

Application: 20230584

**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 Richard Scripps, Adrian Scripps Ltd
C/O Alder King Planning Consultants
Pembroke House
15 Pembroke Road
Bristol
BS8 3BA
United Kingdom**

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:

**Parsonage Farm
The Barn
The Street
Cobham
Gravesend
Kent
DA12 3DG**

and being **Conversion of barn to provide 2 dwellings consisting of a three bed dwelling and a one bed dwelling**. Your application dated 7th June 2023 is permitted subject to the following:-

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

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 schedule of approved plans:

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Application Form
Site Location Plan;
P101 Rev A - Proposed Roof and Site Plans;
P110 Rev A - Proposed Plans and Elevations;
P102 Rev A - Proposed Ground Floor Plans;
P103 Rev A - Proposed First Floor Plans;
P300 - Proposed Section 1-1 – Details;
Cover Letter ;
Bat Survey Report;
3D Visualisations;
Planning, Heritage and Design Statement;
Environmental Assessment;

3D Visualisations;
Heritage Statement; and
Email confirmation of facts.

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

3. Prior to above ground works commencing, details and samples of all materials and finishes to be used in the external faces and roof of the building (bricks, tiles, rainwater goods, windows and doors, external vents, chimneys and flues) shall be submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visually attractive development which preserves and enhances the Conservation Area in accordance with Saved Policy TC3 of the Gravesham Local Plan First Review (1994) and Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014).

4. Notwithstanding the details submitted in the approved drawings, the development hereby permitted shall not be first occupied until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority, including details of all surface treatments, screening by walls, fences or other means and the planting of trees, hedges, shrubs and grassed areas. All new planting, seeding, turfing and other works comprised in the approved details of landscaping shall be carried out in accordance with the approved scheme, in the first planting and seeding season following the date of the approval and any trees or plants which within a period of 5 years from the date of the approval, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

Reason: In order to safeguard the openness of the Green Belt and the character and visual amenity of the surrounding area, which is located in the Kent Downs AONB, the Ashenbank and Cobham Parkland Landscape Character Area and the Cobham Conservation Area and in line with Policies CS12, CS19 and CS20 of the Gravesham Local Plan Core Strategy September 2014.

5. Notwithstanding the details submitted in the approved drawings, the development hereby permitted shall not be first occupied until the means for storing refuse on the site has been submitted to and approved, in writing by the Local Planning Authority. The approved refuse storage facilities shall be provided before the dwellings hereby permitted are first occupied and thereafter retained at all times.

Reason: In the interests of visual and residential amenity and in line with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy September 2014.

6. Before the commencement of development, a scheme for the whole site to provide for the disposal of surface water run-off and incorporating sustainable urban drainage systems (SUDS), shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be implemented in accordance with the details approved pursuant to this condition and shall be completed prior to occupation of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. The scheme submitted pursuant to this condition shall include the following, as appropriate:

a) A scaled plan indicating the extent, position and type of all proposed hard surfacing (e.g. drives, parking areas, paths, patios) and roofed areas.

b) Details of the method of disposal for all areas including means of treatment or interception for potentially polluted run-off.

c) Scaled drawings including cross section, to illustrate the construction method and materials to be used for the hard surfacing (sample materials and literature demonstrating permeability may be required).

Reason: In order to ensure adequate arrangements for the disposal of surface water and in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy September 2014).

7. The development hereby permitted shall not be first occupied until details of biodiversity enhancement, in accordance with the recommendations of the bat survey report dated May 2023, have been submitted to and approved in writing by the Local Planning Authority. The scheme of enhancement shall be implemented in accordance with the approved details, before the dwellings hereby permitted are first occupied and thereafter maintained.

Reason In order to safeguard wildlife interests and in line with Policy CS12 of the Gravesham Local Plan Core Strategy September 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 (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: In order to ensure that the development is not adversely affected by contamination, as the building has been used for agricultural purposes which is a potentially polluting activity and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

9. The areas identified on drawing number 1038972/P101 Rev. A as being the parking for Barn Unit 1 and car port bays 1 and 2 shall be formed as shown on that drawing before the dwellings hereby permitted are first occupied and thereafter shall be used for or kept available for such use at all times and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to that Order in any statutory instrument revoking and re-enacting that Order, with or without modification, shall be carried out on the site in such a manner or in such a position so as to preclude vehicular access to these areas. The approved driveway shall be surfaced in a bound, permeable material and maintained in accordance with manufacturer guidance.

Reason: In the interests of highway safety and in line with Saved Policy P3 of the Gravesham Local Plan 1st Review.

10. Notwithstanding the provisions of Article 3 and Part 1, Classes A - H (inclusive) of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 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 dwellings hereby permitted shall be carried out, including the provision of dormers, roof lights or other roof alterations, the erection or construction of a porch outside any external door, the installation of any chimney, flue, vent pipe, rainwater goods or microwave antenna or the formation of any additional window, door or other form of opening and no building or enclosure required for a purpose incidental to the enjoyment of the dwellings or any hard surface, domestic heating storage container or microwave antenna shall be installed, constructed or placed within the curtilage of the dwellings, other than as shown on the approved drawings, unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In order to safeguard the openness of the Green Belt and the character and visual amenity of the surrounding area, which is located in the Kent Downs AONB, the Ashenbank and Cobham Parkland Landscape Character Area and the Cobham Conservation Area and in line with Policies CS12, CS19 and CS20 of the of the Gravesham Local Plan Core Strategy September 2014.

11. The car port shown on drawing number. 1038972/P101 Rev. A shall not at any time be enclosed by walling, doors or other means unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In the interests of safeguarding the character and appearance of the barn and in line with Policy CS20 of the Gravesham Local Plan Core Strategy September 2014.

12. Notwithstanding the provisions of Article 3 and Part 2, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification, no additional boundary wall, fence or other means of enclosure (other than as may be approved pursuant to condition 4) shall be erected or placed at the application site unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason In order to safeguard the openness of the Green Belt and the character and visual amenity of the surrounding area, which is located in the Kent Downs AONB, the Ashenbank and Cobham Parkland Landscape Character Area and the Cobham Conservation Area and in line with Policies CS12, CS19 and CS20 of the of the Gravesham Local Plan Core Strategy September 2014.

13. No external lighting shall be erected or placed within the site or on the building unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason In order to safeguard the character and visual amenity of the surrounding area, which is located in the Kent Downs AONB, the Ashenbank and Cobham Parkland Landscape Character Area and the Cobham Conservation Area and in line with Policies CS12, CS19 and CS20 of the of the Gravesham Local Plan Core Strategy September 2014.

14. **Cycle Parking Provision and Retention**

Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied, full details of the cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The storage facilities should be secure and weatherproof and well-lit. The development shall be carried out in accordance with the approved details before the first occupation of the development and be maintained thereafter.

Reason: To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Policy CS11 and CS19 of the Gravesham Local Plan: Core Strategy (2014) and the adopted vehicle parking standards (SPG 4).

15. **Electric Vehicle (EV) Charging Points**

Notwithstanding the details shown on the approved plans, submitted documents and application form, before the development as hereby permitted is brought into use and occupied details shall be provided of the Electric Vehicle (EV) charging points. All Electric Vehicle chargers provided for must be provided to Mode 3 standard (providing a 7kw output) and SMART (enabling Wifi connection). Such provision shall be

implemented prior to the first occupation of the development hereby permitted, and thereafter permanently retained and maintained.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policy CS11 and Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

INFORMATIVES:-

1 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 31 July 2023 to the inclusion of the following pre-commencement conditions.

Condition 6 - Surface Water Drainage

2 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) 2021, 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.

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 PARTY WALL ACT 1996

Applicants are reminded of their responsibilities under the Party Wall Act 1996. This legislation is not taken into account when determining a planning application and independent advice should be taken in this regard. In the event of application of this legislation requiring change to the permitted scheme, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

6 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

7 UTILITIES

It should not be automatically assumed that permission will be given for utility services to be placed within the public highway, and early contact should be made with Kent County Council at roadworkswest@kent.gov.uk. This will enable a proper consideration of available options in order that the optimum solution can be determined.

8 DOMESTIC REFUSE ARRANGEMENTS - ADVISORY NOTES

The refuse and recycling storage requirements for each property is as follows:

- o 1 x 180ltr bin per property for refuse
- o 1 x 240ltr bin per property for recycling
- o 1 x 23ltr caddy per property for food waste
- o 1 x Optional 140ltr/240ltr garden waste bin

It is the developer's responsibility to provide the bins.

The bins would be adequately stored in the bin store. The bins would need to be placed in The Street on collection day.

9 HIGHWAYS IMPROVEMENT AT SITE ENTRANCE

The applicant should note the advice given by the GBC Highway Development Management Officer in relation to the need to improve visibility at the site entrance (with The Street). The comments are as follows;

The hedge row to the left of the access should be set back to improve visibility for vehicles joining the highway. Ideally the hedgerow should align with the hedge to the right of the access.

10 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.

11 Drainage/sewerage

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.

12 KCC Public Highway

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

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

13 Environment Agency

Contamination

If there is a reason to believe contamination could be an issue, applicants should provide proportionate but sufficient site investigation information (a risk assessment) prepared by a competent person to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level. The National Quality Mark Scheme (NQMS) accredits competent persons with regard to assessing and reporting land contamination issues.

Sustainable Surface Water Drainage

Sustainable surface water drainage systems are endorsed and encouraged by the Environment Agency as the collection and dispersal of clean surface water to ground allows recharge aquifer units. It also can help to prevent localised flooding in heavy rainfall events. Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal. As part of this hierarchy the first option is for the disposal of surface water via SUDS, which encourage infiltration such as soakaways or infiltration trenches. An appraisal of SUD options must be

undertaken to ensure feasibility and/or suitability and it must be proven that they can be properly maintained and would not lead to any other environmental problems.

The use of soakaways will always require a site specific investigation and risk assessment to assess suitability. There must be no discharge to land which is impacted by contamination and there must be no direct discharge to groundwater. As a rule of thumb we would accept roof drainage going to soakaway, but other surface drainage may need to go through treatment systems or to foul main, for instance vehicle parking. However discharge into the ground from car parking for less than 20 private cars is normally acceptable, provided there are suitable pollution prevention measures in the system prior to the discharge point and the groundwater is greater than 10 metres below final discharge level. We would not accept any vehicle parking drainage going to ground in an SPZ1.

Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

The detailed design at any site can be negotiated on a site specific basis dependant on environmental setting and drainage design proposals. The following website is helpful in planning drainage design.

<http://www.bgs.ac.uk/products/hydrogeology/infiltrationSuds.html>

Unexpected Contamination

Any unexpected contamination encountered should be reported to the EHO in accordance with Building regulations approved Doc C.

Failing to inform the Environment Agency on any of the above, the development is at risk of contributing to unacceptable levels of water pollution caused by mobilised contaminants. Ensuring the protection of water pollution is in line with paragraph 174 of the National Planning Policy Framework.

Dated: 1 August 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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>

- 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.