likely to be obtained by the authority as a result of the development. A 'financial benefit' must be recorded regardless of whether it is material to the Council's decision. Government advice is that the decision maker should consider whether it is a material consideration in the consideration of a planning application.

(134) In this particular case the following are the 'financial benefits' which I am aware of:

Community Infrastructure Levy: CIL is charged on the net increase in floorspace of the proposed development and in this case a chargeable area of 4001 square metres results in a CIL liability of £577,000.00 which subject to indexation will be paid on implementation. As Members are aware the CIL money achieved from developments goes into a pot and must be used to fund infrastructure to support development in the area, this includes new schools and strategic junction improvements where the money will be paid to the authorities responsible for providing these services. In addition 15 % of the CIL payment will be passed to Swanscombe and Greenhithe Town Council in accordance with CIL Regulations. I consider that this is a material consideration with regard to this proposal, as if the development were to commence, CIL monies received will assist in the delivery of infrastructure projects that supports local development.

(135) New Homes Bonus: is a grant paid by central government to local councils to reflect and incentivise housing growth in their areas. It is based on the amount of extra Council Tax revenue raised for new homes. Allocations are set by Government each year and so the amount of New Homes Bonus is not fixed for this proposal. I consider this is not a material consideration with regard to the determination of the planning application.

#### HUMAN RIGHTS IMPLICATIONS

(136) I have considered the application in the light of the Human Rights Act 1998. I am satisfied that my analysis of the issues in this case and my consequent recommendation are compatible with the Act.

#### PUBLIC SECTOR EQUALITY DUTY

(137) Due regard has been had to the Public Sector Equality Duty, as set out in Section 149 of the Equality Act 2010. It is considered that the application proposals would not undermine objectives of the Duty.

#### ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

(138) In relation to the Town and Country Planning (Environmental Impact Assessment Regulations) 2017) the proposal is not Schedule 1 or Schedule 2 development. It is not considered to require a screening opinion.

#### CONCLUSIONS AND REASONS FOR RECOMMENDATION

(139) Given the planning history of the site and the appeal Inspectors decision dated 21st December 2017 for the removal of condition 26 of application 16/00016/OUT, it is considered that there have been no significant change of circumstances since this appeal decision, except that the application site is now included within the draft Strategic Housing Land Availability Assessment (SHLAA) where it has been judged to have satisfied all assessment criteria and found to be a suitable, available, achievable and 'deliverable' site for provision of up to 47 units that will contribute significantly to the Council's 5 year housing supply.

(140) It has already been established that the site is sustainably located with very convenient access to public transport 50 metres from the site, (buses and trains), and within easy walking distance of shops, supermarkets services and community facilities within Greenhithe and thus would comply with part (a) of Policy CS10 of the Dartford Core Strategy 2011.

(141) The overall design and layout of the proposed development is of high quality and would create an appropriate visual statement development on this prominent corner site, providing visual permeability through the site and beyond by the provision of 3 separate blocks with green landscaped amenity areas between, sited appropriately in scale and an acceptable distance from houses to the north on Woodland Way.

(142) The submitted Transport Assessment concludes that the traffic generation of the development proposals would have a beneficial impact on the local highway network when compared to the previously permitted development for 33 dwellings and a medical centre.

(143) The proposed development would provide extensive tree planting and soft landscaping to include native planting, wild flower meadow, flower rich perennial and shrub planting and hedging to both visually enhance the setting of the site and mitigate the visual impact of the proposed buildings and car parks but also to enhance the ecological value of the site. The extensive planting together with the provision of green roofs comprising sedum blanket and wildflower plug planting and log piles, bird terraces and bat tubes. I consider, therefore, that although the development is on greenfield land this has low biodiversity value at present and the scheme seeks to provide ecological value through its design and habitat improvements through the proposed mitigations and is therefore in accordance with the objectives of Policy DP25 of the Development Policies Local Plan 2017, Policy CS14 of the Dartford Core Strategy 2011 and paragraphs 174, 179 and 180 of the NPPF 2021.

(144) The proposed development would provide 5 on-site affordable housing units on a shared ownership basis, providing a mix of unit sizes which would contribute to the Council's identified affordable housing need of 280 units per year. This would be considered a benefit of the proposal in meeting the minimum 10% requirement set out in paragraph 65 of the NPPF 2021.

(145) The proposed development would exceed the internal national space standards for all of the flats and all flats would be M4(2) (accessible and adaptable dwellings) or M4(3) compliant (wheelchair user dwellings). The dwellings would receive sufficient sunlight and daylight and benefit from access to a private balcony as well as the landscaped communal amenity area. I consider that the proposed development would provide a good quality living environment for future residents and would not adversely impact on surrounding residential occupiers.

(146) The construction of this large development would also deliver economic, benefits to the local area through creation of additional jobs in the construction industry, maintenance of the building and grounds contributing to boosting the local economy and addressing the economic impacts of the pandemic.

(147) As such, I consider that the public benefits of the proposed development outweigh the disbenefits of the development and thus the proposed development would accord with the requirements of part (b) of Policy CS10 of the Dartford Core Strategy 2011 and Policy DP6 of the Development Policies Local Plan 2017.

#### **RECOMMENDATION:**

- i) That planning permission be granted for the reasons set out in the report subject to the following conditions and the satisfactory prior completion of a Section 106 Agreement within six months of the date of this resolution.
- ii) That delegated authority be given to the Development Manager to make minor amendments to the conditions as necessary prior to the issue of the planning permission.

#### Conditions:

- 01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 01 In pursuance of Section 91(1) of the Town and Country Planning Act 1990.
- 02 The development shall be carried out in accordance with the following plans and documents:
  - P001-S2-P0 - Site location plan
  - P002-S2-P0 - Proposed block plan
  - P100-S2-P0 - Proposed ground floor plan
  - P101-S2-P0 - Proposed first floor plan
  - P102-S2-P0 - Proposed second floor plan
  - P103-S2-P0 - Proposed third floor plan
  - P104-S2-P0 - Proposed fourth floor plan
  - P105-S2-P0 - Proposed block a floor plans
  - P106-S2-P0 - Proposed block b floor plans
  - P107-S2-P0 - Proposed block c floor plans
  - P200-S2-P0 - Site elevations
  - P201-S2-P0 - Proposed block a elevations
  - P202-S2-P0 - Proposed block b elevations
  - P203-S2-P0 - Proposed block c elevations
  - P300-S0-P0 - Long site sections
  - P301-S0-P0 - Short site sections 1
  - P302-S0-P0 - Short site sections 2

0176-200 - Landscape soft works masterplan  
0176-201 - Landscape tree species master plan  
0176-202 - Landscape roof masterplan

Noise Report dated 5 May 2021 by RBA Acoustics  
Air Quality Assessment dated 5 May 2021 by EGB Environmental.  
Interim bat activity survey report dated September 2021  
Arboricultural Survey and Impact Assessment dated May 2021  
Written scheme of investigation: method statement for an archaeological watching brief dated May 2021  
Biodiversity net gain report dated May 2021  
Daylight and Sunlight Study dated (neighbours) 29 April 2021  
Daylight and Sunlight Report (within development) dated 29 April 2021  
Flood risk assessment and surface water drainage strategy report dated May 2021  
Habitat Regulations Assessment 2021  
Infrastructure Impact Assessment dated May 2021  
Phase I geo-environmental assessment dated May 2021  
Phase II geo-environmental assessment dated May 2021  
Planning Statement dated May 2021  
Preliminary Ecological Appraisal dated May 2021  
Statement of Community Involvement dated May 2021  
Sustainability, Energy & Water Statement dated 10 May 2021  
Transport Assessment dated May 2021  
Travel Plan Statement dated May 2021  
Design & Access Statement dated May 2021  
Affordable Housing Statement received 02 June 2021  
Viability Study dated May 2021  
Transient Shadow Study received 26 July 2021  
Biodiversity metric 2.0 calculation tool received 5 August 2021  
Breeding Bird Survey dated August 2021  
Bat activity survey report dated September 2021

- 02 For the avoidance of doubt and to ensure a satisfactory form of development.
- 03 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that groundworks are observed and items of interest and finds are recorded. The watching brief shall be in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing by the Local Planning Authority.
- 03 To ensure that features of archaeological interest are properly examined and recorded.
- 04 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
  - 1) A further boundary site investigation scheme, based on the Phase I Desk Study and preliminary assessment, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those from immediately off site.
  - 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.



- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

- 04 For the protection of Controlled Waters. The site is located over a Principal Aquifer, within groundwater Source Protection Zone II and it is understood that the site may be affected by historic contamination.

- 05 Prior to commencement of development on site, a Construction Management Plan shall be submitted to and approved by the local planning authority covering the following issues:

- (a) Routing of construction and delivery vehicles to/from the site including proposed construction access(es)
- (b) Parking and turning areas for construction and delivery vehicles and site personnel
- (c) Timing of deliveries
- (d) Provision of wheel washing facilities
- (e) Temporary traffic management/signage.

The construction works shall be carried out in accordance with the approved details.

- 05 In the interests of highway safety and environmental amenity in accordance with Policy DP5 of the adopted Dartford Development Policies Plan (2017).

- 06 Before commencement of any building operations on site (including demolition and delivery of associated machinery or materials) tree protection measures shall be erected around all retained/protected trees in accordance with details to be submitted to and approved by the Local Planning Authority and shall be maintained for the duration of the construction period.

- 06 To prevent damage to the trees in the interest of the visual amenities of the area in accordance with Policies DP2 and DP25 of the adopted Dartford Local Plan.

- 07 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 submitted Drainage Strategy Report (3 April 2020). The submission shall also 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.

- 07 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.

- 08 Prior to commencement of the development hereby approved, the proposed vehicular accesses and visibility splays shown on the approved plans and submitted Transport Assessment shall be provided and constructed with no obstructions over 0.6 metres above carriageway level within the splays, prior to works on-site commencing and thereafter maintained in perpetuity.
- 08 In order to ensure that the development does not prejudice the free flow of traffic and condition of safety on the highway nor cause inconvenience to other highway users in accordance with Policy DP4 of the adopted Dartford Local Plan.
- 09 No construction work shall take place on the site outside the hours of 0800 to 1800 Mondays to Fridays inclusive, and 0800 to 1300 on Saturdays with no working on Sundays and Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.
- 09 To protect the amenities of the residents of nearby dwellings in accordance with Policies DP5 and DP20 of the adopted Dartford Local Plan.
- 10 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
- 10 The proposed works will be in close proximity to underground water utility infrastructure, is close to groundwater and has the potential to impact on archaeology.
- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
- 11 To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.
- 12 The acoustic attenuation measures to all external windows, doors, balconies and ventilation serving the residential dwellings shall be implemented in accordance with the recommendations as set out in Appendix C of the Noise Report dated 5 May 2021 by RBA Acoustics.
- 12 To protect the amenities of the residential occupiers of the building hereby permitted in accordance with Policy DP5 of the adopted Dartford Local Plan.
- 13 The construction of the proposed development shall be carried out in accordance with the submitted Air Quality Assessment dated 5 May 2021 by EGB Environmental.
- 13 In the interests of environmental amenity and residential amenity in accordance with Policies DP3 and DP5 of the adopted Dartford Development Policies Plan (2017).
- 14 Before the development hereby approved reaches slab level, details and samples of all materials to be used externally shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include all external materials, balustrades,

seating, windows and doors. The development shall be carried out in accordance with the approved details.

- 14 To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality in accordance with Policy DP2 of the adopted Dartford Local Plan.
- 15 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 that the drainage system constructed is consistent with that which was 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.
- 15 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 169 of the National Planning Policy Framework.
- 16 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.
- 16 Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.
- 17 Within 3 months of works commencing on-site, a habitat establishment and management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:
  - o Methodology of how the green roof and landscaping will be established
  - o Timings of works
  - o Overview of management and maintenance required
  - o Five year rolling timetable of the ongoing management.
  - o On going monitoring of the green roof, landscaping and ecological enhancement features.

The approved plan shall be implemented prior to occupation of the building and thereafter in accordance with the timings set out in the approved plan.

- 17 In order to provide enhancement to biodiversity on the site as a compensation for that lost due to redevelopment in accordance with Policy DP25 of the adopted Dartford Local Plan
- 18 Within 3 months of work commencing on-site, an ecological enhancement plan shall be submitted to and approved by the Local Planning Authority. The plan shall provide full details of all ecological features including integrated bat and bird boxes and insect hotels

will be incorporated into the buildings and site. The approved features shall be incorporated into the site prior to the occupation of the development in accordance with the approved details.

- 18 In order to provide enhancement to biodiversity on the site as a compensation for that lost due to redevelopment in accordance with Policy DP25 of the adopted Dartford Local Plan
- 19 Prior to first occupation of the development hereby permitted, a Lighting Design Strategy for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- (a) provide full details and locations of all external lighting to include within the access road, pedestrian paths, car parks, attached to the proposed buildings, doors, entrances, balconies and amenity areas. Such details shall include siting, angles, heights, levels of illumination and mitigation to prevent light spill and pollution to neighbouring properties.
  - (b) identify the areas or features on the site that are particularly sensitive for bats and other nocturnal species and identify the aspects of the development that would be likely to cause disturbance.
  - (c) show how and where all the proposed external lighting will be installed and demonstrate that those areas to be lit will not disturb or prevent bats and other nocturnal species using their territory or gaining access to foraging areas.
  - (d) follow the recommendations within the Bats and artificial lighting in the UK document produced by the Bat Conservation Trust and Institution of Lighting Professionals.  
<https://cdn.bats.org.uk/pdf/Resources/ilp-guidance-note-8-bats-and-artificial-lighting-compressed.pdf?mtime=20181113114229>

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy prior to occupation of the building, and no other external lighting shall be installed without prior express consent from the planning authority.

- 19 To ensure the continued presence of protected species on the site.
- 20 Prior to occupation of the development hereby approved, a Comprehensive Landscaping Strategy including both hard and soft landscaping and demonstration of how the strategy will enhance the biodiversity value of the site in line with conditions 17 and 18, together with a Landscape Management Plan, shall be submitted to and approved by the Local Planning Authority and shall be implemented prior to first occupation (unless this falls outside of the planting season in which case it shall be implemented at the first opportunity during the following planting season, between October and March inclusive). The strategy shall include full details of the following but shall not be limited to:
- o all species,
  - o tree, plant and hedge sizes,
  - o numbers and densities
  - o locations
  - o a maintenance programme
  - o planting to KCC highway verges
  - o planting outside ground floor habitable windows to provide defensible spaces

Such landscaping shall thereafter be maintained for a period of five years. Any trees, shrubs or grassed areas which die, are removed or become seriously damaged or diseased within this period shall be replaced within the next planting season with plants of similar species and size to that approved.

- 20 To safeguard the visual amenities of the locality in accordance with Policies DP2 and DP25 of the adopted Dartford Local Plan.
- 21 Prior to the occupation of the development hereby approved, full details of the electric vehicle charging points shall be submitted to and approved by the Local Planning Authority. If not all car parking spaces are served by electric vehicle charging, details shall be submitted demonstrating how additional demand in the future will be addressed including timings for installation.
- The electric vehicle charging points shall be provided prior to occupation of the development and maintained thereafter in accordance with the approved details.
- 21 In the interests of improving air quality and providing sustainable travel in accordance with the adopted Parking Standards 2012 SPD.
- 22 The dwellings hereby approved shall not be occupied until evidence is submitted to the Local Planning Authority confirming that measures to achieve internal water usage rates of not more than 110 litres per person per day have been implemented.
- 22 To ensure that the development is sustainable in accordance with Policy DP11 of the adopted Dartford Local Plan.
- 23 Prior to occupation of the development hereby approved, full details of the cycle parking facilities within each block shall be submitted to and approved by the Local Planning Authority. The approved details shall be implemented prior to occupation of the building and the cycle stores shall be maintained for such use in perpetuity.
- 23 To encourage sustainable methods of transport in accordance with Policies DP2 and DP4 of the adopted Dartford Local Plan.
- 24 The car parking spaces, turning areas and means of access shown on the approved plans shall be provided prior to occupation of the units hereby approved that they serve and kept available for such use at all times and no development, whether permitted by the Town and Country Planning (General Permitted Development) Order 2015 or not, shall be carried out on that area of land or to preclude vehicular access thereto.
- 24 To ensure the permanent retention of satisfactory car parking facilities in accordance with the Local Planning Authority's standards and Policies B1 and T23 of the adopted Dartford Local Plan.
- 25 No structure, plant, equipment or machinery shall be placed, erected or installed on or above any of the roofs or on external walls without the prior approval being given in writing by or on behalf of the Local Planning Authority.
- 25 In order not to prejudice the visual appearance of the building in accordance with Policy B1 of the adopted Dartford Local Plan.
- 26 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) no satellite antennae or television aerials shall be erected on any elevation of an apartment block hereby permitted unless otherwise agreed in writing by the Local Planning Authority.
- 26 In the interests of the visual amenity of the development in accordance with Policy B1 and B8 of the adopted Local Plan.
- 27 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant

unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

- 27 Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.
- 28 No tree or shrub removal or clearance works shall take place between 1st March and 31st August inclusive in any year unless otherwise agreed in writing the Local Planning Authority.
- 28 In the interests of nature conservation in accordance with Policy DP25 of the adopted Dartford Local Plan.

## **INFORMATIVES**

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

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highwayland/highway-boundary-enquiries>

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

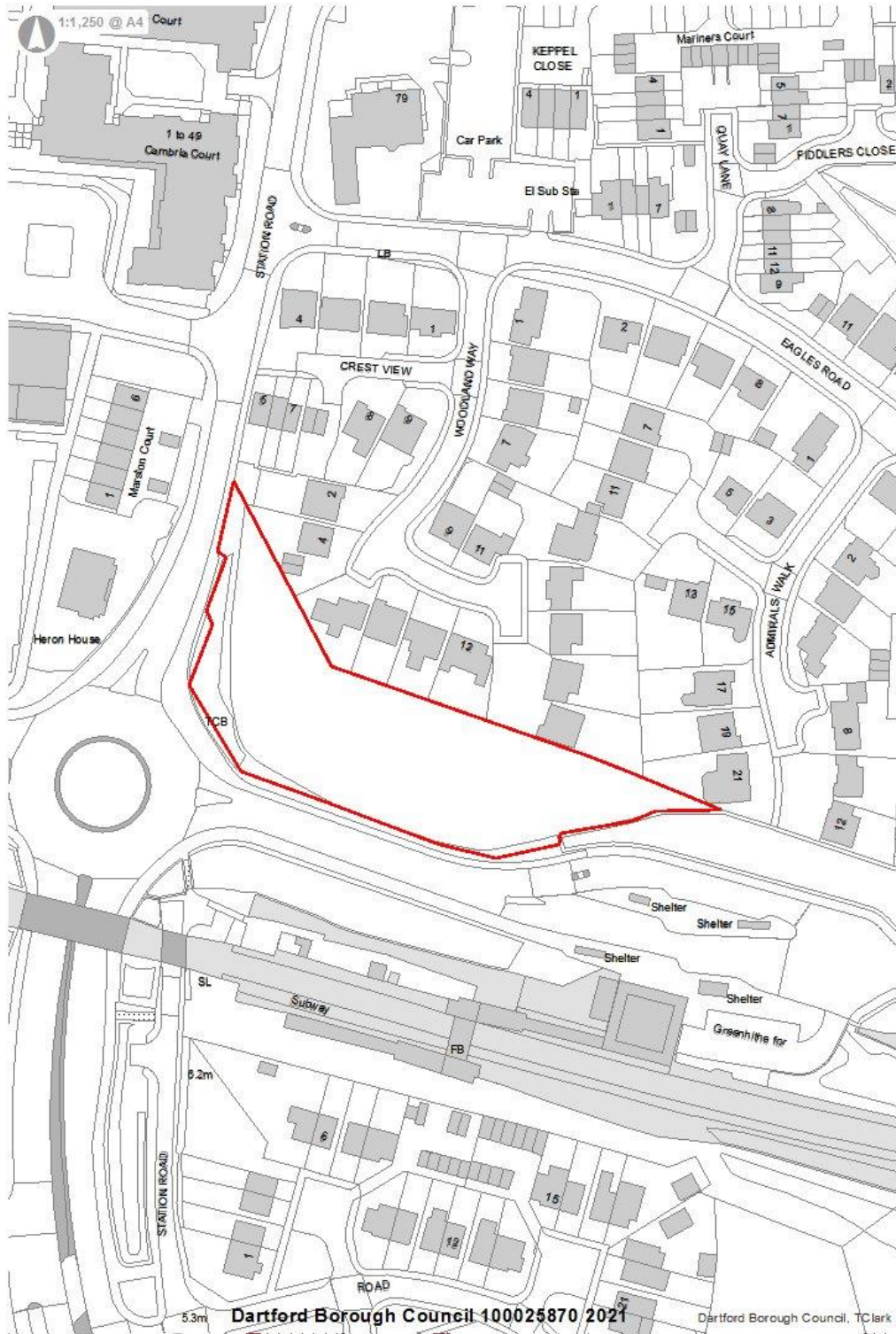
- 02 The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Features are present on the application site which can be used by nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
- 03 New street name(s) and/or property numbers will be required for this development. Please apply as soon as possible as this process involves lengthy consultations. Please contact the Property Information Officer on: 01322 343434.
- 04 Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with the Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".
- 05 The applicant shall note that the KCC Travel plan Co-ordinator has the following comments to make on the Framework Travel Plan and these comments should be addressed before the Travel Plan is submitted if permitted:

- Once appointed I would like details of a Travel Plan-Coordinator who be responsible for managing the Travel Plan.
  - Please include Modal Share information either TRICS and/or Ward Census Data to assist with possible travel patterns and to assist with setting targets. Will there be plans for Travel Surveys to the residents, this is to be expected. Please specify when they plan to be done and make sure they are included in the Action Plan.
- 06 The applicant is advised that this permission is granted subject to the requirements and contributions as set out in the accompanying completed Section 106 agreement.
- 07 If planning permission is granted for the development which is the subject of this notice, liability for a Community Infrastructure Levy (CIL) payment is likely to arise. Persons with an interest in the land are advised to consult the CIL guide on Dartford Council's Website (<http://tinyurl.com/DartfordCIL>) for information on the charge and any exemptions or relief, and to submit the relevant forms (available from [www.planningportal.gov.uk/cil](http://www.planningportal.gov.uk/cil)) to the Council before commencement to avoid additional interest or surcharges. If liable, a CIL Liability Notice will be sent detailing the charges, which will be registered as a local land charge against the relevant land.
- 08 If a claim is to be made for exemption or relief from the Community Infrastructure Levy the appropriate form should be submitted to the Council prior to commencement of development. The Council will then notify the applicant the amount of exemption granted (where this is applicable). In order that the exemption can be agreed before commencement of development, the form should be submitted to the Council **at least 4 weeks prior to the intended commencement of development.**

For further information on the types of development which can claim an exemption or relief and the forms to make the application please see:

<https://www.dartford.gov.uk/by-category/environment-and-planning2/new-planning-homepage/community-infrastructure-levy>

More detailed guidance can be found at: <https://www.gov.uk/guidance/community-infrastructure-levy>



<b>Application No.:</b>	21/00724/FUL
<b>Address :</b>	Land North of Railway Line, Station Road, Greenhithe
<b>Date:</b> 28 October 2021	<b>Scale:</b> Not to Scale