

Application: 20220432

**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: **Churchill Retirement Living
C/O Mr Ziyad Thomas, Planning Issues Ltd.
Churchill House
Parkside
Ringwood
BH24 3SG**

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:

**Former Police Station
133 Windmill Street
Gravesend
Kent**

and being **Demolition of existing structures on site and the erection of 75 Retirement Living apartments for older people (comprising 48 no. 1-bed and 27 no. 2-beds) including communal facilities, access, car parking and landscaping.** Your application dated 21st April 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 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 and Particulars

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

Form and Covering Letters

Planning Application Form and Certificates
Covering Letter from Planning Issues Town Planning and Architecture dated 14 April 2022

Drawings

Drawing No 20085GD_PL_001 Rev P2: Site Plan

Drawing No 20085GD_PL_002: Ground Floor Plan
 Drawing No 20085GD_PL_003: First Floor Plan
 Drawing No 20085GD_PL_004: Second Floor Plan
 Drawing No 20085GD_PL_005: Third Floor Plan
 Drawing No 20085GD_PL_006: Fourth Floor Plan
 Drawing No 20085GD_PL_007: Roof Plan
 Drawing No 20085GD_PL_008: Site Sections
 Drawing No 20085GD_PL_009: East Elevation and Context Elevation (Windmill Street)
 Drawing No 20085GD_PL_010: North and South Elevation
 Drawing No 20085GD_PL_011: West Elevation
 Drawing No 20085GD_PL_012: Site Location Plan
 Drawing No 20085GD_PL_013 Rev P1: Context Elevations (Woodville Place, Wrotham Road and Zion Place)

Drawing No SU-01: Topographic Survey by D&H Surveys Ltd
 Drawing No 01-PDL-1001-A: Preliminary Drainage Layout by Awcock Ward Partnership
 Drawing No 21203-2: Tree Protection Plan by Barrell Tree Consultancy
 Drawing No JBA 22-022-SK02: Landscape Strategy by James Blake Associates

Supporting Documents

- Revised Planning Statement by Planning Issues Ltd, dated April 2022, received 13 May 2022
- Design and Access Statement by Planning Issues Ltd (Report Ref 20085GD_DAS_001 Rev P1, April 2022)
- Arboricultural Assessment and Method Statement by Barrell Tree Consultancy (Report Ref 21203-AA-DC, dated 22 February 2022); Manual for Managing Trees on Development Sites by Barrell Tree Consultancy, 2020
- Preliminary Ecological Assessment (incorporating Biodiversity Net Gain Assessment) by Tyler Grange (Report No 14480_R02a dated 13th April 2022)
- Heritage Statement by Ecus Ltd (Report Ref 18582.1 Version V2.0, March 2022)
- Archaeological Desk Based Assessment by Ecus Ltd (Report Ref 18582.2 Version V1.0, March 2022)
- Transport Statement, by Awcock Ward Partnership (Project No 1305 Rev A dated 12 April 2022) - Note: Appendix A Drawings are For Information Only
- Flood Risk and Drainage Technical Note by Awcock Ward Partnership (Project No 1305 Rev B dated 12 April 2022)
- Statement of Community Involvement by DevComms, April 2022
- Economic Benefits Infographic by Lichfields, April 2022
- Supporting Employment Evidence by Lichfields, April 2022
- Noise Impact Assessment by 24 Acoustics Technical Report: R9433-1 Rev 1, dated 14 April 2022
- Site Investigation Report by Crossfield Consulting (Report No. CCL03497.CO72, November 2021)
- Air Quality Assessment by Air Quality Consultants (Report Ref J10/13247A/10/1/F1, dated 11 April 2022)
- Financial Viability Assessment by Alder King Property Consultants (Report Ref: RJM / 96570 dated 06 May 2022)
- Sustainability Statement by JSP Ltd Sustainability April 2022
- Daylight and Sunlight Report (Within Development) by Right of Light Consulting Chartered Surveyors 11 May 2022
- Daylight and Sunlight Report (Neighbouring Properties) by Right of Light Consulting Chartered Surveyors 11 May 2022
- CGI's - Artistic Impression

Additional Supporting Documents

- Urban Design Analysis by Barton Willmore, August 2022
- Supporting Letter from Planning Issues re Consultee Responses dated 08.08.2022
- Technical Note on Waste & Recycling from Planning Issues, received 09.08.2022
- Technical Note on Electric Vehicle Charging from Planning Issues, received 09.08.2022
- Drawing No 1305 01-ATR-1001 Rev C: Swept Path Analysis - Part 1 of 2
- Drawing No 1305 01-ATR-1002 Rev C: Swept Path Analysis - Part 2 of 2
- Technical Note on Flooding by Awcock Ward Partnership dated 12 August 2022

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

For the avoidance of doubt the revised plans will take precedence over any original plans that have not been revised or superseded in any of the supporting documents.

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).

Construction and Contamination

Code of Construction Practice (CoCP)

3. No works shall commence on site until a comprehensive Code of Construction Practice/Construction Management Plan covering all environmental impacts of this development has been submitted to and approved in writing by the Local Planning Authority.

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:
 - 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*

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 construction of the development does not result in avoidable congestion on the local highway network, and to protect the amenity of local residents and businesses and protected species and to mitigate the risks to groundwater, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS11 (Transport), CS12 (Green Infrastructure) and CS19 (Development and Design Principles).

Times of Construction

4. No construction activities in connection with the development of the site including any preparatory earthworks or demolition works 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 and local amenity and pursuant to Policy CS19 (Development and Design Principles) of the Gravesham Local Core Strategy, September 2014

Contaminated Land - Site Investigation Report

5. The development of the site as hereby permitted shall be carried out in full accordance with the findings and recommendations of the Site Investigation Report by Crossfield Consulting (Report No. CCL03497.CO72, November 2021), accompanying this application, and therefore no construction development shall be undertaken on the site until the recommendations for a supplementary phase of ground investigation to include additional bore holes and the use of trial pits designed to provide additional data for a more detailed environmental assessment and to obtain additional data for foundation design and to confirm that all contaminants are at negligible concentrations, together with verification testing for piled foundations have been implemented and such confirmation provided to the Local Planning Authority as to the extent of those investigations, if subsequently deemed necessary.

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) and to accord with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy, September 2014.

Unsuspected Contamination - Watching Brief

6. If during construction/demolition works, evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and approved in writing by, Local Planning Authority. The closure report shall include:

A) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

B) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria, together with the necessary documentation detailing what waste materials have been removed from the site.

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 (NPPF) 2021, and to ensure suitable material is imported to site and appropriate measures for disposal of site waste are employed and pursuant to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy, September 2014.

Archaeology

7. No development (excluding demolition works) shall take place until the applicant, or their agents or successors in title, has secured the implementation of an archaeological watching brief to be undertaken by an archaeologist approved by the Local Planning Authority so that groundworks are observed, and items of interest and finds are recorded. The watching brief shall be in accordance with a Written Scheme of Investigation, which has been submitted to and approved in writing 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 (NPPF), 2021.

Drainage

Sustainable Surface Water Drainage Scheme

8. No development (excluding demolition work) shall 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 be based upon the Flood Risk & Drainage Technical Note prepared by Awcock Ward Partnership dated 12 April 2022 and 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 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, pursuant to the requirements of paragraph 169 of the National Planning Policy Framework (NPPF), 2021.

Sustainable Surface Water Drainage Scheme - Verification Report

9. No building on any phase of the development hereby permitted shall be occupied, or within an agreed implementation schedule as agreed by the Local Planning Authority, 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 that the drainage system constructed is consistent with that which was 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 (NPPF), 2021.

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

Restrictions on Use

10. The apartments within the development hereby permitted shall, unless otherwise agreed by the Local Planning Authority in writing, be used solely for the designed purpose of providing self-contained independent living units of accommodation for person or persons who, for the purpose of acquiring purchase or lease of any of the approved apartments will have a minimum age of not less than 60 years old (or a spouse/or partner, who is themselves over 55 years old, living as part of a single household with such a person or persons). The building shall not be used or occupied for any other purpose (including equivalent provision in Class C3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, as amended, or any equivalent provision in any statutory instrument revoking and re-enacting that Order, with or without modification, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015) no permitted changes of use shall occur, unless express written permission of the Local Planning Authority has been obtained.

Reason: In order that any other uses of the building hereby permitted 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, the amenity of the site and the prevailing planning policies and in particular pursuant to policies CS02 (Scale

and Distribution of Development), CS05 (Gravesend Town Centre Opportunity Area), CS11 (Transport), CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy 2014 and saved policies T1 (Impact of Development on the Highway Network), P3 (Vehicle Parking Standards) and T5 (New Accesses onto Highway Network) of the Gravesham Local Plan First Review (1994).

Design and Detailed External Appearance

Submission of Details of Ground Levels, Finished Floor Levels and Earthworks

11. Notwithstanding the details shown in the approved drawings, topographical survey or other supporting documents, no works in connection with the development, other than demolition works, shall commence until full details including section drawings of the existing and proposed ground levels/floor levels of the development, together with all proposed earthworks or changes to ground levels on the site or re-profiling including details of any earth retention measures, have been submitted to and approved in writing by the Local Planning Authority; the details shall include any import or export of materials, the depth, direction, and method of the cut and fill, the drainage arrangements during the earth moving operations and the method of movement of materials by vehicles. Unless otherwise agreed in writing, only dry, clean, non-putrescible waste materials (comprising inter alia topsoil, subsoil, chalk, brickwork, concrete, cement, stone, clay, plaster, sand and silica or mixtures of the above materials) shall be brought on to or deposited on the site. No sludges or slurries may be used. The development shall be carried out in accordance with the approved details before the commencement of any above ground 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 Policy CS19: Development and Design Principles of the Gravesham Local Core Strategy, September 2014 and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

Materials

12. Notwithstanding the details relating to the materials and finishes as set in the application form, Design and Access Statement and approved drawings, before any works above ground floor slab level commence, additional details (and samples, where requested by the Local Planning Authority) of all the external facing materials, colours, textures and finishes 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 thereafter be carried out in full accordance with the approved details before the apartments hereby permitted are first occupied and thereafter maintained in accordance with the details so approved.

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 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy, September 2014 and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

Details of Plant and Equipment

13. Notwithstanding the details in the approved detailed drawings, no development above ground level, shall take place until full details of the installation of any external plant and servicing equipment on the building including roof top plant, lift overruns, solar PV or solar thermal equipment and kitchen extraction equipment or other ventilation, and the sound properties and any such plant and equipment, have been submitted to and approved, in

writing, by the Local Planning Authority. The details shall include the siting, external appearance and any proposed screening. Those works shall thereafter be carried out in accordance with the approved details, to be completed prior to first occupation of the building and retained and maintained thereafter.

Reason: In the interest of the amenities of residential properties and the area generally and in accordance with Policy CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy, September 2014 and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

Boundary Treatments

14. Notwithstanding the details relating to the boundary treatments as set in the application form, Design and Access Statement and approved drawings, within 6 months of the commencement of the development, full details of all boundary treatments, including their design, height and materials, to the development as hereby permitted, including the screening and enclosure of the proposed substation within the southwest corner of the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before any of the apartments hereby permitted are first occupied. Thereafter and notwithstanding the provisions of Article 3 of and Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to that Class in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no additional gates, fences, walls or other means of enclosure shall be erected on the site without the grant of further specific planning permission from the Local Planning Authority.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for future residents in accordance with Policy CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (September 2014).

External Lighting

15. Prior to the first occupation of the development hereby permitted and notwithstanding the details shown on the approved plans full details of all proposed external lighting set out in a lighting management plan shall be submitted to and approved, in writing, by the Local Planning Authority. The external lighting as approved shall be carried out in accordance with the approved details before the first occupation of the development and no additional external lighting shall thereafter be provided on the site without the prior written permission of the Local Planning Authority.

Reason: In order to ensure the development does not cause harm to local amenity by reason of the installation of intrusive lighting and in accordance with Policy CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (September 2014).

Sustainable Design Measures

16. The development hereby permitted shall be undertaken in full accordance with the sustainable design measures as indicated in the Sustainability Statement by JSP Ltd Sustainability April 2022, including the installation of fittings and fixed appliances that use water efficiently for the prevention of undue consumption of water, before the first occupation of any part of the development, and thereafter the sustainable design measures shall be maintained at all times.

Reason: In pursuit of sustainable development principles and ensuring the development fully incorporates renewable energy and low carbon technologies pursuant to Policy CS18: Climate Change and Policy CS19: Development and Design Principles, of the Gravesham Local Plan Core Strategy (September 2014).

Preservation and Relocation of the Foundation Stone

17. Prior to any demolition works the foundation stone to commemorate the building of the Civil Defence Control Centre that use to occupy the site which is currently located within the eastern exterior brick boundary wall shall be removed, stored, cleaned, relocated and installed in accordance with the details (including timeframe) set out in Method Statement 20085GD – P1.

Reason: To ensure that historic building features are properly examined and recorded and as necessary preserved in situ having regard to the local historical interest of the site and is compliant with the adopted Gravesham Local Plan Core Strategy, September 2014 and notably Policy CS20: Heritage and the Historic Environment, and compliant with the National Planning Policy Framework (NPPF) 2021.

Broadband Provision

18. Before any works above ground floor slab level commence details shall be submitted for the approval of the Local Planning Authority for the installation of fixed telecommunication infrastructure and High- Speed Fibre Optic (minimal internal speed of 1000mbps) connections to multi point destinations and all buildings including residential, commercial and community. The infrastructure installed in accordance with the approved details during the construction of the development, capable of connection to commercial broadband providers and maintained in accordance with approved details.

Reason: To provide high quality digital infrastructure in new developments as required by paragraph 114 of the National Planning Policy Framework (NPPF), 2021.

Details of Telecommunication Equipment

19. No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or upon any roof or wall of any of the buildings hereby approved unless details have been submitted and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenity of the development and in accordance with adopted Local Plan Core Strategy Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

Highways Access and Parking

Parking Provision

20. Prior to the first occupation of the development hereby permitted the vehicle parking and turning areas, shall be formed, surfaced, drained and marked out in accordance with the layout details as shown in Drawing No 20085GD_PL_001 Rev P2: Site Plan; thereafter, and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, with or without modification, no

development 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. For the avoidance of doubt all standard car parking spaces, other than disabled spaces, are to be a minimum of 5m x 2.5m except where adjacent to a wall etc. when they should be a minimum of 2.7m wide.

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

21. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans and other submitted documents, full details of the cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the storage facilities shall include sufficient space to accommodate 6 bicycles and should be secure, weatherproof and well-lit. The approved cycle facilities shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

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 (EV) Charging Points

22. The development hereby permitted shall ensure that at least 3 of the parking spaces are provided with Electric Vehicle (EV) charging points and the remainder provided with passive provision i.e., cabling / ducting. Each charging point should be able to accommodate a useable supply of 7kW. Such provision shall be implemented prior to the first occupation of the development hereby permitted, and thereafter 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.

Access and Visibility

23. Before the development hereby permitted is brought into use and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to that Order in any statutory instrument replacing, revoking or re-enacting that Order with or without modification), the vehicle visibility splay to the east of the reconfigured vehicular access to the site on to Woodville Place of 2.4m by 18m as shown in drawing no 1305 01-PHL-101 Rev A: Proposed Site Access Plan, submitted for information only as Appendix A to the Transport Statement, and also including 2m by 2m pedestrian visibility splays on either side of the access shall be cleared of all obstructions over 1.05m above the level of the adjoining highway, including the reduction in level of the land if necessary. Nothing over that height shall be permitted to remain, be placed, built, planted or grown within the approved vehicle and pedestrian visibility splays at any time.

Reason: To ensure the safety of pedestrian and highway users in accordance with Policy CS11: Transport, of Gravesham Local Plan Core Strategy (September 2014) and saved policy T5:

Footway Reinstatement/Provision

24. Within 12 months of the commencement of the development, and notwithstanding the details as shown in the approved plans and documents, full details shall be submitted for the approval of the Local Planning Authority showing all adjustments to access and dropped kerbs and all footways to be re-instated/re-established around the perimeter of the whole site including to the western side of the site to Wrotham Road, the removal of the parking lay-by and including any level changes and proposals to remove/replace any associated street furniture and signage. The details shall include any new proposed hard surfaces. Such details as may be approved shall be implemented prior to the first occupation of the development hereby permitted, and thereafter permanently retained.

Reason: In the interests of highway and pedestrian safety and in accordance with Policy CS11: Transport of the adopted Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 (Access to the Identified Highway Network) of the Gravesham Local Plan First Review (November 1994).

Gates

25. Any gates / barriers to the vehicular access to the site shall open away from the highway and shall at all times be set back a minimum of 6.0 metres from the edge of the adjoining carriageway.

Reason: In the interests of highway and pedestrian safety and in accordance with Policy CS11: Transport of the adopted Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 (Access to the Identified Highway Network) of the Gravesham Local Plan First Review (November 1994).

Hard and Soft Landscaping and Trees

Soft Landscaping

26. Prior to the first occupation of the development hereby approved the proposed soft landscaping for the site shall be carried out in full accordance with the details as shown in Drawing No JBA 22-022-SK02: Landscape Strategy by James Blake Associates, unless a different implementation date for the soft landscaping is agreed in writing by the Local Planning Authority. The developers shall ensure that proper arrangements are put in place for the maintenance and aftercare of the proposed soft landscaping and any retained and remediated trees through a site-wide arboricultural maintenance strategy that shall be submitted for approval of the Local Planning Authority before the 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.

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 Gravesham Local Plan: Core Strategy (September 2014).

Hard Landscaping

27. Notwithstanding the details as shown in the submitted plans and supporting documents including Drawing No JBA 22-022-SK02: Landscape Strategy by James Blake Associates, and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of hard landscaping and surface treatments for the development 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 prior to the first occupation of any part of the development hereby permitted. For the avoidance of doubt, the details shall include the surfacing treatments, as suggested by the Arboricultural Assessment, at the interface with the trees and their root protection areas (RPA's). In addition, the hard surfacing shall ensure that extensive use is made of permeable surfaces whilst ensuring that materials for the vehicle access and near to the carriageway are constructed of non-migratory materials. The developers shall ensure that proper arrangements are put in place for the maintenance and aftercare of the hard landscaping.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity and highway safety in accordance with Policy CS11 (Transport) and Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network, of the Gravesham Local Plan First Review (November 1994).

Tree Protection and Tree Works/Removal

28. All retained trees on/around the site and other vegetation shall be protected during construction in accordance with the tree protection measures as detailed in the submitted Arboricultural Assessment and Method Statement and a Tree Protection Plan. No vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s). Upon completion of the construction works and before the first occupation of the development on the site the trees shall be inspected by a competent tree surgeon and any necessary works to tidy the trees and maintain their health shall be undertaken.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works and to accord with in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Ecology/Biodiversity Provision

Landscape and Ecological Management Plan

29. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority within 12 months of the commencement of the development hereby permitted.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions, together with a plan of management compartments
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long- term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details before the first occupation of the development.

Reason: Biological communities are constantly changing and require positive management to maintain their conservation value. The implementation of a LEMP will ensure the long-term management of habitats, species and other biodiversity features in accordance with and pursuant to the requirements of Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy 2014 and section 15 (conserving and enhancing the natural environment) of the National Planning Policy Framework (NPPF) 2021.

INFORMATIVES:-

1 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.

2 BUILDING REGULATIONS AND PARTY WALL ACT 1996

This decision **DOES NOT** imply any consent which may be required under the Building Regulations or under any enactment or provision other than Section 57 of the Town and Country Planning Act 1990. 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. This legislation is not taken into account when determining a planning application and independent advice should be taken in this regard.

3 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 consultation responses and neighbour concerns.

The proposals were also the subject of a pre-application enquiry that enabled issues and concerns to be identified at an early stage prior to the submission of a planning application.

4 ENVIRONMENTAL REQUIREMENTS - REFUSE ARRANGEMENTS

The applicants are advised of the following standard refuse guidance of the Borough Council:

Flats are generally serviced by communal bin stores. Bin stores should be large enough to accommodate and manoeuvre sufficient 1,100-litre refuse and recycling Eurobins for the number of dwellings in each block.

Developers are required to pay for the provision of all bins required for a development and these can be purchased through the Council. Developers are welcome to purchase their own 1,100 litre bins however, the bins must be metal and comply with European Standard EN840.

The following provision is normally required, although in this case a reduced level of provision has been agreed:

Refuse - 1 x 1,100ltr bin per 6 flats

Recycling - 1 x 1,100ltr bin per 6 flats with special recycling lid

Food Waste - 1 x 140ltr bin per 10 flats with an individual 5ltr caddy per flat

The immediate area outside the bin store should be level with the road, should not include an incline and the installation of a drop kerb where necessary is mandatory. Car parking spaces should not be allocated immediately in front of the access to the bin store.

The maximum distance bins will be moved by collection crews should be no more than 15 metres.

It is recommended that bin stores are fitted with a lock which is accessed via a key or a key code pad.

Collections from sites will not occur until containers are in place. It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints concerning non-collection due to the fault of the developer will be passed onto the developer for response.

The Council should be informed at least two weeks prior to the waste collections by the Council taking place.

5 ENVIRONMENTAL REQUIREMENTS - COMMERCIAL

The applicants are advised of the following comments from GBC Environmental Health Commercial Team:

Health and Safety

In these premises Gravesham Borough Council (GBC) Environmental Health will be the enforcing authority. 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.

Food Safety Comments

Unable to fully comment on the structure of the coffee shop as the plans do not provide us with a detailed layout. However, the applicant must ensure that the kitchen fully complies with current food safety legislation to the satisfaction of the Regulatory Services Manager. Structural and operational requirements are covered by the legislation notably EC Regulation 852/2004.

It is a requirement under Article 6(2) of Regulation 852/2004 that food business operators must register their establishments with the appropriate competent authority (in this case GBC Environmental Health) at least 28 days before food operations commence. Registration is via the Gravesham Borough Council website www.gravesham.gov.uk/food-safety

The provision and location of sinks and wash hand basins is an important consideration in the design and planning of a kitchen. A minimum of 1 wash hand basin and a double sink unit must be installed. A dish washer is also recommended.

For further advice on starting a food business please visit the FSA website
<https://www.food.gov.uk/business-guidance>

6 BREEDING BIRD INFORMATIVE

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. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.

7 LIGHTING ADVICE

The applicants are advised of the following advice from Gravesham Borough Council Environmental Protection:

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

8 KENT COUNTY COUNCIL (KCC) HIGHWAYS AND TRANSPORTATION

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls, which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website: <https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

9 UTILITIES

It should not be automatically assumed that permission will be given for utility services to be placed within the public highway, and early contact should be made with Kent County Council at roadworkswest@kent.gov.uk. This will enable a proper consideration of available options in order that the optimum solution can be determined.

10 KENT POLICE CRIME PREVENTION DESIGN ADVICE

The applicants are encouraged to incorporate or address all the matters raised in the design advice from Kent Police Designing Out Crime Team (ref 20220432/EH/G-253 dated 25 May 2022) with regard to Crime Prevention Through Environmental Design (CPTED) and are recommended to ensure the use of Secured by Design (SBD) Homes 2019.

11 SOUTHERN WATER ADVICE

Southern Water advise:

- The public foul sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and to allow for future access for maintenance.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: <https://www.southernwater.co.uk/media/3011/stand-off-distances.pdf>

Furthermore, it is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: <https://developerservices.southernwater.co.uk/> and please read our New Connections Charging Arrangements documents which are available on our website via the following link: <https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>

https://www.ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: <https://www.southernwater.co.uk/> by email at: SouthernWaterPlanning@southernwater.co.uk

12 SMOKE CONTROL AREA

The proposed development is situated in a Smoke Control Area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions, and they can only be used for the fuel for which they are designed.

When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services by emailing: air.quality@gravesham.gov.uk

13 KENT FIRE AND RESCUE SERVICE

Kent Fire and Rescue Service advise that applicants should be aware that in the event of planning permission being granted the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established.

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

14 PRE-COMMENCEMENT CONDITIONS

Pursuant to the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 introduced on 1 October 2018 planning condition 3 attached to this permission is a pre-commencement condition and have been agreed as such by the applicants.

It is agreed that the requirement of planning condition 3 (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.

15 NAMING AND NUMBERING

As a result of the changes to this land/property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council, and the schedule of charges is enclosed, which should be used for your application. Please submit the application and the requisite fee in accordance with the guidance on the form. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.local.gravesham.gov.uk/>

16 HUMAN RIGHTS

The application has been considered in the light of the Human Rights Act 1998 and it is considered that the analysis of the issues in this case, as set out in this report and recommendation, is compatible with the Act.

17 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, for which a separate express consent will be required pursuant to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, as amended.

18 SECTION 106 AGREEMENT

This planning permission has been accompanied by a legal agreement under the provisions of s.106 of the Town and Country Planning Act 1990. The terms of this legal agreement should be considered in conjunction with the planning conditions imposed by this decision notice.

Dated: 15 February 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.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.