



Application: 20220982

**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

To: **Mr M Churchill, Howden Joinery Properties Limited
C/O Mrs Michele Franklin, Redbourn Group Limited
Unit 1
Lake View House
Wilton Drive, Tournament Fields
Warwick
CV34 6RG**

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:

**Unit 4
Trade City
Coldharbour Road
Northfleet
Gravesend
Kent
DA11 8AB**

and being **Application for a variation of condition 11 of planning permission 20181271 for the erection of a Foodstore (Use Class A1 - Retail) and business units providing employment floorspace (to be used flexibly within Use Classes B1(c), B2 and B8 - light industrial, general industrial and storage and distribution including the provision for ancillary retail sales to facilitate specialist, trade counter operations); creation of new infrastructure including a pedestrian footway / cycleway and 'toucan' crossing on Coldharbour Road, access, car parking and servicing; hard and soft landscaping and associated retaining structures and ground works; to allow the installation of a mezzanine floor**

Your application dated 7th September 2022 is permitted subject to the following:-

Conditions

Time Limit Condition

- 1 The development to which this permission relates must be begun not later than 19 February 2023.

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.

Approved Plans and Particulars

2. The development hereby permitted shall be carried out only in precise accordance with the following approved details, plans and specifications:

Drawing No 18031-0201 Rev P-00: Site Location Plan;
Drawing No 18031-0301 Rev P-06: Proposed Site Plan;
Drawing No 18031-0321 Rev P-02: Proposed Elevations - Lidl;
Drawing No 18031-0322 Rev P-02: Proposed Elevations - Trade City;
Drawing No 18031-0331 Rev P-03: Proposed Sections; and
Drawing No 818-MP-01 Rev G: Landscape Masterplan

and those approved pursuant to any conditions contained herein after and there shall be no deviation therefrom.

Reason: In order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Controls over the Construction of the Development

Code of Construction Practice/Construction Management Plan

3. No works shall commence on site until a Code of Construction Practice/Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with Highways England. The construction of the development shall be carried out in accordance with the approved Construction Management Plan for the duration of the construction unless otherwise agreed in writing by the Local Planning Authority, in consultation with Highways England.

The Code of Construction Practice/Construction Management Plan shall include details, where relevant, of the following, including any other measures deemed reasonably necessary:

- (a) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery;
- (b) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery;
- (c) A Construction Traffic Management Plan covering:
 - Details of numbers and routeing of construction and delivery vehicles to / from site
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - Type and location of wheel washing and chassis cleaning facilities;
 - Temporary traffic management / signage
- (d) Details of the location of the proposed construction compound;
- (e) Details of security fencing;
- (f) Details of stockpile areas for building materials or for fill or removed top soil;
- (g) A Construction Drainage Design Plan to identify the required devices to prevent construction run off from flowing into existing drainage;
- (h) Ecological mitigation measures;
- (i) Measures to be undertaken to protect any public sewers and water apparatus;
- (j) Details of vibration monitoring and mitigation during any necessary piling works;
- (k) Details of the location, form and visual appearance of any site hoardings along road frontages and public footpaths;
- (l) Details of temporary construction or security lighting; and
- (m) Monitoring and review provisions with the Local Planning Authority.

Reason: To ensure that construction of the development does not result in avoidable congestion on the A2 Trunk Road and the local highway network, to ensure that the A2 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety; and to protect the amenity of local residents and businesses and protected species and to mitigate the risks to groundwater, in accordance with adopted

Hours of Construction

4. No construction activities in connection with the development of the site including any preparatory earthworks shall take place on site except between the following times:

07.30 a.m. and 6.00 p.m. on weekdays

08.00 a.m. and 1.00 p.m. on Saturdays

No construction activities shall take place at any other time including Sundays, Bank or Public Holidays, without the prior approval of the Local Planning Authority having first been obtained.

Reason: In the interests of residential amenity and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

Restrictions and Limitations on the Use of and Operation of the Development

Restriction on Use of the Food Retail Unit as a Limited Assorted Discounter Store

5. The use of the retail foodstore as hereby permitted shall only be as a deep discount food retail store or Limited Assorted Discounter (LAD) for the sale of Class A1 food retail goods and for no other purpose including any other purpose within Class A1 of Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any equivalent to that Class in any Order amending, revoking or re-enacting that Order, with or without modification.

Reason: In accordance with the details submitted with this application and particularly as the supporting traffic generation/trip rate data supplied relates specifically to the use of the premises as a deep discount food retailer or Limited Assorted Discounter (LAD) and in order that either that the use of the premises by a different foodstore operator with a different business model or trading characteristics or a different Class A1 retailer may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits and likely different impacts in relation to traffic generation and traffic safety, parking demand and impact on the Gravesend town centre shopping area taking into account national planning policy in the National Planning Policy Framework (2021) and adopted Gravesham Local Plan Core Strategy policies CS08: Retail, Leisure and the Hierarchy of Centres, CS11: Transport and saved policies T5 and P3 of the Gravesham Local Plan First Review (1994).

Restriction on Extent of Sales Area and Comparison Sales of the Food Retail Unit

6. The retail foodstore as hereby permitted shall have a maximum total sales area of not more than 1324 sq. m. net of which no more than 20% of the total net sales area shall be used for ancillary sale and display of non-food (comparison) goods unless a specific grant of planning permission has been given by the Local Planning Authority to vary either the total sales floorspace or the extent of non-food goods.

Reason: In accordance with the details submitted with this application and in order that either the use of the premises for a greater food retail sales area or for general retail sales may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits and likely different impacts in relation to traffic generation and traffic safety, parking demand and impact on the Gravesend town centre shopping area taking into account national planning policy in the National Planning Policy Framework (2021) and adopted Gravesham Local Plan Core Strategy policies CS08: Retail, Leisure and the Hierarchy of Centres, CS11: Transport and saved policies T5 and P3 of the Gravesham Local Plan First Review (1994).

No Subdivision of the Food Retail Unit

7. Notwithstanding the provisions of section 55 (2) (a) of the Town and Country Planning Act 1990 the food retail unit as hereby permitted for use as a deep discount food retail store or Limited Assorted Discounter (LAD) for the sale of Class A1 food goods, shall not be subsequently subdivided to create smaller Class A1 retail units or units for independently operated concessions unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In order to ensure that any subdivision of the retail unit may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to traffic generation and safety, parking demand and provision and impact on the Gravesend town centre shopping area taking into account national planning policy in the NPPF and adopted Gravesham Local Plan Core Strategy policies CS08: Retail, Leisure and the Hierarchy of Centres, CS11: Transport and saved policies T5 and P3 of the Gravesham Local Plan First Review (1994).

Business Units - Use Restriction to B1 (c), B2 and B8

8. The business units as hereby permitted shall be built for and used for purposes within Classes B1 (c), B2 or B8, namely as light industrial, general industrial and storage and distribution, of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any provision equivalent to those Classes in any Order amending, revoking or re-enacting that Order with or without modification; and notwithstanding the provisions of Article 3 of and Parts 3 and 4 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or in any provision equivalent to that Order amending, revoking or re-enacting that Order with or without modification, the business units shall not subsequently be used for any other purpose other than those uses for which they are hereby permitted.

Reason: In accordance with the details submitted within the application and pursuant to Gravesham Local Plan Core Strategy Policies CS07 (Economy, Employment and Skills) and CS21 (Land at Coldharbour Road Key Site).

Business Units - Trade Counter Restriction

9. A maximum of 15% of the total floorspace of each of the business units as hereby permitted may be used for ancillary retail sales and only as part of a Trade Counter operation.

Reason: In accordance with the details submitted within the application and pursuant to Gravesham Local Plan Core Strategy Policies CS07 (Economy, Employment and Skills) and CS21 (Land at Coldharbour Road Key Site).

Business Units - Restriction on the Range of Goods and Services Provided

10. Notwithstanding the provisions of Article 3 of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, and Class A1 of Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended, or in any equivalent to that Classes in any Order amending, revoking or re-enacting those Orders, with or without modification, the range of goods to be sold as ancillary retail sales from those business units that include a trade counter operation shall be limited to the following goods and services:

- DIY, hardware, tools, machinery and related products
- Plumbing and heating products
- Electrical goods

- Tiles and other floorcovering and related products
- Garden machinery and goods, and related products
- Tool hire
- Painting and decorating supplies
- Furniture (self-assembly and fitted)

For the avoidance of doubt none of the business units shall be used for the boarding of animals or the storage of animals for wholesale.

Reason: In order that any other uses of the business units may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to traffic generation and safety, parking demand and impact on the Gravesend town centre shopping area taking into account national planning policy in the National Planning Policy Framework (2021) and adopted Gravesham Local Plan Core Strategy policies CS08: Retail, Leisure and the Hierarchy of Centres, CS11: Transport and saved policies T5 and P3 of the Gravesham Local Plan First Review (1994).

No Mezzanines other than as shown unless details submitted; or modification or extension

11. Notwithstanding the provisions of Article 3 of and Part 7 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any Order amending, revoking and re-enacting that Order, with or without modification, and also notwithstanding section 55 (2) (a) of the Town and Country Planning Act 1990, no extension or enlargement of the retail unit and business units and no mezzanine floor, except in Unit 4, shall be constructed within the units (or other than as shown in the originally approved drawings) unless a specific grant of planning permission has been given by the Local Planning Authority

Reason: In order to ensure that any enlargement of the retail and business units may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to traffic generation and safety, parking demand and impact on the Gravesend town centre shopping area taking into account national planning policy in the NPPF and adopted Gravesham Local Plan Core Strategy policies CS08: Retail, Leisure and the Hierarchy of Centres, CS11: Transport and saved policies T5 and P3 of the Gravesham Local Plan First Review (1994).

No shop trolley stores or click and collect facilities unless details submitted

12. Notwithstanding the provisions of Article 3 of and Part 7 Classes B and C of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or in any provision equivalent to those Classes in any Order amending, revoking or re-enacting that Order with or without modification, no shop trolley stores or click and collect facilities shall be provided externally to the food retail unit hereby permitted unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In order to assess the impact of such facilities in visual terms and in relation to parking demand and availability pursuant to Gravesham Local Plan Core Strategy policy CS19: Development and Design Principles and saved policy P3 of the Gravesham Local Plan First Review (1994) and the Kent Vehicle Parking Standards (SPG 4 published in 2003 and adopted in 2006).

Restriction on Hours of Use

13. The food retail store shall be open to the public only during the following hours:

07:00 to 22:00 Monday to Saturday
10:00 to 16:00 Sundays

The business (Trade City) units shall operate only during the following hours:

07:00 to 20:00 Monday to Saturday
10:00 to 16:00 Sunday

with the exception of Unit 1 which shall operate during the following hours:

07:00 to 20:00 Monday to Saturday and
09:00 to 16:00 Sundays.

Reason: In order to safeguard local residential amenity and pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

Restriction on External Storage

14. No external storage of goods or materials in connection with the operation of the food retail unit and business units shall take place at any time within the open parts of the site including the customer/staff car parks.

Reason: In order to safeguard the living conditions of the occupants of nearby residential properties and in the interest of visual amenity and pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

Design and Detailed External Appearance

Submission of Details of Ground Levels and Floor Levels

15. Notwithstanding the details shown in the approved drawings no development shall commence until full details including section drawings of the ground levels of the site including to the parking areas and servicing arrangements and of the ground floor levels of the proposed buildings on the site as hereby permitted and details of any earth retention measures have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development.

Reason: No such details have been submitted and to ensure the development contributes to local character and local visual amenity and protects the privacy and amenity of adjoining premises and pursuant to Gravesham Local Core Strategy Policy CS19: Development and Design Principles and section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).

Submission of Detail of Materials and Surface Treatments

16. Before the commencement of any above ground works and notwithstanding the details as shown in the approved plans and other supporting documents full details including samples as necessary of the external facing materials and all external surface treatments shall be submitted for the approval of the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles and section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).

Submission of Details of Boundary Treatments

17. Before the commencement of any above ground works and notwithstanding the details as shown in the approved plans and other supporting documents full details of the boundary treatments to the site shall be submitted for the approval of the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development; the submitted details shall take into account the boundary treatment and security recommendations as set out in the consultation comments from the Kent Police Designing Out Crime Officer.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles and section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021) and section 17 of the Crime and Disorder Act.

No Additional Hardstandings to be formed

18. No additional hardstanding areas, parking areas or hard surfaced areas, other than as shown in the approved drawings or submitted pursuant to any condition in this consent, shall be formed or provided unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles and section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).

Details of Waste Management and Refuse

19. Notwithstanding the details shown in the approved drawings and other supporting documents and before the commencement of any above ground works full details of the waste management and refuse arrangements for storage and disposal of refuse/waste including excess packaging for both the food retail store and the business units shall be submitted for the approval of the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development and thereafter retained.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles and section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).

Archaeology

20. Prior to commencement of development, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with adopted Gravesham Local Plan Core Strategy Policies CS19: Development and Design Principles and CS20 (Heritage and the Historic Environment), saved Gravesham Local Plan First Review Policy TC7 and section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2021).

Footpath

21. No above ground development shall take place over the line Public Footpath NG20 within the application site until confirmation of the order permanently extinguishing it has been notified to the Local Planning Authority in writing.

Reason: To ensure that public rights of way are properly safeguarded in the public interest and pursuant to policies CS11 (Transport) and CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy (September 2014).

Contamination and Remediation

Submission of a Contamination Remediation Strategy

22. No development approved by this permission shall be commenced prior to a contamination remediation strategy (in accordance with the CLEA guidelines and CLR 11 methodology), being submitted to the Local Planning Authority for approval.
- a) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.
- b) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the Local Planning Authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

Reason: To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Unsuspected Contamination

23. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

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 paragraph 183 of the National Planning Policy Framework (2021).

Drainage and Surface Water Protection

Prevention of Water Pollution - No infiltration of surface water drainage

24. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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 caused by mobilised contaminants in line with paragraph 185 of the National Planning Policy Framework (2021).

Provision of Sustainable Surface Water Drainage Scheme (SUDS)

25. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the Local Planning Authority. The detailed drainage scheme shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding. These details and accompanying calculations are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

Submission of a Verification Report for Surface Water Drainage System

26. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 169 of the National Planning Policy Framework (2021).

Means of Foul and Surface Water Sewerage Disposal

27. Construction of the development shall not commence until details of the proposed means of foul and surface water sewerage disposal have been submitted to, and approved in writing

by, the Local Planning Authority in consultation with Southern Water; the development shall be implemented in accordance with the approved details before the first occupation of any part of the development.

Reason: To ensure that an acceptable means of foul disposal for the development is agreed with the sewerage undertaker and in accordance with Policy CS18 of Gravesham Core Strategy Gravesham Local Plan: Core Strategy (September 2014 and Section 94 of the Water Industries Act 1991.

Noise Impact

Noise from Plant or Equipment

28. The rating level of the noise emitted from any plant or equipment associated with the proposed use shall not exceed existing background level (LA90) at nearest noise sensitive premises when assessed in accordance with BS4142:2014.

Reason: In order to protect the residential amenity of nearby residents and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

Internal Noise Levels

29. The development as hereby permitted including the food retail unit and the business (Trade City) units shall be designed and built to ensure that the internal noise levels in accordance with the guidance of BS8233:2014 are achieved.

Reason: In order to protect both the working amenity of those working at the development as well as those in surrounding residential developments and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

Loudspeakers

30. Save for the case of emergencies external loudspeakers shall not be used on the site without the prior written approval of the Local Planning Authority having first been obtained.

Reason: In order to protect the residential amenity of nearby residents and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

Highways and Parking

Highway Works

31. No part of the development hereby permitted shall be brought into use until the completion and opening to public traffic of the full scheme of highways works as shown on Milestone Transport Planning Drawing No. 18076/011 Rev F 'Proposed Consolidated S278 Works' (submitted on 08 January 2020) and Milestone Transport Planning Drawing Ref. 18076/007 Rev. A 'Proposed S278 Works to Coldharbour Road' (Appendix 15 to the Addendum Report to Updated Transport Assessment October 2019), or a scheme or schemes to a similar effect as may be agreed by the Local Planning Authority in consultation with Highways England and the Local Highway Authority.

Reason: In the interests of highway and pedestrian safety on the local highway network and pursuant to Gravesham Local Plan Core Strategy policy CS11: Transport, saved policies T1 and T5 of the Gravesham Local Plan First Review (1994) and Section 9: Promoting sustainable transport of the National Planning Policy Framework (2021); and to ensure that the A2 Trunk Road continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety.

Travel Plan

32. Notwithstanding the revised Framework Travel Plan accompanying the application the development shall not be brought into use until a full and final workplace Travel Plan, detailing the measures designed to help and thereafter maintain a modal shift in favour of reduced reliance on private car usage for travel to and from the development, has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, amongst other things, the appointment of a Travel Plan Co-ordinator, objectives and modal-split targets, a programme of implementation and provision for monitoring, review and improvement. All elements of the Travel Plan shall continue to be implemented at all times following its approval for as long as any part of the development is occupied or used.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport and Section 9: Promoting sustainable transport of the National Planning Policy Framework (2021).

Commercial Delivery Service Vehicle Management Plan

33. The use of the retail food unit and the business units as hereby permitted shall not commence until a Commercial Delivery Service Vehicle Management Plan (DSMP) has been submitted to and approved in writing by the Local Planning Authority. The DSMP shall include the timing and control of deliveries and turning arrangements for all parts of the development. Any measures described in the DSMP shall be implemented within the time period identified within the DSMP and maintained thereafter in accordance with the approved details.

Reason: In order to protect the residential amenity of nearby residents pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles) and to safeguard the efficient operation of areas intended for vehicular access, customer parking, circulation and the servicing of the retail and businesses units pursuant to Gravesham Local Plan Core Strategy policy CS11: Transport.

Parking Provision and Retention

34. The area shown on the approved site layout drawing (Drawing No 18031-0301 Rev P-05: Proposed Site Plan) as car parking, circulation, and vehicle turning shall be formed, surfaced, drained and marked out in accordance with the details so shown before the buildings are first brought into use for the uses as hereby permitted; the area so shown shall be used as such and retained at all times for access, parking and turning; and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015, as amended, or any provision equivalent to that order in any order amending, revoking or re-enacting that order with or without modification, shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas.

Reason: To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan: Core Strategy (September 2014), saved Policy P3 of Gravesham Local Plan First Review (1994) and the adopted vehicle parking standards (SPG 4).

Cycle Parking Provision and Retention

35. The cycle parking facilities to serve both the food retail unit and the business units, as shown on the submitted drawings and other accompanying documents, and which shall be both secure and weatherproof, shall be implemented and made available for such use

before the buildings are first brought into use for the uses as hereby permitted; thereafter the cycle parking facilities shall be permanently retained.

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

Electric Vehicle Charging Points

36. Details for the provision and permanent retention of charging points for electric vehicles for both the food retail unit car park and the business units car park shall be submitted for the approval of the Local Planning Authority; such provision shall include active charging points and provision of cabling to enable future charging facilities to be installed; each charging point should be able to accommodate a useable supply of 7kW; such provision shall be implemented prior to the first occupation of any part of the development hereby permitted and therefore permanently retained and maintained.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS18: Climate Change and Policy CS19: Development and Design Principles.

Lighting of the Car Parking Areas

37. Notwithstanding the details as shown on the submitted drawings and other accompanying documents full details of the lighting of both the car parking areas for the food retail unit and the business units and for any other parts of the site shall be submitted for the approval of the Local Planning Authority and shall be carried out in accordance with the approved details before the first occupation of any part of the development.

Reason: In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Home Delivery

38. No Home Delivery Service shall take place from the food retail unit unless adequate space is provided for parking and loading and details are first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan: Core Strategy (September 2014), saved Policy P3 of Gravesham Local Plan First Review (1994) and the adopted vehicle parking standards (SPG 4).

Sustainability

39. Notwithstanding the details as set out in the Energy and Sustainability Statement Rev C by CHB Sustainability (ref CHBS-MH-18033-1-C) dated 05 December 2018 full details of the sustainability measures to be incorporated in the development hereby permitted shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development. The sustainability measures should include the provision of solar photovoltaics (PVs) on the food retail store (Class A1) only.

Reason: To ensure that the development of the site promotes sustainability measures, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS18 (Climate Change).

Landscaping and Trees

Retention and Protection of Trees

40. Any retained trees and hedges on the site shall be protected during all construction works in accordance with the details set out in accordance with Appendix 5 of the Arboricultural Impact Assessment by Tamla Trees December 2018

Reason: In the interests of visual amenity and pursuant to Gravesham Local Core Strategy Policy CS19: Development and Design Principles.

Soft Landscaping Scheme

41. Prior to the first occupation of the development hereby approved, and unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of the development. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season; the scheme shall incorporate measures for soil retention on the eastern boundary of the site.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Ecology

Reptile Translocation

42. Prior to the commencement of development (including site clearance), the reptiles within the application site shall be captured and relocated to the identified receptor site as shown within the submitted Reptile Receptor Site Assessment (Calumma Ecological Services, 29 January 2019) and in accordance with good practice guidelines. The receptor site shall be prepared and managed appropriately for the translocated reptiles, and thereafter retained. Details of the completed translocation shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: The proposed works will remove habitat that has suitable potential for reptiles. Reptiles have been found within the site and mitigation is required to prevent an offence under relevant wildlife legislation pursuant to the requirements of Gravesham Local Plan Core Strategy Policy CS12 (Green Infrastructure).

Ecological Enhancement Plan

43. Prior to the first occupation of the development, an Ecological Enhancement Plan detailing the enhancement of biodiversity, including bat and bird boxes, use of native species in landscaping and incorporation of features beneficial to wildlife wherever possible within and around the perimeter of the site, together with details of the timing/phasing of the respective elements forming the scheme and proposed management arrangements, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme

shall be fully implemented prior to the first occupation of the development hereby approved, and thereafter maintained.

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of Gravesham Local Plan Core Strategy Policy CS12 (Green Infrastructure).

Lighting Design Strategy for Biodiversity

44. No development shall take place until a "lighting design strategy for biodiversity" for the site boundaries has been submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall:

- Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory;
- Show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory; and,

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy."

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of Gravesham Local Plan Core Strategy Policy CS12 (Green Infrastructure). Bats are sensitive to light pollution and the introduction of artificial light might mean such species are disturbed and/or discouraged from using the commuting routes (hedgerows and tree lines), established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

Delivery of Both Elements of the Development

45. No use of the retail foodstore / retail unit hereby permitted shall occur until such time as the B1(c), B2 and B8 Use Class business units also hereby permitted have been constructed to a practical completion stage, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the B1(c), B2 and B8 Use Class employment elements of the development are provided, and are delivered alongside the retail foodstore /retail unit element, in accordance with Gravesham Local Plan Core Strategy Policies CS02, CS07 and CS21.

INFORMATIVES:-

1 STATUS OF SUBMITTED PLANS AND DOCUMENTS

Plans and Documents submitted for Approval

For the avoidance of doubt the following plans and documents were submitted in support of the application for approval and were taken into account in making the decision:

Planning Application Form and Certificates;

Application Drawings

- Drawing No 18031-0201 Rev P-00: Site Location Plan;
- Drawing No 18031-0301 Rev P-05: Proposed Site Plan;
- Drawing No 18031-0321 Rev P-02: Proposed Elevations - Lidl;
- Drawing No 18031-0322 Rev P-02: Proposed Elevations - Trade City;

- Drawing No 18031-0331 Rev P-02: Proposed Sections; and
- Drawing No 818-MP-01 Rev G: Landscape Masterplan

Supporting Documents - Transport

- Transport Statement and appendices, revised, by Milestone Transport Planning (MTP Ref: 18-076 rev F) 10 May 2019;
- Addendum Report to Updated Transport Assessment, including appendices, by Milestone Transport Planning (MTP Ref: 18-076 Rev D) (October 2019);
- Milestone Transport Planning Drawing No. 18076/011 Rev F 'Proposed Consolidated S278 Works' (submitted on 8 January 2020);

Plans and Documents submitted for Information

For the avoidance of doubt the following plans and documents were submitted in support of the application for information and were taken into account in the determination of the application:

Covering Letters

- Covering Letter dated 06 December 2018 by Savills;
- Covering Letter dated 07 May 2019 by Savills;
- Covering Letter dated 07 October 2019 by Savills;

Supporting Documents - Planning/Retail/Employment

- Planning and Retail Statement by Savills December 2018;
- Office Market: Supply, Demand and Viability Report, Gravesend by Savills dated November 2018;
- New Speculative Office Development in Gravesend Report by Savills dated 20 November 2018;
- New Speculative Office Development in Gravesend - Sensitivity Analysis Report by Savills dated 20 November 2018;

Supporting Documents - Transport

- Framework Workplace Travel Plan, revised, by Milestone Transport Planning (MTP Ref: 18-076 Rev D) 03 May 2019;
- Transport Statement Non-Technical Summary, by Milestone Transport Planning October 2019 (Revision C);

Supporting Documents - Design/Landscaping

- Design and Access Statement by Corstophine + Wright Architects (ref 18031-DAS-P-02) dated 20 September 2019;
- Landscape and Visual Appraisal (ref 818-LVA 2018.11.29) by Indigo Landscape Architects Ltd, December 2018;
- Supplementary Landscape Information by Indigo Landscape Architects Ltd, November 2018;
- Landscape and Visual Appraisal Addendum (ref 818-LVA 2019-09-23) by Indigo Landscape Architects Ltd, September 2019;

Ecology

- Preliminary Ecological Appraisal by Environmental Assessment Services Ltd (ref Kier/Gravesend/Eco) dated May 2018;
- Reptile Survey by Calumma Ecological Services (Ref 1819/12/1) dated 28 June 2018;
- Reptile Receptor Site Assessment, revised, by Calumma Ecological Services (Ref 1819/24/6) dated 29 January 2019

Drainage and Ground Conditions

- Flood Risk Assessment by Hydrock (Doc ref: 09062-HYD-XX-XX-RP-D-5001) dated 20 September 2018;
- Desk Study and Ground Investigation Report by Hydrock (Hydrock Ref: C-09062-C; BIM Ref: CHG-HYD-XX-GI-RP-GE-0001) November 2018 (including Detailed Unexploded Ordnance Risk Assessment, by 1st Line Defence (ref EP6554-00) 01 June 2018;
- Foul & Surface Water Drainage Strategy by Hydrock (Hydrock Ref: 09062-HYD-XX-ZZ-RP-C-0001) dated 26 April 2019;

Environmental

- Noise Planning Report by Hydrock (Doc ref: CHG-HYD-ZZ-XX-RP-Y-1001) dated 24 September 2018;
- Air Quality Assessment (revised) by Hydrock (Doc ref: CHG-HYD-XX-XX-RP-YA-2003) dated 20 March 2019;

Utilities and Energy

- Energy and Sustainability Statement Rev C by CHB Sustainability (ref CHBS-MH-18033-1-C) dated 05 December 2018;
- Utilities Statement, prepared by CHBS (ref: IJ/BM/9125) dated 07 November 2018;

Archaeology

- Written Scheme of Investigation (WSI) for Archaeological Evaluation by Wessex Archaeology (Document Ref.: 208581.01) August 2018;
- Archaeological Desk-Based Assessment by Wessex Archaeology (Ref: 208580.02) October 2018;
- Archaeological Evaluation by Wessex Archaeology (Ref: 208581.3) November 2018;

Trees

- Arboricultural Impact Assessment (Ref 02954Rv4) by Tamla Trees Consulting Arborists December 2018;

Community Consultation

- Statement of Community Involvement by Four Communications plc, November 2018;

2 DEVIATION FROM THE APPROVED PLANS

Deviation from or amendment to the approved plans could require a further application and permission/consent. In the event that any change is proposed, applicants and builders are advised to seek advice from the Local Planning Authority. Proceeding without the necessary permissions or consents could result in enforcement action.

3 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].

4 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

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.

This has involved extensive discussions and negotiations during the processing of the planning application in a collaborative manner in order to address the various consultations and neighbour concerns.

The application was considered by the Borough Council's Regulatory Board (Planning Committee) where the applicant/agent had the opportunity to address the committee and promote the application.

5 PRE-COMMENCEMENT CONDITIONS

Pursuant to the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 introduced on 1 October 2018 the following planning conditions (conditions 3, 15, 20, 22, 25, 27, 28, 43 and 45) attached to this permission are pre-commencement conditions and have been agreed as such by the applicants.

It is agreed that the requirements of those planning conditions (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site.

6 HIGHWAYS AND TRANSPORTATION

No works shall commence on the public highway without prior agreement of KCC's Agreements team. A Section 278 Agreement or similar will be required.

It is the responsibility of the applicant to ensure, before any development is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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 road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.

7 ENVIRONMENT AGENCY REQUIREMENTS

The applicant's attention is drawn to the following advice of the Environment Agency:

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. Drainage from service yards may require additional measures such as in-line storage and pollution control valves. Yard drainage from some types of business use may require formal EA discharge permits if vehicle areas discharge to ground. Foul sewer provision.

We assume foul will connect to the local foul drainage network. No other foul option is likely to be acceptable at this location.

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- Excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- Treated materials can be transferred between sites as part of a hub and cluster project
- Some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- The Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK

8 SOUTHERN WATER ADVICE

Southern Water advises that the exact position of the public water main must be determined on site by the applicant before the layout of the proposed development is finalised.

Construction over or within the standoff distance of public water mains will not be permitted. Southern

Water requests that this application is not determined until such time as the applicant produces a suitable layout. If planning permission were to be granted, Southern Water (as the statutory sewerage undertaker) would request that the Council (as the Building Control Authority) refuse Building Regulations approval on the grounds that building over the public water distribution main cannot be permitted. In order to progress the proposed development on the site, the layout must be amended. Please note:

1. The water distribution and trunk mains require a clearance of 6 metres either side of the water main to protect it from construction works and allow for future access for maintenance. No development or new tree planting should be located within 6 metres either side of the centreline of the public water main
2. No new soakaways should be located within 5 metres of a public water trunk and distribution mains.
3. New water mains should be located in the public highway
4. All other existing infrastructure should be protected during the course of construction works.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk. Please read Southern

Water New Connections Services Charging Arrangements documents which has now been published and is available to read on the Southern Water website via the following link
<https://beta.southernwater.co.uk/infrastructurecharges>

A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

9 ECOLOGY

Invasive Species

The site has potential for populations of invasive non-native species listed on schedule 9 of the wildlife and countryside act 1981 (as amended). This legislation makes it an offence to plant or otherwise cause these invasive species to grow in the wild. Planning consent for a development does not provide a defence against prosecution under this act. Measures will need to be undertaken to ensure that any invasive species are identified and eradicated prior to the commencement of the development to ensure that no offences occur.

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 and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and an unmanaged hedgerow 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.

10 ADVERTISEMENTS

For the avoidance of doubt the applicants are advised that this permission does not grant consent for or give approval to the display of and the locations for the display of advertisements and signage as shown in the approved drawings and supporting documents, for which a separate express consent will be required pursuant to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, as amended.

11 KENT POLICE CRIME PREVENTION DESIGN ADVICE

The applicants are advised of the following design advice from Kent Police with regard to Crime Prevention through Environmental Design (CPTED)

Recommends that appropriate boundary treatments (gating and fencing 2m in height or higher) be installed to protect the sides and rear of the proposed six business units in the interests of security. It should not be possible for anyone unauthorised to gain access to these areas, particularly given the proximity of the existing footpath that runs along the Eastern boundary of the site, between this and the existing Travelodge and Toby Carvery sites.

Two sets of vehicle prevention gates or swinging arm type barriers that can be locked open or closed, with integral height restriction barriers should be installed to protect the main food store car park and the business unit parking areas, particularly at the close of business, to prevent/deter anti-social vehicle misuse, fly tipping etc.

12 PROPOSED HIGHWAY IMPROVEMENT WORKS ON THE MORRISON'S DUMBBELL ACCESS ROAD

The applicants shall use reasonable endeavours and at their expense to deliver the proposed

highway improvement works on the Morrison's Dumbbell Access Road as shown on Milestone Transport Planning Drawing Ref. 18076/004 Rev. B 'Proposed Improvements to Morrison's Dumbbell Roundabout' (Appendix 13 to the Addendum Report to Updated Transport Assessment October 2019), or any variation of those works agreed in writing by the Local Planning Authority prior to first occupation of either the food store or business units, whichever may occur first.

13 LOCAL EMPLOYMENT AND TRAINING PLAN

The applicants shall use reasonable endeavours to adopt a Local Employment and Training Plan that aims to maximise the opportunities for local residents and businesses to access employment offered by the construction and operational phases of the development and such plan to be submitted to and approved in writing by the Local Planning Authority.

The Plan shall include measures to provide the following:

- (i) Identification of key objectives and targets of the Plan;
- (ii) Promoting employment within the locality such as using local job shops and providing apprenticeship opportunities;
- (iii) Employment and training pro-forma for contractors and developers to provide upon tendering, to encourage use of appropriate local labour;
- (iv) To ensure the owner and contractors work directly with local employment and training agencies;
- (v) To provide training opportunities in respect of any new jobs created (for both construction and operational phases); and
- (vi) Arrangements for monitoring and reviewing the Plan against its specified objectives and targets, including provision of an annual monitoring report to analyse the number of local residents and contractors employed on the site.

14 EXTENT OF THE PERMISSION

For the avoidance of doubt, this permission has been granted under section 73 of the Town and Country Planning Act 1990 to vary condition 11 and amend the permission relating to the notification of grant of planning permission reference 20181271 dated 19 February 2020.

It does not amend any other part of the permission or discharge any of the planning conditions attached to that permission subject to those conditions still subsisting or capable of taking effect.

Either the amended planning permission or the original planning permission for the development or any other amended applications that may also have been granted permission may be implemented but the conditions on the permission chosen to be implemented must be fully complied with.

15 APPROVED DRAWINGS AND DOCUMENTS

For the avoidance of doubt, the permission to vary condition 11 in respect of Unit 4 Trade City was taken in relation to the following drawings and documents

Application Form and Certificates
Covering Letter from Redbourn Group Ltd dated 2nd September 2022
Unnumbered red line OS based plan
Drawing No 116299-101-Existing Floor Plans
Drawing No FP01_PRELIM: Proposed Floor Plan - Preliminary

Applicant's agents email dated 30 October 2022 withdrawing variation of condition 10
Applicant's agents email dated 22 November 2022 re parking and traffic generation

16 DISCHARGE OF PLANNING CONDITIONS

The applicants are advised that in respect of the amended permission hereby granted and the various planning conditions contained herein the Local Planning Authority will not expect the submission for

discharge of any pre-commencement conditions relating to the development or pre-occupation conditions attached to this permission where such similar planning conditions have previously been approved and discharged relating to either the original grant of planning permission or any other amended applications that may also have been granted permission.

Dated: 3 January 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.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- 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.