

Application: 20230824

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

DETERMINATION AS TO WHETHER PRIOR APPROVAL IS REQUIRED

To: **Mr Greg Kuzdenyi, Joynes House Development Limited
C/O Mrs Ruth Harding, Gemini Planning Services Ltd
17 Castle Lane
Chandlers Ford
Eastleigh
SO53 4AH
United Kingdom**

TAKE NOTICE that **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **DETERMINED THAT PRIOR APPROVAL** for the relevant matters for the development of land as described below **IS REQUIRED AND APPROVED**

at **Joynes House
New Road
Gravesend
Kent
DA11 0AJ**

and being **Application for a determination pursuant to Article 3, Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as to whether Prior Approval is required in respect of the proposed change of use part-first, second and fourth floors from commercial floorspace to 28 residential units.**

Referred to in your application dated 3rd August 2023.

CONDITIONS:-

1. The new residential units hereby approved shall not be occupied unless and until the external elevational amendments, as consented by application ref 20230822 have been implemented.

Reason In order to provide adequate natural light and safeguard amenity of future occupiers in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

2. The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the Local Planning Authority (LPA) should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with the National Planning Policy Framework (2023).

3. The cycle storage shown on approved 'Drawing no. 006 - Rev. A', for 28no. bicycles shall be installed prior to the first occupation of the units hereby permitted and thereafter shall be retained permanently.

Reason To ensure adequate bicycle parking provision at the application site, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 THAMES ESTUARY AND MARSHES RAMSAR/SPECIAL PROTECTION AREA

It is a condition of any permission granted by a general development order that, in those cases where a development is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, the development must not be begun until the developer has received written notification of the approval of the local planning authority under Regulation 73, of the Conservation of Habitats and Species Regulations 2010, which is expressly saved by Schedule 7 of the Conservation of Habitats and Species Regulations 2017. Pursuant to Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015, an application under Regulation 73 would therefore be required before the development hereby approved is begun.

2 EXTENT OF THE PRIOR APPROVAL

This written notice confirms that prior approval is required and approved for the proposed development.

Unless otherwise reserved for approval by a condition forming part of this permission, the developer is advised that the development must be carried out in accordance with the details provided in the application, unless the Local Planning Authority and developer agree otherwise in writing. Details of the proposed scheme are included in the following plans and documents that accompanied the application to which this notice relates:

Application Form - dated 01/08/2023;
Covering Letter - dated 01/08/2023;
Planning Statement by Gemini Planning Services Ltd - dated 08/2023;
Internal Daylight Assessment by T16 Design Ltd - dated 08/2023;
Transport Statement by Velocity Transport Planning - dated 07/2023;
Drawing no. 001 - Rev. A - Proposed North and East Elevation;
Drawing no. 002 - Rev. A - Proposed South and West Elevation;
Drawing no. 003 - Rev. A - Proposed First Floor Plan;
Drawing no. 004 - Rev. A - Proposed Second Floor Plan;
Drawing no. 005 - Rev. A - Proposed Fourth Floor Plan; and
Drawing no. 006 - Rev. A - Site Location and Block Plan.

3 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2023, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

4 BUILDING REGULATIONS AND PARTY WALL ACT

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

5 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

Dated: 27 September 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service