



Application: 20221293

**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 Adrian Hickmott
C/O Miss Alice Green, Lichfields
The Minster Building
21 Mincing Lane
London
EC3R 7AG**

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:

**Cascades Leisure Centre
Thong Lane
Gravesend
Kent
DA12 4LG**

and being **Demolition of the existing Cascades Leisure Centre and public house and redevelopment of the site to provide a new leisure centre with community pool, leisure water, cafe, soft play, 'clip n climb' facility, a six court sports hall, fitness suite, spin studio, 2 no. fitness studios, 2 no. squash courts, a new tennis/netball court, improvements to the existing play area, landscaping across the site and associated car parking.** Your application dated 2nd December 2022 is permitted subject to the following:-

Time Limit

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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

2. The development hereby permitted shall be carried out in accordance with the following schedule of approved plans and documents:
 - Drawing no. 3929-ASP-B1-XX-DR-A-0801 (site location plan);
 - Drawing no. 3929-ASP-B1-XX-DR-A-0802 (existing site plan);
 - Drawing no. 3929-ASP-B1-XX-DR-A-0803-P0 (proposed site plan);
 - Drawing no. 3929-ASP-B1-00-DR-A-0810 (proposed ground floor plan);
 - Drawing no. 3929-ASP-B1-01-DR-A-0811 (proposed first floor plan);
 - Drawing no. 3929-ASP-B1-02-DR-A-0812 (proposed second floor/roof plan);

- Drawing no. 3929-ASP-B1-02-DR-A-0813 (existing basement plan);
- Drawing no. 3929-ASP-B1-02-DR-A-0814 (existing ground floor plan);
- Drawing no. 3929-ASP-B1-02-DR-A-0815 (existing first floor plan);
- Drawing no. 3929-ASP-B1-XX-DR-A-0820 (proposed elevations north and east);
- Drawing no. 3929-ASP-B1-XX-DR-A-0821 (proposed elevations south and west);
- Drawing no. 3929-ASP-B1-XX-DR-A-0823 (existing elevations Regan's bar);
- Drawing no. 3929-ASP-B1-XX-DR-A-0822 (existing elevations);
- Drawing no. 3929-ASP-B1-XX-DR-A-0830 (sections A and B);
- Drawing no. 3929-ASP-B1-XX-DR-A-0831 (sections C and D);
- Drawing no. 3929-ASP-B1-XX-DR-A-0840 (site sections 1, 2 and 3);
- Detailed Unexploded Ordnance (UXO) Threat & Risk Assessment (Feb 2023) ;
- Regans Café and Bar existing floor plans; and
- Drawing No. 2312-DES-ZZ-XX-DR-E-9301 Rev P01 – Electrical Services Existing External Lighting.

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

Prior to Commencement

Construction Environmental Management Plans (CEMP)

3. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The document shall be based on the submitted draft Construction, Environmental Management Plan and cover all environmental impacts from the clearance and construction phases of this development including details of the following, as well as 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:
 - Means of direct access to the site from the adjoining maintainable public highway
 - Surface treatment of the access to avoid spill of migratory material on to the maintainable public highway.
 - Details of numbers and routeing of construction and delivery vehicles to / from site
 - Timing of deliveries and waste movement.
 - Loading and unloading of plant and materials away from the maintainable public highway.
 - 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 and other site security measures.
 - (f) Details of stockpile areas for building materials or for fill or removed topsoil.
 - (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 footpaths including decorative displays and facilities for public viewing, where appropriate.
 - (l) Details of pest control.
 - (m) Details of temporary construction or security lighting; and
 - (n) Monitoring and review provisions with the Local Planning Authority.

(o) A Community Engagement Strategy covering how local residents, community groups and businesses will be kept informed about the development and construction timetable and works taking place, until completion of the development.

The construction of the development shall adhere at all times and be carried out in full accordance with the relevant approved document or any subsequent variations that may be approved in writing by the Local Planning Authority.

Reason: To ensure that a suitable programme of all works is set out from the commencement of development, to demonstrate that the free flow of traffic on the highway and to minimise the impact on local residents and businesses, in accordance with policies CS11, CS12 and CS19 of the Gravesham Core Strategy 2014.

Foul Drainage Strategy

4. No development approved by this planning permission shall take place until a foul drainage strategy, detailing how the developer intends to ensure that appropriate foul drainage is implemented (with a connection to foul sewer), has been submitted to and approved by, the Local Planning Authority in consultation with the Southern Water. The development shall be constructed in line with the agreed detailed design and recommendations of the strategy. No use premises can take place until the installed scheme is confirmed as meeting the agreed specifications.

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 174 of the National Planning Policy Framework 2021.

Contaminated Land Strategy

5. No development approved by this planning permission 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 will include the following components:
- a. A preliminary risk assessment which has identified:
 - o all previous uses;
 - o potential contaminants associated with those uses;
 - o a conceptual model of the site indicating sources, pathways and receptors; and
 - o potentially unacceptable risks arising from contamination at the site.
 - b. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c. The results of the site investigation and the detailed risk assessment referred to in (b) 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.
 - d. 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 (3) are complete and identifying 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 174 of the National Planning Policy Framework 2021.

Sustainable Surface Water Drainage Scheme

No development approved by this permission shall be commenced 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 submitted 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 the climate change adjusted 100yr critical storm)
- (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 the climate change adjusted critical 100yr storm,
- (iii) demonstrate that infiltration features are not located on parts of the site where contamination might be present
- (iii) include a timetable for its implementation, and
- (iv) 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 operation of the sustainable drainage system throughout its lifetime.

The surface water drainage scheme shall thereafter be implemented in full prior to first residential occupation of the development and thereafter maintained and managed in accordance with the approved scheme.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions, in accordance with policies CS18 and CS19 of the Gravesham Core Strategy 2014.

Arboricultural Impact Assessment

7. No development shall take place until an arboricultural impact assessment and arboricultural method statement explaining the measures you will take to protect the trees (including roots) on and close to the site, including a tree protection plan have been submitted to and approved in writing by the Local Planning Authority. These documents shall include details of the location of service cabling for EV charging points and lighting, the location of pipework for SUDs and proposed surface water sewers, as well as details of how the widened paths will be constructed and the full extent of repairs/alterations to the parking areas. The tree protection plan should also take account of where the site compound will be placed during the construction phase including access, parking and storage. The tree protection measures shall thereafter remain in place throughout the construction phase and the development shall be implemented in accordance with the details once approved.

Reason: Required prior to commencement of development to ensure no irreversible detrimental harm to the existing tree and in accordance with Policy CS12 of the Gravesham Core Strategy 2014.

Demolition of Existing Leisure Centre

Demolition Environmental Management Plans (DEMP)

8. No demolition works associated with the existing leisure centre building will take place until a Demolition Environmental Management Plan (DEMP) has been submitted to and approved in writing by the local planning authority. The DEMP shall include a Logistics

Plan (LP) and Air Quality and Dust Management Plan (AQDMP) and shall provide details of how demolition works are to be undertaken respectively and shall include:

- (a) Suitable mitigation measures to minimise noise pollution and vibration during the demolition 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 Demolition Traffic Management Plan covering:
 - Means of direct access to the site from the adjoining maintainable public highway.
 - Surface treatment of the access to avoid spill of migratory material on to the maintainable public highway.
 - Details of numbers and routing of plant and vehicles to / from site.
 - Timing of deliveries and waste movement.
 - Loading and unloading of plant and materials away from the maintainable public Highway.
 - 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 and other site security measures.
- (f) Details of stockpile areas for building materials or for fill or removed topsoil.
- (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 footpaths including decorative displays and facilities for public viewing, where appropriate.
- (l) Details of pest control.
- (m) Details of temporary construction or security lighting; and
- (n) Monitoring and review provisions with the Local Planning Authority.
- (o) A Community Engagement Strategy covering how local residents, community groups and businesses will be kept informed about the development and construction timetable and works taking place, until completion of the development.

Reason: To ensure that a suitable programme of all works is set out from the commencement of development, to demonstrate that the free flow of traffic on the highway and to minimise the impact on local residents and businesses, in accordance with policies CS11, CS12 and CS19 of the Gravesham Core Strategy 2014.

Below Ground works

Archaeology

9. The applicant, or their agents or successors in title, shall secure the implementation of the following prior to below ground works commencing.
 - i. archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
 - ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation, recording and dissemination of information about the site, in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ and/or by record and the delivery of public information about the history of the site in accordance with policy CS20 of the Gravesham Core Strategy 2014.

Prior to Above Ground Works

Noise Assessment

10. Prior to the commencement of any above ground works, the applicant shall:

A. Submit a scheme in writing, including a noise survey, to the Local Planning Authority for approval in relation to noise control. The extraction system must be designed and installed in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)".

The noise survey should assess the worst-case scenario noise impact from the proposed extract and ventilation system, on nearby residential properties and must:

- (i) Assess the whole system and any tonal elements associated it; a 1/3 octave band analysis may be necessary.
- (ii) Assess structural transmission with the use of anti-vibration mounts where necessary, linings to ductwork to prevent noise transmission, any inline silencers and provide details of where they have been installed.
- (iii) Use the results of the noise survey to ensure that the noise generated at the boundary of any noise sensitive property meets the requirements laid down in BS4142:2014 "Method for Rating and Assessing Industrial and Commercial Sound".

B. Install and commission the extract system using a competent ventilation engineer in accordance with approved details. Provide a commissioning report to the Local Planning Authority to verify the installation, including post completion noise levels.

The equipment shall be maintained and operated in a condition such that the requirements of BS4142:2014 continue to be met.

Reason: To protect the amenities of the surrounding area in accordance with policy CS19 of the Gravesham Core Strategy 2014 and paragraph 185 of the National Planning Policy Framework 2021.

Materials

11. Prior to the commencement of any above ground works, details and samples of all external facing materials to be used on the buildings within that phase hereby approved (to include on site sample panels where requested by the Local Planning Authority) shall be submitted to and approved, in writing, by the Local Planning Authority. The details shall substantially accord with the details illustrated and annotated on the approved drawings and indicated on the approved Design and Access Statement and, where applicable, shall include the following details:

(i) aluminium cladding; (ii) brick detail; (iii) glazing panels; (iv) glass fibre (for flumes); (v) timber pergola details; (vi) entrance canopies; (vii) front doors; (viii) LED strips.

The development shall be implemented 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 Core Strategy 2014.

Crime Prevention Measures

12. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence, details of crime prevention measures according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to first use of the development.

Reason: To ensure the development protects the environment of the site and its locality generally, in the interest of security, crime prevention and community safety and is in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

Prior to Hard and Soft Landscaping.

Play equipment

13. Prior to the commencement of any hard and soft landscaping details of the play equipment (including timetable for installation) within the play area as identified as such on the approved plans shall be submitted to and approved, in writing, by the Local Planning Authority. The approved play equipment shall be installed in accordance with the approved timetable. and maintained thereafter.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with policies CS10 and CS13 of the Gravesham Core Strategy 2014.

Biodiversity Enhancement

14. Prior to the commencement of any hard and soft landscaping details of how the development will offset biodiversity loss/enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. This will include a native species-only landscape plan and replacement of felled trees on-site. The approved details will be implemented and thereafter retained.

Reason: In accordance with policy CS12 of the Gravesham Core Strategy 2014 and Section 15 of the National Planning Policy Framework 2021.

Post Occupation

Demolition of existing building

15. The existing building on the site (Cascades Leisure Centre and Regan's Bar) shall be demolished and all arising materials shall be removed from the site within six months of the opening of the new leisure centre hereby approved.

Reason: To ensure that only one building remains on the site therefore protecting the surrounding Green Belt and also in order for the parking areas to be provided, in accordance with policies CS02 and CS19 of the Gravesham Core Strategy 2014.

Prior to First Use

Refuse Arrangements

16. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the refuse arrangements along with a refuse collection management plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The development shall be carried out in accordance with the approved details prior to

first use of the development hereby permitted and shall thereafter be retained for such purposes at all times.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

Kitchen Odour Fume Control

17. Prior to the installation of the kitchen a scheme shall be submitted in writing to the Local Planning Authority for approval in relation to cooking odour/fume control. The extraction system must be designed and installed in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)".

Full details of proposed extraction system to deal with grease and odour control should include:

- a) Plans and details of all duct work (internal and external) and equipment.
- b) Plans showing the location/position of the external flue/discharge stack, including its position in relation to neighbouring properties and window openings.
- c) Details of all grease filtration and odour control including the manufacturer's specification/data sheets. This includes the canopy.
- d) Details, including manufacturer's specification/data sheets of the fan.
- e) Details of proposed routine cleaning and maintenance of the system, and the service requirements of the installed odour control system, including details of system access panels and confirmation that they will be grease tight.
- f) Details of the type of food to be cooked, the cooking time per day; and the type of cooking appliances to be used. Where the end user is not yet known, the extraction system shall be designed for a 'very high' grease content, a 'very high' level of odour potential and a 'very high' smoke content (EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)).

Install and commission the extract system using a competent ventilation engineer in accordance with approved details. Provide a commissioning report to the Local Planning Authority to verify the installation, ensuring minimum discharge rates are included.

The extraction and odour/fume control equipment shall be maintained and operated in compliance with the approved scheme.

Reason: To protect the amenities of the surrounding area in accordance with policy CS19 of the Gravesham Core Strategy 2014 and para. 185 of the National Planning Policy Framework 2021.

External Lighting

18. Prior to occupation, an external lighting design plan taking into account biodiversity shall be submitted to, and approved in writing by, the local planning authority. The plan will incorporate the measures detailed in table (page 30) of the Preliminary Ecological Appraisal (Lloydbore December 2022). For the avoidance of doubt this should include details of lighting switch off times for the entire site. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Reason: In accordance with policy CS12 and CS19 of the Gravesham Core Strategy 2014 and Section 15 of the National Planning Policy Framework 2021.

Soft Landscaping Scheme

19. Prior to the first use of the development herein approved, full details of a soft landscape scheme addressing the following and including a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority:
- i. Plans and information providing details of existing and proposed soft landscape works, including details of the trim trail, planting plans, tree positions, planting build ups, written specifications (including cultivation and other operations associated with grass, tree and planting establishment, aftercare, and maintenance); schedules of plants, noting species, plant sizes, root treatments and proposed numbers/densities where appropriate.
 - ii. Details for the design and specification of tree planting to enable healthy establishment at maturity. Information should provide details for the planting environment (including within hard landscape and raised planters), calculated soil volume, tree support and tie specification, guards and grilles, aeration and irrigation systems, soil build-up information (avoiding the use of tree sand), tree cell systems (to street tree planting environments).
 - iii. Detailed information for the design and specification of the sedum roof, and details of irrigation systems.

The development shall be implemented in accordance with the approved details and timetable and any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies CS12 and CS19 of the Gravesham Core Strategy 2014.

Hard Landscaping Scheme

20. Prior to the first use of the development herein approved, full details of a hard landscape scheme addressing the following and including a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority:

- i. Plans and information providing details of existing and proposed finished ground levels, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, all paving and external hard surfacing, and services (including drainage), tree grilles, minor artefacts, and structures (seating, refuse receptacles and raised planters).

The development shall be implemented in accordance with the approved details and timetable.

Reason: To ensure a satisfactory external appearance and provision for landscaping in accordance with Policies CS12 and CS19 of the Gravesham Core Strategy 2014.

EV Charging

21. Full details of the proposed EV charging points including their location and timetable for installation shall be provided prior to the construction of the new car park.

The EV charging points shall be implemented in accordance with the approved details and timetable.

Reason: In the interests of sustainability in accordance with paragraph 112e of National Planning Policy Framework 2021.

22. Prior to any part of the permitted development being occupied a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 174 of the National Planning Policy Framework 2021.

Noise Assessment

23. Notwithstanding the submitted information, and prior to the bringing into use of the development herein approved, a noise impact assessment which looks at the impact of the plant related to the heating, building ventilation, pool water treatment, kitchen extraction and any other plant that will be installed, including the cumulative impact of the plant, to include recommendations that need to be implemented in order to comply with the following shall be submitted to and approved in writing by the Local Planning Authority:

- The internal ambient noise levels in all habitable rooms of the nearest residential dwellings to the development shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
- The maximum internal noise levels in all habitable rooms of the nearest residential dwellings should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
- If relevant, the rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

The assessment shall also cover the noise impact from the leisure activities of the site particularly from outside activities taking place such as loud music, sporting activities, PA systems, etc. and include recommendations for measures to prevent or mitigate the impact on the neighbouring residential properties from leisure activities that will take place in the new development, especially if taking place outside.

Within three months of the building being brought into use a verification report showing compliance with a shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development does not prejudice neighbouring amenity in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

Cycling Storage

24. Prior to the first use of the development herein approved details of the secure cycle parking provision including timetable for installation shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details and timetable, and shall thereafter be retained.

Reason: To ensure the provision and permanent retention of bicycle spaces in accordance with Policy T1 and T4 of the Gravesham Local Plan 1994.

Car Parking

25. Within three months of the demolition of the Cascades Leisure Centre and Regan's Bar the area shown on the submitted layout as vehicle parking place shall be provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking or garaging of vehicles is likely to lead to hazardous on-street parking and in accordance with Policies T1 and T4 of the Gravesham Local Plan 1994.

Travel Plan

26. Notwithstanding the submitted Travel Plan, a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the leisure centre herein approved. Implementation of those parts identified in the approved Travel Plan as being capable of implementation shall then be complied with as long as any part of the development is in use.

Reason: To ensure the sustainable transport objective related to the development of this site and to reduce potential impact on the surrounding area in accordance with Policy CS11 of the Gravesham Core Strategy 2014 and T1 of the Gravesham Local Plan 1994.

On-going Conditions

Unexploded Ordnance

27. The development herein approved shall be carried out in accordance with the mitigation measures set out within the Detailed Unexploded Ordnance (UXO) Threat & Risk Assessment (February 2023).

If, at any time during development, high risk UXO not previously identified is encountered / found to be present on site no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a revised and/or additional UXO risk management and mitigation programme / plan is submitted to the Local Planning Authority detailing how the high risk UXO not previously identified shall be dealt with, and is approved in writing by the Local Planning Authority.

Reason: To ensure that the risks from site wide unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised to ensure that development can take place without unacceptable risk to workers and neighbours including any unacceptable major disruption to the wider public on and off site that may arise as a result of evacuation/s associated with the mitigation of UXO.

Hours of Use

28. The operating hours of the leisure centre herein approved shall be restricted to those hours between Monday to Saturday 6am to midnight on Mondays-Saturdays and between 8am to 10pm on Sundays and Bank Holidays.

Reason: To ensure the development does not prejudice neighbouring amenity in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

Outside activities

29. No outdoor activities shall take place outside of 8am and 10pm on Mondays - Saturdays and outside of 9am to 8pm on Sundays and Bank Holidays.

Reason: To ensure the development does not prejudice neighbouring amenity in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

Surface Water Infiltration

30. Where infiltration is to be used to manage the surface water from the development hereby permitted, it will only be allowed within those parts of the site where information is submitted to demonstrate to the Local Planning Authority's satisfaction that there is no resultant unacceptable risk to controlled waters and/or ground stability. The development shall only then be carried out in accordance with the approved details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework 2021.

Drainage Systems

31. No drainage systems 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 174 of the National Planning Policy Framework (2021).

Foundations

32. 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, which 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 174 of the National Planning Policy Framework 2021.

Watching Brief (Contamination)

33. 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 174 of the National Planning Policy Framework 2021.

Energy Efficiency

34. The development herein approved shall incorporate the measures to address energy efficiency and climate change as set out within the submitted Energy and Low Carbon Technology Statement. The development shall not be brought into use until a verification report prepared by a suitably qualified professional has been submitted to and approved in writing by the Local Planning Authority confirming that all the approved measures have been implemented.

Reason: In the interests of sustainability and to positively address concerns regarding climate change in accordance with paragraph 154 the National Planning Policy Framework 2021.

Use Class

35. The development herein approved shall remain in use as a sports centre/indoor swimming pool and no change of use whether or not permitted under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification) and the Town and Country Planning (Use Classes) Order 1987 (as amended) shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: To enable the Local Planning Authority to control such development in the interests of amenity and to protect the loss of the leisure facility in accordance with policies CS08 and CS19 of the Gravesham Core Strategy 2014.

INFORMATIVES:-

1 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) 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.

2 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved 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 <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

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.

3 SOUTHERN WATER

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

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.

5 SOUTHERN GAS NETWORK

The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

The applicant/ agent/ developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/ confirmed by this notice.

Address is:

Southern Gas Networks Plc

SGN Plant Location Team

95 Kilbirnie Street

Glasgow

G5 8JD

Tel: 01414 184093 OR 0845 0703497

Search online at:

www.linesearchbeforeyoudig.co.uk

SGN personnel will contact you accordingly.

6 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 3 March 2023 to the inclusion of the following pre-commencement conditions.

Condition 3 - Construction Environmental Management Plans (CEMP)

Condition 4 - Foul Drainage Strategy

Condition 5 - Contaminated Land Strategy

Condition 6 - Sustainable Surface Water Drainage Scheme

Condition 7 - Arboricultural Impact Assessment

7. Health and Safety

The applicant must ensure that these premises comply fully with the Health and Safety at Work (etc) Act 1974 and all relevant regulations made there under. For information and advice on health and safety matters check out the HSE website www.hse.gov.uk or contact the Environmental Health team on commercialhealth.admin@gravesham.gov.uk or 01474 337 000.

This workplace will be immediately subject to the requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. Particular attention should be made to the following requirements.

- Regulation 6 requires that effective and suitable provision shall be made to ensure that every enclosed workplace is ventilated by a sufficient quantity of fresh or purified air.

- Regulation 14 requires that every window or other transparent or translucent surface in a door or gate shall where necessary for reasons of safety be constructed of a safety material or be protected against breakage and also be appropriately marked.
- Regulation 20 requires that suitable and sufficient sanitary conveniences shall be provided at readily accessible places. Where between 6 and 25 persons are employed a minimum of 2 water closets must be provided.

8. DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

Dated: 3 March 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.
- **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.