



Application: 20240262

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

DETERMINATION AS TO WHETHER PRIOR APPROVAL IS REQUIRED

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

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

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

and being **Application for a determination pursuant to Article 3, Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as to whether Prior Approval is required in respect of the change of use of undercroft car park of existing commercial building (Use Class E) to 10 residential flats (Use Class C3).**

Referred to in your application dated 21st March 2024.

CONDITIONS:-

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

2. The cycle storage shown on approved 'Drawing no. 004 - Rev. C', for 10no. bicycles shall be installed prior to the first occupation of the units hereby permitted and thereafter shall be retained permanently.

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

Your attention is drawn to the following informatives

INFORMATIVES:-

1 THAMES ESTUARY AND MARSHES RAMSAR/SPECIAL PROTECTION AREA

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

2 EXTENT OF THE PRIOR APPROVAL

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

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

Application Form - dated 19 March 2024;
Covering Letter - dated 19 March 2024;
Planning Statement by Gemini Planning Service Ltd - dated March 2024;
Supplementary Information - Residential Space Standards Statement;
Supplementary Information - Transport Statement by Velocity Transport Planning Ltd - dated June 2023;
Supplementary Information - Internal Daylight Assessment by T16 Design - dated May 2023;
Drawing no. JH-C-00-OG-01-01 - IN3 - Site Location Plan and Block Plan;
Drawing no. 001 - Rev. B - Proposed South and West Elevations;
Drawing no. 001 - Rev. B - Annotated Proposed South and West Elevations;
Drawing no. 002 - Rev. A - Proposed North and East Elevations;
Drawing no. 002 - Rev. A - Annotated Proposed North and East Elevations;
Drawing no. 003 - Rev. A - Sections;
Drawing no. 004 - Rev. C - Proposed Lower Ground Floor Plan.

3 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

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

4 BUILDING REGULATIONS AND PARTY WALL ACT

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

Dated: 16 May 2024

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