



Application: 20240998

**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: **BRT Properties Kent Ltd
C/O Offset Architects, Offset Architects
Nepicar House
London Road
Wrotham Heath
Sevenoaks
TN15 7RS**

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:

**BRT Properties Kent
Top Yard
Hardys Corner
2 Vale Road
Northfleet
Gravesend
Kent**

and being **Application for the variation of condition 2 attached to appeal ref APP/K2230/W/22/3302467 relating to erection of a three storey building with rooms in the roof space to provide 14 x two bedroom self-contained flats, with associated access, car parking, cycle parking, refuse stores and amenity space; to allow the alteration of the design of the windows and different sized dormers and ground floor doors accessing private terraces to be altered to windows and adjust the landscaping to suit.** Your application dated 4th November 2024 is permitted subject to the following:-

1. The development hereby permitted shall begin before 7 August 2026.

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. 7985-PD-06 Rev A (proposed landscaping and exterior lighting)
7985-PD-05 Rev A (refuse and cycle stores)
7985-PD-04 Rev A (proposed elevations and sections)
7985-PD-03 Rev B (proposed 2nd floor, 3rd floor and roof plans)
7985-PD-02 Rev B (proposed ground and 1st floor plans)
7985-PD-01 Rev C (proposed site layout)
1530 Rev P03 (typical drainage details)
1540 Rev P03 (typical construction details)
1510 Rev P03 (drainage layout 1 of 2)
1511 Rev P03 (drainage layout 2 of 2)

1510 Rev P01 (manhole schedule)
1500 Rev P03 (engineering layout 1 of 2)
1501 Rev P03 (engineering layout 2 of 2)

Supporting Documents

External Surfaces Materials Schedule
Vibration Assessment
Piling Risk Assessment
Noise Impact Assessment
Phase 1 Habitat Survey
Sustainability Statement for Planning
Remediation Strategy Rev B
Supplementary Phase 2 Site Investigation
Desk Study Assessment Report - Phase 1 Desktop Study
Geo-Environmental Assessment Report
Drainage Operations and Maintenance Manual
Storm Sewer Design
100 Year Storm Calculations
Drainage Strategy Appraisal Technical Note

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

3. No development shall commence until a comprehensive Code of Construction Practice (CoCP), covering all environmental impacts, is submitted to and approved, in writing, by the Local Planning Authority. The CoCP shall include details of the hours of work, delivery times for materials, parking for site personnel and visitors, loading and unloading of plant and materials, storage of materials and wheel washing facilities. The development hereby permitted shall be carried out in full accordance with the approved details.

Reason: To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with policy CS19 of the CS.

4. Details of fixed telecommunication infrastructure and high-speed fibre optic cables (minimal internal speed of 1000 mbps) capable of connection to commercial broadband providers shall be submitted to and approved, in writing, by the Local Planning Authority. The approved infrastructure shall be installed prior to the first occupation of the permitted scheme in accordance with the approved details and maintained for the lifetime of the development.

Reason: To provide high quality digital infrastructure in new developments as required by paragraph 119 Framework 2024.

5. Following site clearance works, no further works shall commence until a scheme for sustainable surface water drainage has been submitted to and approved, in writing, by the Local Planning Authority. The detailed drainage scheme shall:
 - i) demonstrate that both the rate and volume of run-off leaving the site post-development will be restricted to that of the existing site during any rainfall event up to and including a climate change adjusted, 100-year critical storm event;
 - ii) demonstrate that the existing on-site surface water flow routes and accumulation points will not be altered in such a way that the development places property at risk from flooding during any rainfall event, up to and including a climate change adjusted, 100-year critical storm event;
 - iii) demonstrate that infiltration features are not located on parts of the site where contamination might be present;
 - iv) include a timetable for its implementation; and

v) include a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the ongoing operation of the system.

The surface water drainage scheme shall be implemented in full according to the approved details prior to first occupation and thereafter maintained and managed for the lifetime of the development.

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 in line with paragraph 183 of the Framework 2024.

6. Following site clearance works, no further works shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to and approved, in writing, by the local planning authority. This strategy shall include the following details:

i) A preliminary risk assessment which has identified all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination of the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The results of the site investigation and the detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme 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 in line with paragraph 183 of the Framework 2024.

7. If, during development, contamination not previously identified is found to be present at the site then no further development 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 Framework 2024.

8. No infiltration of the surface water drainage system into the ground is permitted. The development shall be carried out in accordance with the approved drainage details, as secured by condition 5.

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 183 of the Framework 2024.

9. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority. This may be given for those parts of the site where it has been demonstrated by a piling risk

assessment that there is no resultant unacceptable risk to groundwater. 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 183 Framework 2024.

10. Prior to the commencement of above ground works, additional details (including samples where necessary) of all the external facing materials to be used in the construction of the development hereby permitted 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: To maintain the character and appearance of the building and to ensure a satisfactory visual relationship between the existing and new development in accordance with policy CS19 of the CS.

11. Prior to the commencement of above ground works, a detailed scheme for an air handling system and noise mitigation of associated plant shall be submitted and approved, in writing, by the local planning authority. A written commissioning report, from a competent ventilation engineer, shall be submitted after it has been installed to demonstrate that the approved system has been fully implemented and access shall also be granted to an officer of the Council to ensure the system is in a suitable working order. It shall be implemented as approved and maintained in full working order for the lifetime of the development. Full installation, submission of the commissioning report and the Council inspection shall occur prior to the first occupation of the approved scheme.

Reason: To ensure a satisfactory environment for future residents in accordance with policy CS19 of the CS.

12. The scheme of hard landscaping shown on the submitted plans herein approved including boundary treatments and retaining walls shall be completed in accordance with the approved details prior to the first occupation of the approved scheme and maintained for the lifetime of the development.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with policy CS19 of the CS.

13. The external lighting shown on the submitted plans herein approved shall be implemented as approved and maintained for the lifetime of the development. No additional external lighting shall be provided on the site thereafter.

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 of the CS.

14. The cycle storage facilities shown on the submitted plans herein approved shall be provided prior to first occupation according to the approved details and maintained for such purposes for the lifetime of the development.

Reason: In order to encourage sustainable travel in accordance with policy CS19 of the CS and saved policy P3 of Gravesham Local Plan First Review 1994 (LP).

15. The refuse arrangements shown on the submitted plans herein approved shall be provided prior to the first occupation of the approved scheme and maintained for this purpose for the lifetime of the development.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interests of amenity and in accordance with adopted policy CS19 of the CS.

16. Prior to the first occupation of the approved scheme, the vehicle parking areas shown on the approved plans shall be formed, surfaced and drained. Thereafter, notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, no development shall be carried out on the site in such a manner or in such a position as to preclude the use or access to the approved vehicle parking areas.

Reason: To ensure sufficient on-site car parking provision to serve the development, in accordance with policy CS11 of the CS.

17. Prior to the first occupation of the approved scheme, visibility splays of 2 m by 2 m shall be provided on both sides of the vehicular access point and no obstruction of sight more than 0.6 m above the carriageway level shall be permitted within the splays thereafter for the lifetime of the development.

Reason: To preserve highway safety in accordance with policy CS11 of the CS.

18. The soft landscaping scheme shown on the submitted plans herein approved shall be carried out according to the approved details during the first available planting season following the first occupation of the approved scheme. 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 the same species of a similar size during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with adopted policy CS19 of the CS.

Dated: 5 March 2025

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.