

Application: 20241166

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Mr Gavin Coward
C/O Mr Mark Carter, Mark Carter Associates
Design Studio
Priestfield Stadium
Redfern Avenue
Gillingham
ME7 4DD**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

**Shorne Mead
Pear Tree Lane
Shorne
Gravesend
Kent
DA12 3JT**

and being **Demolition of existing dwelling, garage and outbuilding. Erection of a self-build detached two storey dwelling with submersed basement for parking and entertainment facilities.** Your application dated 24th December 2024 is permitted subject to the following:-

1. The development hereby permitted shall be begun not later than 3 years following the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and particulars:

Application form
Covering letter
Arboricultural Impact Assessment by Silva Arboriculture Ltd
Preliminary Ecological Appraisal by Calumma Ecological Services (Bats)
Design and Access Statement
Biodiversity Net Gain Assessment Report by Tunley Environmental
Preliminary Ecological Appraisal by Calumma Ecological Services
Drawing no. 3316-026 (existing plans)
Drawing no. 3316-020 rev H (site plan)
Drawing no. 3316-023 rev C (street scene)
Drawing no. 3316-027 (location and block plans)
Drawing no. 3316-028 rev C (existing site plan)

Drawing no. 3316-029 (existing site plan)
Drawing no. 3316-025 rev I (proposed elevations)
Drawing no. 3316-024 rev J (proposed floor plans)

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

3. Prior to the commencement of any above ground works, details and/or samples of all external facing materials to be used on the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

4. Following the demolition of the existing dwelling and prior to any ground works taking place, a plan shall be submitted to the Local Planning Authority for approval showing full details of hard landscaping and surface finishes for the development, including details of a porous access drive and car parking area, any patio areas, any screening or boundary treatment by walls, fences or other means and any steps. The scheme shall be constructed in accordance with the approved details and completed, in its entirety, prior to the first occupation of the dwelling hereby permitted.

Reason: In order to protect and enhance the appearance and character of the site and locality in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

5. Following the demolition of the existing dwelling and prior to any ground works taking place, a soft landscaping scheme shall be submitted to and approved in writing by the plan shall be submitted to and approved in writing by the Local Planning Authority, detailing the following:
- The location of every tree on site, their species, the extent of crown spread and an assessment of their health and stability.
 - Details of those trees to be retained and those to be removed.
 - Details of hedgerow planting.
 - Details of additional native tree and shrub planting within the site to include their quantity, size and arrangements for aftercare.
 - Details of location for hedgehog boxes and log piles.
 - Details of how the development will enhance biodiversity to include outlined management measures to achieve the proposed habitat target conditions, native and wildlife-friendly planting, and integrated durable bat and bird boxes aimed at species of conservation concern.

Any identified trees or plants that die, are damaged, removed or become diseased within five years from the first occupation of the dwelling hereby permitted shall be replaced with a species of a similar size and species during the next available planting season. The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of appearance upon the completion of the development and to ensure no net loss of biodiversity in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

6. In this Condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs a) and b) below shall have effect until the expiration of 5 years from the date of occupation of the building for its permitted use.

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars. Any pruning approved shall be carried out in accordance with British Standard 3998 (Tree Work).

a) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time as may be specified in writing by the Local Planning Authority.

b) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with British Standard 5837:2012 and details submitted to and approved by the Local Planning Authority before any equipment, machinery or materials are brought on to the site for the purposes of demolition and development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written approval of the Local Planning Authority.

Reason: To protect and enhance the appearance and character of the site and locality, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

7. Prior to the demolition of the house, a bat mitigation strategy based on the information within the Preliminary Ecological Appraisal (Bats) by Calumma Ecological Services, reordered to include the single tree mounted temporary bat box required as a temporary roost for any bats found during demolition as the first item, must be submitted to and approved in writing by the Local Planning Authority. The mitigation strategy must be implemented as approved unless varied by a European protected species licence issued by Natural England, and shall be maintained thereafter.

Reason: In the interests of biodiversity and in accordance with the provisions set out under Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

8. 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 should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority 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 prevent harm to human health and pollution of the environment in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

9. Prior to the installation of any external lighting and prior to the first occupation of the dwelling (whichever is earliest), a detailed lighting plan to include the following:

- Plan showing location of lighting, light fittings and light spill
- Downward facing
- On a motion sensor (where possible)
- Follow the recommendations within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night'

must be submitted to and approved in writing by the Local Planning Authority. It must demonstrate that the lighting plan has been designed in accordance with Bat

Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting' guidelines (or subsequent editions/updates) and the replacement bat roosts will not be impacted by artificial lighting. The plan must be implemented as approved and maintained thereafter.

Reason: In order to limit the impact of the lighting on wildlife with regard to Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

10. The development hereby approved shall be carried out at all times in accordance with the recommendations set out in the Preliminary Ecological Appraisal dated 23 July 2024 by Calumma Ecological Services.

Reason: In the interests of ecology and in accordance with the provisions set out under Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

11. Notwithstanding the provisions of Article 3 and Classes A, B, C and E of Schedule 2 to Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, as amended (or any provision equivalent to those classes in any statutory instrument revoking and re-enacting that Order, with or without modification), no enlargement, improvement or other alteration of the dwelling hereby permitted shall be carried out, including any alterations to the roof, including the installation of dormers and rooflights, and no additional buildings required for a purpose incidental to the enjoyment of the dwelling shall be provided in the curtilage of the dwelling house.

Reason: In the interests of maintaining the openness of the Green Belt in accordance with Policy CS02 of the Gravesham Local Plan Core Strategy 2014 and the National Planning Policy Framework 2024.

12. The replacement dwelling hereby permitted shall be self-build housing as defined in Annex 2: Glossary of the National Planning Policy Framework 2024.

Reason: To ensure the development complies with the National Planning Policy Framework 2024.

13. Prior to commencement of works (including site clearance), a construction environmental management plan (CEMP) will be submitted to and approved in writing by the local planning authority. The CEMP will be based on the recommendations in section 8.6 of the Preliminary ecological appraisal, Calumma, Oct 24 and Bat report, Calumma 30/4/24 and include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) The identification of biodiversity protection zones and the use of protective fences, exclusion barriers and warning signs;
- c) Reference to the relevant, granted, protected species licences (e.g., bats) obtained in advance of site clearance/construction and any relevant mitigation measures required;
- d) Practical measures (both physical measures and sensitive working practises) to avoid or reduce impacts during construction for bats, badgers, birds, dormice and hedgehogs (may be provided as a set of species or habitat-specific method statements);
- e) The location and timing of sensitive works to avoid harm to biodiversity features;
- f) The times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person, and;

The approved CEMP will be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction.

14. To ensure that heritage assets with archaeological interest are properly examined and recorded during development works:

A) Prior to any development works the applicant (or their agents or successors in title) shall secure the implementation of an archaeological watching brief so that excavations and other development works are observed and items of interest and finds are recorded. The archaeological watching brief shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Written Scheme of Investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority.

B) The archaeological watching brief, recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the approved Written Scheme of Investigation.

C) Within 6 months of the completion of the watching brief a Report shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded.

INFORMATIVES:-

1 CODE OF PRACTICE FOR CONSTRUCTION/DEMOLITION SITES WITHIN THE BOROUGH OF GRAVESHAM

This Code of Practice relates to all building sites in Gravesham and is given to ensure best practice is achieved equally throughout the borough. All aspects of the code apply to every building site and will only be altered on an individual basis if there are found to be special circumstances on that particular site. Any amendment made will be in writing by an authorised officer of the Environmental Health Department. The following circumstances are given where consideration will be given to a variation in the Code of Practice:-

- a) Where occupiers of noise sensitive properties are unlikely to be affected by the works.
- b) Where the work cannot be carried out during the hours specified because of the requirements of another authority such as the emergency services, utilities, traffic management authorities etc.
- c) Where the site location is isolated or where the works are in a mainly commercial/industrial area with few residential properties.

In all the above cases the onus will be on the applicants to provide written justification as to why the code should be varied. When making such a statement the applicant must include the following information where appropriate:-

- i) Location, nature and duration of works.
- ii) Measured/predicted noise levels and background levels.
- iii) Measured/predicted vibration levels.
- iv) Proximity and numbers of residential properties.
- v) Evidence of public consultation/information to persons likely to be affected.
- vi) Written evidence from the appropriate authority (in instances where b) above applies).

In order for adequate consideration to be given by this Council to a request for deviation from the Code of Practice, any proposal must be provided in writing to the Environmental Health Services Manager at least fifteen working days prior to the works starting.

On developments where construction/demolition is undertaken on contaminated land, work will be required to be carried out in a way which will be specified within conditions of the site's planning approval.

On the site itself, best practicable means as defined in section 72 of the Control of Pollution Act 1974 to reduce noise to a minimum shall be employed at all times.

Compliance with BS5228 Part 1:1997 'Noise control on Construction & Open sites' is expected as a minimum standard. This requires amongst other things that all plant and machinery in use shall be properly silenced, maintained and used in accordance with the manufacturer's instructions.

Criteria and procedures for vibration control are assessed using different parameters as follows:

- * Vibration Dose Values (VDVs) are used to protect the occupants and users of buildings from disturbance. (VDVs are defined in BS 6841 and their application is discussed in BS 6472).
- * Peak Component Particle Velocity is used to protect buildings from risk of physical damage. These are assessed in accordance with BS 7385.

Best Practicable means shall be used to control vibration levels so that the following Vibration Dose Values measured on a normally loaded floor in accordance with BS 6472:1994 are not routinely exceeded as a result of works.

Building Type	Period	VDV (ms ^{-1.75})
Residential Buildings, Educational Establishments, Offices and similar	Normal working hours	0.4
Commercial	Normal working hours	0.8

Best Practicable Means shall be used to control Peak Component Particle Velocity measured at the base of any building in accordance with BS 7385 does not routinely exceed a level of 10 mm/s.

In instances where complaints of vibration are received within any adjacent property then the contractor shall immediately take all measures necessary to demonstrate that the vibration levels are below the limits shown in the paragraphs above.

Where the results of any monitoring indicate non-compliance with the limits stated above, the contractor shall immediately change the method of working, and/or the plant being used. Prior to the work recommencing, the contractor shall satisfactorily demonstrate that the new arrangements satisfy the vibration limits.

DUST

Dust suppression techniques shall be used on site where significant quantities of spoil or fine aggregates are stored and/or where the site location is such that it is likely persons living in residential properties are going to be affected by wind blown dust.

Spoil temporarily placed on site shall be located as far away from sensitive properties as possible. The height of stored material shall be kept as low as is practical and water sprayed onto the surface of the piles shall be used as appropriate to keep the surface damp.

Where longer term storage of fine aggregates and other potentially dusty material is necessary, suitable storage facilities shall be used where practicable in order to screen these materials from the wind. This stored material shall be located so that it is as far away from sensitive properties as possible and measures to prevent wind blown dust shall be adopted. These shall include:-

- * keeping the height of stock piles as low as possible,
- * using water sprays as appropriate whilst minimising the production of excessive runoff,
- * minimising the re handling of dry construction materials and spoil,
- * keeping the loading drop heights to as low as possible,
- * where appropriate applying the surfaces of roads on site with water sprays as necessary and/or using wheel-washing facilities.
- * all materials transported to and from the site shall be conveyed by suitable vehicles in enclosed containers or using other adequate wind shielding measures such as sheeting.

The person responsible for the site shall keep on site a daily log book which will be available to visiting authorised officers and shall list the following:-

- * the conditions on site,
- * whether any wind blown dust was visibly coming off the site,
- * what control measures were carried out, and
- * what the results of these were.

COMMUNICATION

- 1 It shall be a matter of priority for a contact name and telephone number to be set up in order to enable ready two-way communication and contact with the council and local residents. In cases where work likely to cause a disturbance is to be carried on out of normal working hours, the phone line would be manned whilst the work is ongoing.

LIGHTING

Where security and/or site lighting is used, this shall be located and directed or screened so that it does not cause undue intrusion to adjacent occupied residential properties, or sensitive areas, or constitute a road hazard, and shall be chosen to limit light pollution effects such as "glow in the sky".

2 MAINS DRAINAGE

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

3 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

4 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

5 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 39 of the National Planning Policy Framework (NPPF) 2024, 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.

6 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 12/02/2025 to the inclusion of the following pre-commencement conditions.

Condition 3 - Materials

Condition 4 - Hard landscaping

Condition 5 - Soft landscaping

Condition 13 - Construction Environment Management Plan

Condition 14 - Archaeology

Dated: 13 February 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>
<https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.