

Application: 20250053

**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: **Mr Gary Smith ,c/o Vineyard Farms Ltd
C/O Mr Tim Spicer, DHA Planning
DHA Planning Ltd
Eclipse House
Sittingbourne Road
MAIDSTONE
ME14 3EN
United Kingdom**

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:

**Golden Lion
Luddesdown Road
Luddesdown
Gravesend
Kent
DA13 0XE**

and being **Erection of a rear and side extension and refurbishment of the Golden Lion pub including landscaping, parking and associated works.** Your application dated 24th January 2025 is permitted subject to the following:-

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.

2. The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans and details, unless alternative details are approved pursuant to the conditions imposed on this decision notice:

Application form
Ecological Assessment and Biodiversity Net Gain Plan by JW Biodiversity Management
BNG Metric
Landscape and Visual Appraisal by Briarwood Landscape Architecture
Design and Access Statement and Heritage Impact Assessment by Clague Architects
Bat Emergence Survey by Eco assistance ecologists Ltd
Transport Statement by DHA
Noise Assessment by Lustre Consulting
Planning Statement by DHA
Drawing no. 30694D - CLA - ESLP - 00 - PD - A - 0001 rev P02 (site location plan)

Drawing no. 30694D - CLA - EXSL - 00 - PD - A - 0001 rev P02 (existing block plan)
 Drawing no. 30694D - CLA - PRSL - 00 - PD - A - 0001 rev P02 (proposed block plan)
 Drawing no. 30694D - CLA - EX - ZZ - ED - A - 001 rev P02 (existing northwest and southeast elevations)
 Drawing no. 30694D - CLA - EX - ZZ - ED - A - 0002 rev P02 (existing southwest and northeast elevations)
 Drawing no. 30694D - CLA - EXDM - ZZ - ED - A - 001 rev P02 (existing northwest and southeast elevations - demolitions)
 Drawing no. 30694D - CLA - EXDM - ZZ - ED - A - 002 rev P02 (existing southwest and northeast elevations - demolitions)
 no. 30694D - CLA - PR - ZZ - ED - A - 0002 rev P01 (proposed southwest and northeast elevations)
 Drawing no. 30694D - CLA - PR - 01 - PD - A - 001 rev P01 (proposed first floor plan)
 Drawing no. 30694D - CLA - EX - GF - PD - A - 0001 rev P01 (existing ground floor plan)
 Drawing no. 30694D - CLA - PRSP - 00 - PD - A - 0001 rev P1 (proposed site plan – ground floor)
 Drawing no. 30694D - CLA - PRCP - 00 - PD - A - 0001 rev P01 (proposed site plan – car park layout)
 Drawing no. 30694D - CLA - EXDM - 00 - PD - A - 0001 rev P1 (existing site plan – demolition)
 Drawing no. 30694D - CLA - EXSP - 00 - PD - A - 0001 rev P01 (existing site plan)
 Drawing no. 30694D - CLA - EX - 01 - PD - A - 0001 rev P01 (existing first floor plan)
 Drawing no. 30694D - CLA - PR - RF - PD - A - 0001 rev P01 (proposed roof plan)
 Drawing no. 30694D - CLA - PR - ZZ - ED - A - 0001 rev P01 (proposed northwest and southeast elevations)
 Drawing no. 30694D - CLA - EX - RF - PD - A - 0001 rev P01 (existing roof plan)
 Drawing no. 30694D - CLA - PR - GF - PD - A - 0001 rev P01 (proposed ground floor plan)

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

3. No development shall commence above ground until details and/or samples of the facing materials including bricks, tiles, rainwater goods, windows and doors, to be used in the construction of the external surfaces of the extensions hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy CS19 of the Gravesham Local Core Strategy 2014.

4. No development shall take place until a scheme of hard landscaping for the site frontage (i.e. the carpark), to include details of a permeable surface, parking layout to show spaces of at least 5m x 2.5m and any retaining structures or other means of enclosure, has been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping scheme shall thereafter be carried out in full prior to the bringing into use of the extensions herein approved.

Reason: In order to ensure a satisfactory standard of development upon completion, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

5. Prior to the bringing into use of the extensions herein approved, details of a soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out including a boundary hedgerow around the carpark, as well as arrangements for aftercare. The approved scheme shall be carried out in full during the first available planting season following the bringing into use of the development hereby approved. Any trees or plants that die, are damaged, removed or become diseased within five

years from the date that the soft landscaping scheme is implemented 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 and the wider area, in accordance with Policy CS19 of the Gravesham local Plan Core Strategy (September 2014).

6. Prior to the bringing into use of the development herein approved full details of the boundary treatment to include estate fencing to surround the carpark and a flint wall around the pub garden as well as retention and repair of the existing brick wall to the southern boundary shall be submitted to and approved in writing by the Local Planning Authority and retained thereafter.

Reason: To safeguard the character and appearance of the area in accordance with Policies CS19 and CS20 of the Gravesham Core Strategy 2014.

7. A) Prior to any development works the applicant (or their agents or successors in title) shall secure an archaeological watching brief so that excavations and other development groundworks are observed and heritage assets with archaeological interest are recorded. The watching brief shall be undertaken by an archaeologist approved by the Local Planning Authority and in accordance with a Specification which has been submitted to, and approved in writing, by the Local Planning Authority.
B) The archaeological watching brief, recording, post excavation assessment, analysis and reporting shall be carried out in accordance with the agreed Specification.
C) Within 6 months of the completion of the watching brief a Report shall be 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 local and national planning policy.

8. The rating noise from fixed building services/mechanical plant/equipment, including any air systems, 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 and the details submitted in the 'Noise Assessment' dated 21/01/2025 by Lustre Consulting (Report Ref: 5173_AC_1.0).

Reason: To safeguard conditions of amenity in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

9. Prior to the bringing in to use of the development herein approved full details of the extraction system to be designed and installed in accordance with the "EMAQ/Defra Control of Odour and Noise from Commercial Kitchen Exhaust Systems (2018 update)" shall be submitted to and approved in writing by the Local Planning Authority. 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.

Odour/fume control equipment shall be maintained and operated in compliance with the approved scheme. After installation of the approved plant, no new plant or ducting system shall be used.

Reason: To safeguard conditions of amenity in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

10. Prior to its installation full details of any external lighting that follows the recommendations within the 'Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night' shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- a) A plan showing the location of lighting and light spill
- b) Lighting that is downward facing
- c) Details of a motion sensor

The lighting shall be installed and maintained in accordance with these approved details.

Reason: To safeguard amenity and the surrounding countryside in accordance with Policies CS12 and CS19 of the Gravesham Core Strategy 2014.

11. Prior to the bringing into use of the development hereby permitted, provision of 25 metres x 2.4 metres x 25 metres visibility splays at the access with no obstructions over 1.05 metres above carriageway level within the splays, or 0.6 metres where a footway crosses the access, shall be provided and maintained thereafter.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policies CS11 of the Gravesham Local Plan Core Strategy 2014 and T5 of the Gravesham Local Plan First Review 1994.

12. The development herein approved shall not be brought into use until full details of covered cycle parking facilities are submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall be provided prior to the bringing into use of the development and maintained thereafter.

Reason: To ensure sufficient cycle parking and sustainable transport methods in accordance with Policy CS11 of the Gravesham Core Strategy 2014.

13. No development shall commence until a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include the following:

- (a) Routing of construction and delivery vehicles to / from site.
- (b) Parking and turning areas for construction and delivery vehicles and site personnel, which may require supporting vehicle tracking/swept paths.
- (c) Timing of deliveries, avoiding network and school peaks where possible.
- (d) Provision of wheel washing facilities.
- (e) Measures to prevent the discharge of surface water onto the highway.
- (f) Temporary traffic management / signage.

Reason: To safeguard conditions of amenity in accordance with Policy CS19 of the Gravesham Core Strategy 2014.

14. From commencement of works (including site clearance), to avoid impacts to nesting birds, the following precautionary mitigation should be implemented:

1. Any hedgerow and trees to be retained, including its roots, will be protected from damage;
2. Any work to vegetation/structures that may provide suitable bird nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If within the breeding bird season a survey by a suitably qualified person needs to be conducted to confirm absence, prior to commencing works.

Reason: To safeguard biodiversity in accordance with Policy CS12 of the Gravesham Core Strategy 2014.

15. Prior to the bringing into use of the extensions herein approved, a detailed plan(s) showing how the development will enhance biodiversity based on the recommendations with the Preliminary Ecological Appraisal (JW Biodiversity Management, Aug 24) will be submitted to, and approved in writing by, the local planning authority. The plan must be implemented as approved.

Reason: To safeguard biodiversity in accordance with Policy CS12 of the Gravesham Core Strategy 2014.

16. Prior to the bringing into use of the extensions herein approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority addressing:

1. Creation and enhancement of habitats in accordance with the recommendations of the PEA/BNG report (JW Biodiversity Management Aug 24)
2. Management of onsite habitats to achieve biodiversity net gain in accordance with the PEA/BNG report (JW Biodiversity Management Aug 24)
3. Biodiversity enhancement measures, including [building-integrated bat boxes, bird nest boxes and native species planting].

The LEMP will include the following:

- a) Purpose and conservation objectives for the proposed ecological design works.
- b) Detailed design(s) to achieve stated objectives.
- c) Extent and location/area of proposed works on appropriate scale maps and plans.
- d) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- e) Timetable for implementation, including the planting of any hedgerows prior to first use of the development.
- f) Persons responsible for implementing the works.
- g) Details of initial aftercare.
- h) Aims and objectives of management.
- i) Prescriptions for management actions.
- j) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- k) Habitat monitoring provisions.
- l) Details of the individual, body or organisation(s) responsible for implementation of the plan.

The LEMP will be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure the development delivers the required biodiversity net gain on site in accordance with Policy CS12 of the Gravesham Core Strategy 2014.

INFORMATIVES:-

1 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].

2 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.

3 HIGHWAYS

It is important to note that Local Planning Authority (LPA) 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 LPA planning permission has been granted.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, 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 and near the highway 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 pre-application advice service in addition to a full formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. Further details are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

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. Further details on this are available on our website below:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/apply-for-a-dropped-kerb/dropped-kerb-contractor-information>

Once planning approval for any development has been granted by the LPA, it is the responsibility of the applicant to ensure that before development commences, 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.

Further 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.

4 ENVIRONMENTAL PROTECTION

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.

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.

- o 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.
- o 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.
- o Regulation 20 requires that suitable and sufficient sanitary conveniences shall be provided readily accessible places. Where between 6 and 25 persons are employed a minimum of 2 closets must be provided.

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 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.

All internal structures to the kitchen must be impervious, non-absorbent and washable i.e. easy to clean and maintain in a clean condition.

Where inspection chambers become part of the internal structure of the kitchen they must be closed with a secure, sealed, airtight cover.

Ensure that any waste pipes which become part of the internal structure of the kitchen terminate externally at an appropriate height.

Any floor drains which become part of the internal structure of the kitchen must be fitted with a close-fitting grill which is easy to clean.

The kitchen should be pest proofed as far as possible i.e. gaps and holes to external doors, windows, pipes and drains etc. must be filled or covered with a solid, durable material in order to minimise pest entry points into food preparation and storage areas.

Lavatories must not lead directly into rooms in which food is handled, stored or prepared. There should be an intervening ventilated space between toilets and food rooms. Food should not be stored in that space.

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.

The layout and scale of the business operation is such that mechanical ventilation, with a balanced air intake and appropriate extract system, is likely to be required. This will need to achieve a

minimum of 30 air changes per hour and a maximum ambient temperature of 25C within the working kitchen. I recommend that you contact a specialist contractor in this regard.

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

5 LICENCING

The applicant will need to submit a full variation application for the premises licence. The details on how to do this are available on the website, however, should they require any specific assistance they can email licensing@gravesham.gov.uk

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 24/03/2025 to the inclusion of the following pre-commencement conditions.

Condition 3 - Materials

Condition 4 - Landscaping

Condition 7 - Archaeology

Condition 13 - Construction Environment Management Plan

7 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 39 of the National Planning Policy Framework (NPPF) 2024, 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.

8 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Gravesham Borough Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply:

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

- i) the application for planning permission was made before 2 April 2024;
- ii) planning permission is granted which has effect before 2 April 2024; or
- iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.5 Development forming part of, or ancillary to, the high speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High Speed Rail (Preparation) Act 2013.

* "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier

Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

9 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

Dated: 31 March 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of 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.