

Application: 20251053

**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 J Loker
C/O Mr Steve Clarke, Graham Simpkin Planning Ltd
2 The Parade
Ash Road
Hartley
Kent
DA3 8BG**

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:

**Land Adjacent To And To The Rear Of Elm Close
Old Manor Drive
Gravesend
Kent
DA12 1QD**

and being **Erection of a new single-storey detached dwelling with associated access and parking space** Your application dated 15th October 2025 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:
 - o Application form;
 - o Drawing no. 01 - Site Location Plan;
 - o Drawing no. 02 - Existing Block Plan;
 - o Drawing no. 03 - Proposed Block Plan;
 - o Drawing no. 04 - Proposed Bungalow;
 - o Strategic Access Management & Monitoring Strategy (SAMMS) Contribution Agreement;
 - o BNG Metric;
 - o Planning Statement;
 - o Reptile Survey Report by KB Ecology, 18 August 2025, Ref. 2025/02/03;
 - o Preliminary Ecological Appraisal by KB Ecology, 15 June 2025, Ref. 2025/02/03;
 - o Phase 1 Geo Environmental Desk Study and Preliminary Risk Assessment by R. Carr Geotechnical Services, November 2020, Ref; 3822/20;

- o Phase 1 Contamination Assessment Old Manor Drive Appendix B;
- o Biodiversity Gain Statement Version 1.2; and
- o Arboricultural Report by GRS Arboricultural Consultant Ltd, 2 October 2025.

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

3. The development hereby permitted shall not commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following:

- o Hours of construction;
- o Routing of construction and delivery vehicles to and from site;
- o Parking and turning areas for construction and delivery vehicles and site personnel;
- o Timing of deliveries;
- o Provision of wheel washing facilities;
- o How retained habitats shall be protected;
- o Storage of plant and materials;
- o Dust management controls;
- o Measures of minimising the impact of noise and, if appropriate, vibration arising from construction activities;

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document.

Reason: Due to the proximity of the dwelling to other dwellings and also the narrow access to the site, to minimize traffic generated by the construction of the development, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, and detriment to the natural environment in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

4. Within three months of works commencing, a detailed plan showing how the development shall enhance and maintain biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. This shall include details of native and wildlife-friendly planting, durable integrated bat boxes and integrated swift bricks, and holes in close-board fencing. The approved measures shall be implemented and retained 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).

5. 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 carried out 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).

6. Prior to the commencement of any above ground works, a scheme 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, turning area and car parking area, any patio areas and the type, materials, height and extent of any fences, gates, walls or other means of enclosure. 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).

7. Prior to the commencement of any above ground works a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme as approved shall be carried out in accordance with the approved details within the first planting season. Any trees or plants that die, are damaged, removed or become diseased within five years from implementation shall be replaced with a similar size and species during the next planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the site and biodiversity, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

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

- o Plan showing location of lighting and light spill
- o Downward facing
- o On a motion sensor (where possible)
- o Follow the recommendations within Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night1' shall be submitted to and approved in writing by the Local Planning Authority.

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).

9. Prior to first occupation of the dwelling hereby permitted, details of the refuse and recycling storage facilities including plans and elevations shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be made available for use prior to first occupation of dwelling hereby approved and retained for use by occupiers of the dwelling at all times thereafter.

Reason: In order to ensure the dwelling is served by sufficient refuse and recycling storage facilities in the interests of amenity and in order to protect the openness of the Green Belt in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

10. Prior to first occupation of the dwelling hereby approved details of the cycle storage facilities including plans and elevations of a secure and weatherproof enclosure shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be made available for use prior to first occupation of the dwelling hereby approved and retained for use by site users at all times thereafter.

Reason: In order to encourage options for sustainable travel and in order to protect the openness of the Green Belt in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014).

11. All trees to be retained within the development shall be protected during construction in line with standard arboriculture best practice (BS5837:2012) and in line with the Arboricultural Report by GRS Arboricultural Consultant Ltd, 2 October 2025.

Reason: In order to protect the trees to be retained on site in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

12. The parking provision for the dwelling hereby permitted shall be the two parking spaces as shown on drawing no. 03.

Reason: In order to ensure that the dwelling would have sufficient off-street parking provision in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and saved Policy P3 of the Gravesham Local Plan First Review (1994).

13. 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 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 prevent harm to human health and pollution of the environment in accordance with 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 10/04/2026 to the inclusion of the following pre-commencement condition.

Condition 3.

2 BIODIVERSITY NET GAIN

The development hereby permitted is subject to the general condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990. The condition is that the development may not be begun unless—
(a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.
The condition cannot be varied or removed. An application must be made to discharge it as any other condition.

3 GBC ENVIRONMENTAL PROTECTION COMMENTS

Smoke Control Informative

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed. When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk

Drainage/sewerage informative

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.

4 KCC BIODIVERSITY COMMENTS - BREEDING BIRDS

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 are likely to contain nesting birds between 1st March and 31st August inclusive. Trees are present on the application site and are to be assumed to contain 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.

5 KENT FIRE & RESCUE COMMENTS

The access route between Parrock Road and the roundabout appears narrow, and unsuitable for a fire appliance. The access route along Old Manor Drive appears to be longer than 20m with no turning facilities. Please ensure turning facilities are provided, in accordance with Diagram 13.1 of ADB, Volume 1.

Please be aware that should this proposal be successful it would then be subject to a Building Regulations consultation where the access arrangements would again be examined under section B5.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

6 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.

Dated: 13 April 2026

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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

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### 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.