



Delegated Report

Discharge of Condition Application

Application No:	20220378
Location:	Church Hall, St Mary's Church, Church Lane, Gravesend, Kent, DA12 2NL
Description:	Application for approval of condition 3, 4, 5, 6, 7, 8 and 9 attached to planning permission reference number 20210178 relating to a comprehensive report from a competent drainage contractor (3), a Code of Construction Practice covering all environmental impacts (4), details and samples of all external facing materials (5), a scheme detailing the proposed hard and soft landscaping (6), Any gates to open away from the highway and to be set back a minimum of 6.0 metres from the edge of the carriageway or any use of a bound surface for the first 5 metres of the access from the edge of the highway or construction of a passing bay between the access and Gravesend Road in a location shown in the application documents prior to occupation of the new facilities (7), details of any external lighting (8), a suitable scheme for a kitchen extraction system (9).
Applicant:	Mr & Mrs Parsons
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

The applicant has submitted the following in support of the application:

Application form
Drawing no. 2006 B 305
Drainage Report ref. JB13665
Clearing of Conditions Report by JRD Kent
Nelson kitchen ventilation guide
Drawing no. CV/RTB/V1 (Proposed new kitchen ventilation system)

Relevant Planning History

<u>Application no.</u>	<u>Description</u>	<u>Status</u>	<u>Decision Date</u>
20210178	Introduction of tea room (Class E(b)) to existing mixed use barns including the erection of a single storey infill extension and two external staircases; the insertion of new windows and roof lights and	Permitted	21.05.2021

alterations to existing fenestration;
the provision of parking area with in
and out access; internal layout
alterations; the re-organisation of
external storage containers and
boiler enclosure and associated
landscaping and external works.

Development Plan

Gravesham Local Plan Core Strategy 2014

- CS01 – Sustainable Development
- CS02 – Scale and Distribution of Development
- CS07 – Economy, Employment and Skills
- CS10 – Physical and Social Infrastructure
- CS11 – Transport
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Design and Development Principles
- CS20 – Heritage and the Historic Environment

Saved Policies in the Gravesham Local Plan First Review 1994

- T1 – Impact of Development on the Highway Network
- P3 – Vehicle Parking Standards
- TC2 – Listed Buildings
- C11 – Change of Use of Redundant Buildings in the Countryside

Other Material Considerations

National Planning Policy Framework 2021

- Section 2 – Achieving sustainable development
- Section 6 – Building a strong, competitive economy
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt Land
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

Supplementary Planning Guidance (SPG)

- Gravesham Landscape Character Assessment (2009)
- SPG4 – KCC Parking Standards (2006)

Consultations, Publicity and Representations

GBC Highways

The highways details, parking information and Construction Code of Practice are considered adequate given the size of the development.

GBC Environmental Protection

Condition 3: Drainage

'No development shall take place until a comprehensive report from a competent drainage contractor has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the existing drainage system, including a plan showing the location of the septic tank and its drainage field, the capacity of the drainage system, its condition, and recommendations by the drainage contractor on its suitability for the proposed development. If the existing drainage system is not suitable, comprehensive details of a proposed replacement drainage system must be provided. Whether the existing drainage is suitable or a new system is required, details of how the kitchen waste water will be suitably disposed of to ensure oil, fat and grease do not block the drainage, shall also be provided.'

Information provided by applicant

A report written by Absolute Leak Detection Ltd dated 05 August 2021 as been provided with the application. The report advises that the site is served by a fibreglass cesspit installed in 2000 with a max capacity of approximately 6000 to 8000 gallons. The drainage is reported to be in good condition and believed to be adequate for both domestic and commercial purposes. Photographs of the inspection chambers has been provided as well as a sketch of their location and drainage layout.

Details of how the kitchen waste will be disposed of to ensure FOG does not block the drain has also been provided by the applicant. This includes use of a grease trap, Grease Guzzle HDPE 100 Litre Automatic Grease Trap – P – P100Auto.

EP comments

We are satisfied that sufficient information has been provided as requested to discharge condition 3. We would however recommend that the response to the applicant should advise them that they need to ensure they suitably maintain the drainage and maintain the grease trap to prevent blockages.

Condition 4: Code of Construction Practise

'No development shall take place until a comprehensive Code of Construction Practice covering all environmental impacts of this development is provided by the applicant and submitted for approval to the Local Planning Authority. The approved scheme shall include details of hours of work during the construction period, delivery times for materials, parking of vehicles of site personnel and visitors, loading and unloading of plant and materials, storage of materials and wheel washing proposals. The development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice.'

Information provided by applicant

The applicant has advised that they will implement the following;

1. Hours of working during the construction period: 08:00 - 16:00 Monday - Friday
2. Delivery times for construction materials: Within 'working hours'
3. Parking of site personnel & visitors vehicles: Within the existing site car park, off road
4. Loading / Unloading of plant & materials: Within the existing site car park, off road
5. Storage of construction materials: Securely within the existing barns or within the existing containers already on the site
6. Wheel washing facilities: Within the existing site car park. If debris are dropped on the road, Church Lane, they will be swept up and removed when necessary

EP comments

We are satisfied that sufficient information has been provided to discharge this condition.

Condition 8: Lighting

'Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include a suitable report detailing and explaining the lighting impact of the scheme on neighbouring and permitted light sensitive properties and confirm compliance with The Institution of Lighting Professionals (ILP) Guidance Notes for the Reduction of Obtrusive Light such that its impact on existing and permitted residential properties is not greater than that found for Environmental zone E2 in table 1 of the ILE guidance notes. This shall include suitable predictions of light intrusion on the vertical plane demonstrating and explaining:

- a) The source intensity at predicted and existing light sensitive properties' windows (the maximum source intensity to be seen by looking at any of the development's lights) Gravesham Borough Council*
- b) The vertical illuminance at light sensitive properties' windows (how much light falls onto a window).*

Once fitted, a suitable post installation report shall be provided demonstrating compliance with the above standard and any works identified as being required shall be carried out prior to the first operational use of these lights. The external lighting shall be installed in accordance with the approved details and no additional lighting shall be installed without the prior permission in writing of the Local Planning Authority.'

Information provided by applicant

The applicant has advised that no new external lighting will be installed.

EP comments

We are satisfied that this condition can be discharged however we would recommend that the response to the applicant advises them that should they wish to install external lights that may impact upon nearby properties that they consult with the Environmental Protection team prior to installation.

Condition 9 : Kitchen Extraction System

'Prior to the tea room hereby approved becoming operational, a suitable scheme for a kitchen extraction system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the guidance provided in the "Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems - Annex B - Information Required To Support Planning Application For Commercial Kitchen."

The approved scheme must be installed and commissioned by a competent ventilation engineer prior to first operation, to the satisfaction of the Local Planning Authority and be made available for inspection if requested.'

Information provided by applicant

The applicant has provided specifications of the extractor fan, stainless steel canopy and supply fan, along with a ground floor plan and side elevation which only shows the outlet and inlet location for the ventilation system.

EP Comments

Environmental Protection initially commented as follows:

Condition 9 has not been fully complied with therefore the condition should not be discharged. The provision of technical specifications and plans only showing the location of the inlet and outlet cannot be considered as having provided details of a suitable scheme for the extraction system.

The applicant refers to an accompanying document 'Nelson Kitchen Ventilation Guide', however a copy of this has not been provided. We would like to see a copy of this.

A suitable scheme needs to include a plan and a cross-section showing all elements of the extraction system as it is intended to be installed in the building.

Further to the submission of additional details:

Nelson kitchen ventilation guide
Drawing no. CV/RTB/V1 (Proposed new kitchen ventilation system)

Environmental Protection commented further as follows:

We now consider that Condition 9 can be partially discharged. A full discharge of the condition however would require satisfactory confirmation by the LPA that the system has been installed as per the proposal and specification agreed to.

Analysis

Condition 3 (Drainage)

Condition 3 states as follows:

No development shall take place until a comprehensive report from a competent drainage contractor has been submitted to and approved in writing by the Local Planning Authority. The report shall include details of the existing drainage system, including a plan showing the location of the septic tank and its drainage field, the capacity of the drainage system, its condition, and recommendations by the drainage contractor on its suitability for the proposed development. If the existing drainage system is not suitable, comprehensive details of a proposed replacement drainage system must be provided.

Whether the existing drainage is suitable or a new system is required, details of how the kitchen waste water will be suitably disposed of to ensure oil, fat and grease do not block the drainage, shall also be provided.

The submitted details are as follows:

Drainage Report ref. JB13665
Clearing of Conditions Report by JRD Kent (page 3)

The Drainage Report concludes the existing drainage is adequate for both domestic and commercial purposes.

The Clearing of Conditions Report also sets out the details of how kitchen waste water will be dealt with via a grease trap (details in report).

Environmental Protection are satisfied that sufficient information has been provided. The applicant should be advised to suitably maintain the drainage and grease trap to prevent blockages.

The submitted details are therefore considered sufficient for condition 3 to be discharged.

Condition 4 (Code of construction practice)

Condition 4 states as follows:

No development shall take place until a comprehensive Code of Construction Practice covering all environmental impacts of this development is provided by the applicant and submitted for approval to the Local Planning Authority. The approved scheme shall include details of hours of work during the construction period, delivery times for materials, parking of vehicles of site personnel and visitors, loading and unloading of plant and materials, storage of materials and wheel washing proposals. The development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice.

The submitted details are as follows:

Clearing of Conditions Report by JRD Kent (page 4)

Environmental Protection are satisfied that sufficient information has been provided.

The submitted details are therefore considered sufficient for condition 4 to be discharged.

Condition 5 (Materials)

Condition 5 states as follows:

Notwithstanding the details included on the approved plans, prior to the commencement of any above ground works, details and samples of all external facing materials to be used on the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

(i) window details, to include double flush timber casements on the ground floor; (ii) cladding; (iii) roof materials; (iv) rainwater goods.

The submitted details are as follows:

Clearing of Conditions Report by JRD Kent (pages 5-8)

The report sets out the following:

- Roof: Existing sheeting will be retained, with like-for-like repairs/replacement only if necessary; the new roof over the single storey infill extension will be composite timber.
- Rainwater goods: Black plastic to match existing.
- Cladding: Existing black timber cladding will be retained, with like-for-like repair/replacement only if necessary; new timber cladding to the infill extension will be the same profile and painted black.
- Windows: All existing timber windows will be retained and refurbished by a specialist, replacing single pane glass with double glazed panel and repainting frames black to match existing. The two new windows will be timber, painted black and double glazed to match existing.

The Conservation Officer has verbally commented that the proposals form a light touch approach and will conserve the character of the building.

The submitted details are therefore considered sufficient for condition 5 to be discharged.

Condition 6 (Landscaping)

Condition 6 states as follows:

Within three months of the development commencing, a scheme detailing the proposed hard and soft landscaping associated with the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- (i) the type and species of planting to be carried out to include their quantity and size;*
- (ii) measures to promote biodiversity enhancement to include planting of native and wildlife attracting species and installation of bat and bird nesting boxes;*
- (iii) a timetable for implementation;*
- (iv) details of initial aftercare, long term maintenance and details for monitoring and remedial measures;*
- (v) the extent of, and materials for all areas of hardstanding;*
- (vi) the type, materials, height and extent of any fences, gates, walls or other means of enclosure.*

The approved landscaping scheme shall thereafter be implemented in accordance with the approved timetable and maintained in accordance with the approved details. Any trees or plants that die, are damaged, removed or become diseased within five years from the date of planting shall be replaced with a species of a similar size and species during the next available planting season.

The submitted details are as follows:

Clearing of Conditions Report by JRD Kent (pages 9-10)

The report sets out that any new planting will solely be contained within moveable flower pots. As no new planting will be carried out a timetable of planting has not been submitted. Aftercare will be carried out by the Church on a regular basis as it is presently (this includes proactively managing an expansive area of natural landscape to the south of the barns). New paving will be concrete slabs to match the existing. The proposal will not remove any existing planting, shrubs, grassland or nesting areas.

The proposals will ensure an acceptable provision of landscaping, as recognised in the reason for condition 6. The submitted details are therefore considered sufficient for condition 6 to be discharged.

Condition 7 (Gates, surface, passing bay)

Condition 7 states as follows:

The tea room hereby approved shall not become operational until the following has been carried out and the details of this submitted to and approved in writing by the Local Planning Authority:

- 1 Any gates to open away from the highway and to be set back a minimum of 6.0 metres from the edge of the carriageway.*
- 2 Use of a bound surface for the first 5 metres of the access from the edge of the highway.*
- 3 Construction of a passing bay between the access and Gravesend Road in a location shown in the application documents prior to occupation of the new facilities.*

The submitted details are as follows:

Clearing of Conditions Report by JRD Kent (pages 11-12)

The highways details and parking information are considered to be satisfactory and are therefore considered sufficient for condition 7 to be discharged.

Condition 8 (External lighting)

The submitted details are as follows:

Clearing of Conditions Report by JRD Kent (page 13)

The report states there will be no new external lighting and therefore no details have been submitted or are required for condition 8. An informative should be included to remind the applicant of the need to submit the required details if proposed in the future.

Condition 9 (Kitchen extraction)

Condition 9 states as follows:

Prior to the tea room hereby approved becoming operational, a suitable scheme for a kitchen extraction system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the guidance provided in the "Defra Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems - Annex B - Information Required To Support Planning Application For Commercial Kitchen."

The approved scheme must be installed and commissioned by a competent ventilation engineer prior to first operation, to the satisfaction of the Local Planning Authority and be made available for inspection if requested.

The submitted details are as follows:

Clearing of Conditions Report by JRD Kent (pages 14-16) (the report sets out the details of the ventilation system).

Nelson kitchen ventilation guide

Drawing no. CV/RTB/V1 (Proposed new kitchen ventilation system)

Environmental Protection initially commented that the submitted details could not be considered as having provided details of a suitable scheme for the extraction system. However, further to the submission of additional details, the condition can now be partially discharged. In line with the wording of the condition, the final discharge can be completed when it has been confirmed by the Local Planning Authority that the system has been installed as per the approved proposal and specification.

Conclusion

The Local Planning Authority is satisfied with the details submitted in relation to planning permission 20210178 for the introduction of tea room (Class E(b)) to existing mixed use barns including the erection of a single storey infill extension and two external staircases; the insertion of new windows and roof lights and alterations to existing fenestration; the provision of parking area with in and out access; internal layout alterations; the re-organisation of external storage containers and boiler enclosure and associated landscaping and external works. It is considered that conditions 3, 4, 5, 6, and 7 can be fully discharged, and 9 can be partially discharged.

A further informative should be included to remind the applicant of the need to comply with the requirements of the remaining conditions 9 (further details to be provided) and 10, 11, 12, 13 and 14 (none of which require details to be submitted).

Recommendation:

Approval of details.

See draft Decision.

Case Officer: Katherine Parkin	Team Leader: Faye Hobbs
Signed: K. Parkin	Signed: 
Dated: 30/06/2022	Dated: 30 June 2022