



Application: 20211092

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: **Wakes Stearns Graham Wakeman, Wakes Stearnes Ltd**
C/O Gregory Bunce, Prime Folio
35 Albion Place
Maidstone
ME14 5DZ

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:

Milton Mount Hall
Old Road East
Gravesend
Kent
DA12 1NQ

and being **Demolition of existing hall and outbuildings, erection of a 3-storey building containing 9 x 2 bed flats towards the front of the site, a terrace of 4 no. 3 bedroom houses over 2 full floors and within the roofspace towards the rear of the site, and with parking for 19 cars.** Your application dated 25th May 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:

Application Form and Certificates

Plans/Drawings

Drawing No 21-18-101 Rev F: Site Location Plan & Existing and Proposed Block Layout Plans

Drawing No 21-18-102 Rev K: Proposed Site Block Layout Plan showing Ground Floors

Drawing No 21-18-103 Rev D: Flats - Proposed Ground and First Floor Plans

Drawing No 21-18-104 Rev D: Flats - Proposed Second and Roof Plans

Drawing No 21-18-105 Rev E: Houses - Proposed Floor Plans
Drawing No 21-18-106 Rev D: Sections
Drawing No 21-18-107 Rev G: Proposed House Elevations
Drawing No 21-18-108 Rev G: Proposed Site Sections & Elevations
Drawing No 21-18-109 Rev J: Proposed Site Sections & Elevations
Drawing No 21-18-110 Rev F: Proposed North & South Elevations - Flats
Drawing No 21-18-111 Rev E: Flats - Side Elevations & Cycle Store Plan & Elevations
Drawing No 21-18-112: Existing Elevations
Drawing No 21-18-115 Rev D: Proposed Site Roof & Drainage Plan
Drawing No 21-18-116 Rev A: Proposed West - East Sections through Site
Drawing no. 21-18-117: Section to Flats and No. 22 Boundary

Supporting Documents

Drawing No 21-18-113 Rev B: Planning Statement, dated 25.05.2022 (For Information)
Drawing No 21-18-114 Rev B: Design and Access Statement, dated 25.05.2022
Drawing No 21-18-VSC Rev A: Calculation of Vertical Sky Component at adjacent window

Drainage Design Report Rev A by Hodel (Ref 21-080), dated 11 May 2022
Drawing No 21-080_C01A: Drainage - Engineering Layout
Hodel Drainage Drawing No 21-080_C02: Private Drainage Construction Details
Hodel Drainage Drawing No 21-080_C03: Geocellular Soakaway by Polystorm
Hodel Drainage Drawing 21-080_C04: P.C. Ring Catchpit Construction Detail
Response to KCC Flood and Water Management from Hodel -11 May 2022
Geo-Environmental Investigation Part 1 by Ground and Environmental Services Ltd
(Document Ref No 12722, November 2021)

Viability Assessment and Marketing Report (Ref 21-18)
Preliminary Roost Appraisal Milton Mount Scout Hut by Eco Assistance (Ref 601 -
30.11.21)

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/Construction Management Plan

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:
 - Details of numbers and routing of construction and delivery vehicles to / from site
 - Timing of deliveries
 - 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
- (l) Details of temporary construction or security lighting; and
- (m) 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).

Hours 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 amenity and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

Contaminated Land - Desk Study Report

5. The development of the site as hereby permitted shall be carried out in full accordance with the Geotechnical and Environmental findings, conclusions and recommendations of the Geo-Environmental Investigation Part 1 by Ground and Environmental Services Ltd (Document Ref No 12722, November 2021).

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

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, the 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.

C) Even if no contamination has been discovered during the build, then evidence (for example, photos or letters from site manager) to show that no contamination was discovered should be included.

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.

Archaeology

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of
- Archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
 - Following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

Drainage

Sustainable Surface Water Drainage Scheme

8. Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall be based upon the Drainage Strategy Report Prepared by Hodel Consulting Engineers dated 11th May 2022. The submission shall also demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100-year storm) can be accommodated and disposed of within the curtilage of the site without increase to flood risk on or off-site.

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

- that silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- appropriate operational, maintenance and access requirements for each drainage

feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.

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

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

Verification Report

9. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate 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 165 of the National Planning Policy Framework (NPPF).

Design and Detailed External Appearance

Submission of Details of Ground Levels and Floor Levels

10. Notwithstanding the details shown in the approved drawings or other supporting documents, no works in connection with the development, other than demolition works, shall commence until full details of any proposed earthworks or changes to ground levels on the site including details of any earth retention measures have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of the development.

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

Materials

11. Notwithstanding the details relating to the materials and finishes as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, additional details (and samples, where requested by the Local Planning Authority) of all the external facing materials, colours 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 flats or dwellinghouses hereby permitted are first occupied.

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

External Lighting

12. Prior to the first occupation of the development hereby approved 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 development shall be carried out in accordance with the approved details 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 residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Noise Control

13. Within six months of the commencement of the development and before any occupations of any part of the development, a noise impact assessment shall be carried out and submitted to the Local Planning Authority for approval demonstrating that:

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

Any works that are required to address the findings and recommendations of the noise impact assessment shall be implemented before the first occupation of any part of the development.

Reason: In order to limit the likelihood of noise nuisance occurring due to potentially poor construction/insulation and noise from traffic at Old Road East, and pursuant to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Boundary Treatments

14. Notwithstanding the details relating to the boundary treatments as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, full details of all boundary treatments, including their design, height and materials, to the dwellings/flats as hereby permitted including similar details to the communal areas 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 dwellings or flats 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 existing and future residents in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Detailed Energy and Sustainability Statement

15. Notwithstanding the details shown in the approved drawings or other supporting documents full details of the sustainability measures to be incorporated in the development hereby permitted (including in terms of renewable and low carbon energy and water supply and efficiency) shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development.

Reason: To ensure that the development of the site promotes sustainability measures, in accordance with Policy CS18 (Climate Change) and Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Permitted Development Rights - Windows and Obscure Glazing

16. Notwithstanding the provisions of Article 3, and Part 1 Classes A and G of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to those Classes in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no window, door or other form of opening other than those shown on the approved drawings shall be formed in either the flank (side) elevations of the terrace of dwellings or the frontage block of flats, as hereby permitted, at any time.

Reason: In the interest of local residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits.

Permitted Development Rights - Extensions and Alterations

17. Notwithstanding the provisions of Article 3 of, and Part 1 Classes A, A-A, B, C and D of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to those Classes in any Order replacing, revoking or re-enacting that Order with or without modification), no enlargement improvement or other alteration of the dwellings hereby permitted, including the construction of an additional storey, an addition or other alteration to the roof of the dwellings or the erection or construction of a porch outside any external door, shall be constructed without the grant of a further specific planning permission from the Local Planning Authority having first been obtained.

Reason: In the interest of residential amenity in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits having regard to the limitations of the site.

Frosted Glass Screens to Balconies

18. For the avoidance of doubt the rear balconies to the proposed flats as hereby permitted shall be fitted with obscure glazing screens at all times and arranged in the manner shown in the approved drawings.

Reason: In the interest of residential amenity in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits having regard to the limitations of the site.

Highways Access and Parking

Parking Provision

19. 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 details as shown in Drawing No 21-18-102 Rev K: Proposed Site Block Layout Plan showing Ground Floors; 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.

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

20. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans full details of the cycle storage facilities for both the flats and the dwellinghouses shall be submitted to and approved in writing by the Local Planning Authority. The storage facilities should be secure and 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

21. The development hereby permitted shall ensure that at least 4 of the car parking spaces are provided with Electric Vehicle (EV) charging points and with the remainder provided with passive provision i.e., cabling / ducting. Each charging point should be able to accommodate a useable supply of 7kW. The layout shall ensure that the charging points are positioned in protected areas not vulnerable to damage. 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 Visibility Splays

22. Visibility splays of (43m x 2.4m x 43m) either side of the access as shown in the approved drawing (Drawing No 21-18-101 Rev F: Site Location Plan & Existing and Proposed Block

Layout Plans) shall be provided before the access, parking and turning area hereby permitted is first brought into use and thereafter the visibility splays to the access shall be permanently retained and no boundary wall, fence or other means of enclosure or obstruction exceeding one metre in height shall be erected or placed within the visibility splays at any time.

Reason: In the interests of highway safety and pursuant to Policy CS11 (Transport) 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).

Pedestrian Visibility Splays

23. Before the access hereby permitted is first brought into use 2.0m by 2.0m pedestrian visibility splays shall be provided at the back edge of the footway on either side of the vehicular access and thereafter no boundary wall, fence or other means of enclosure or obstruction exceeding 600mm in height shall be erected or placed within the visibility splays.

Reason: In the interests of highway and pedestrian safety and pursuant to Policy CS11: Transport, 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).

Prohibition on Gates

24. No gates shall be installed across the reconfigured vehicular access to the site on to Old Road East or across the access drive serving the car parking area to the development, as hereby permitted, at any time.

Reason: In the interests of highway safety and to avoid vehicles waiting in the road while gates are opened or closed and pursuant to Policy CS11: Transport 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).

Broadband

25. Before any above ground development commences details shall be submitted 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).

Landscaping and Trees

Soft Landscaping

26. Notwithstanding the details as shown in the submitted plans and supporting documents 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 soft landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. The scheme shall incorporate the retention of existing trees as indicated in Drawing No 21-18-102 Rev K (Proposed Site

Block Layout Plan showing Ground Floors). Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following 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 type during the next available planting season.

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

Tree Protection

27. All retained trees on the site and other vegetation shall be protected during construction in accordance with the tree protection measures as recommended in BSI Standards Publication BS 5837:2012 (Trees in relation to design, demolition and construction). 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).

Hard Landscaping

28. Notwithstanding the details as shown in the submitted plans and supporting documents 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.

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).

Foundation Stone

29. The existing Church Hall Foundation Stone currently positioned in the west flank wall of the community hall building shall be carefully removed intact during the demolition works as hereby permitted and shall be protected on the site during the construction works and then subsequently relocated to an appropriate location on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority, unless other alternative arrangements can be made for the relocation offsite as also approved by the Local Planning Authority.

Reason: In the interests of visual amenity and to ensure the development makes a positive contribution to local character and distinctiveness, through historical interpretation, and in accordance with Policies CS19: Development and Design Principles and CS20: Heritage and the Historic Environment of the Gravesham Local Core Strategy (September 2014).

Communal Garden Area

30. Prior to the first occupation of any part of the development hereby permitted, the area shown in the approved drawing No 21-18-102 Rev K (Proposed Site Block Layout Plan showing Ground Floors) as shared patio and garden shall be laid out as a communal garden for future residents of the scheme and thereafter managed and maintained in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To secure measures for the long-term management and maintenance of the communal areas to ensure the development is of a satisfactorily high design standard during its lifetime and in accordance with adopted Local Plan Core Strategy Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

Ecology and Biodiversity

Bat Mitigation

31. From the commencement of works (including site clearance), all precautionary mitigation measures for bats shall be implemented in accordance with the details contained in the 'recommendations' section of the Preliminary Roost Appraisal (EcoAssistance November 2021).

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of CS12: Green Infrastructure of the Gravesham Local Plan Core Strategy Policy (September 2014).

Biodiversity Net Gain

32. Within six months of works commencing, details of how the development will offset biodiversity loss/enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. This will include a native species-only landscape plan and integrated bird nest bricks. The approved details shall be implemented prior to the first occupation of the development and thereafter retained.

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of CS12: Green Infrastructure of the Gravesham Local Plan Core Strategy Policy (September 2014).

INFORMATIVES: -

1 STATUS OF SUBMITTED PLANS AND DOCUMENTS

Plans and Documents submitted for Approval

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

Application Form and Certificates

Drawing No 21-18-101 Rev F: Site Location Plan & Existing and Proposed Block Layout Plans

Existing Drawings

Drawing No 21-18-112: Existing Elevations

Proposed Drawings

Drawing No 21-18-102 Rev K: Proposed Site Block Layout Plan showing Ground Floors
 Drawing No 21-18-103 Rev D: Flats - Proposed Ground and First Floor Plans
 Drawing No 21-18-104 Rev D: Flats - Proposed Second and Roof Plans
 Drawing No 21-18-105 Rev E: Houses - Proposed Floor Plans
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 Drawing No 21-18-108 Rev G: Proposed Site Sections & Elevations
 Drawing No 21-18-109 Rev J: Proposed Site Sections & Elevations
 Drawing No 21-18-110 Rev F: Proposed North & South Elevations - Flats
 Drawing No 21-18-111 Rev E: Flats - Side Elevations & Cycle Store Plan & Elevations
 Drawing No 21-18-115 Rev D: Proposed Site Roof & Drainage Plan
 Drawing No 21-18-116 Rev A: Proposed West - East Sections through Site
 Drawing no. 21-18-117: Section to Flats and No. 22 Boundary

Other Plans and Documents submitted for Approval

Drawing No 21-18-114 Rev B: Design and Access Statement, dated 25.05.2022
 Drawing No 21-18-VSC Rev A: Calculation of Vertical Sky Component at adjacent window

Drainage Design Report Rev A by Hodel (Ref 21-080), dated 11 May 2022
 Drawing No 21-080_C01A: Drainage - Engineering Layout
 Hodel Drainage Drawing No 21-080_C02: Private Drainage Construction Details
 Hodel Drainage Drawing No 21-080_C03: Geocellular Soakaway by Polystorm
 Hodel Drainage Drawing 21-080_C04: P.C. Ring Catchpit Construction Detail
 Response to KCC Flood and Water Management from Hodel -11 May 2022
 Geo-Environmental Investigation Part 1 by Ground and Environmental Services Ltd (Document Ref No 12722, November 2021)
 Preliminary Roost Appraisal Milton Mount Scout Hut by Eco Assistance (Ref 601 - 30.11.21)

Plans and Documents submitted for Information

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

Drawing No 21-18-113 Rev B: Planning Statement, dated 25.05.2022
 Viability Assessment and Marketing Report (Ref 21-18)

2 DEVIATION FROM THE APPROVED PLANS

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

3 BUILDING REGULATIONS 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.

4 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2021, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

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

The original 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.

5 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.

6 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).

7 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

8 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.

9 REFUSE - OPERATIONAL REQUIREMENTS

Houses

The refuse and recycling storage requirements for the development for each dwelling are as follows:

- Refuse - 1 x 180ltr bin (grey body/grey lid)
- Recycling - 1 x 240ltr bin (grey body/green lid)
- Food waste - 1 x 23ltr caddy per property for (Black body / orange lid) with an individual 1 x 5ltr kitchen caddy (Silver body and lid)

The Council offers an 'opt-in' garden waste service collected via a 240ltr or 140ltr bin. The take up of the service is extremely high therefore space should also be allocated to accommodate an additional bin.

All houses are required to have an individual collection and must not be provided with communal collection arrangements.

Flats

Flats are generally serviced by communal bin stores. Bin stores should be large enough to accommodate and manoeuvre sufficient 1100 refuse and recycling Eurobins for the number of dwellings in each block.

The following provision is required

- Refuse - 1 x 1100ltr bin per 6 flats
- Recycling - 1 x 1100ltr bin per 6 flats with special recycling lid
- Food Waste - 1 x 140ltr bin per 10 flats with an individual 5ltr caddy per flat

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

Cost

It is the developer's responsibility to provide the bins although the Gravesham Borough Council waste management team will happily assist the developer if required. Delivery is 4-8 weeks once payment has been made

Collections

Collections from sites will not occur until containers are in place

Please note that collection for refuse and recycling are now once every two weeks with food waste collected weekly. Collection is from the front entrance to the property adjacent to the road or footpath.

Other Matters

GBC waste management team advise that the driveway will need to take a 26t vehicle and the Council will not accept any liability for any damaged caused by the vehicle.

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 Officer (Ref:20211092 /CAEH/G-250, dated 5th October 2021) with regard to Crime Prevention Through Environmental Design (CPTED) and are recommended to ensure the use of Secured by Design (SBD) Homes 2019.

11 KENT FIRE AND RESCUE SERVICE

Kent Fire and Rescue Service advise that:

The Design and Access Statement dated 25-05-2022 that supersedes statement 31- 01-2022 states that the distance of the furthest part of any flat from the road via the front entrance is within 45m, so full firefighting access is provided.

As per previous correspondence, please confirm though that although 'off-site' access to the proposed buildings can be achieved, once on site there is also available vehicle access and turning facilities for a pump appliance to within 45m of every point of the footprint of the proposed "4" x new houses at the rear of the site.

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.

12 SOUTHERN WATER ADVICE

Southern Water advise as follows:

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: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The planning application form makes 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:

water.org.uk/sewerage-sector-guidance-approved-documents

[ciria.org/Memberships/The SuDS Manual C753 Chapters.aspx](https://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.

Please note: There is private water communication pipe within the site.

The design of the proposed basements and on-site drainage system should consider the possibility of surcharging within the public sewerage system in order to provide adequate protection to basements from the risk of flooding.

Southern Water request that:

Construction of the development shall not commence until details of the proposed means of foul sewerage and surface water disposal have been submitted to and approved in writing by, the Local Planning Authority in consultation with Southern Water.

Southern water advise that this initial assessment does not prejudice any future assessment or commit to any adoption agreements under Section 104 of the Water Industry Act 1991. Please note that non-compliance with the Design and Construction Guidance will preclude future adoption of the foul and surface water sewerage network on site. The design of drainage should ensure that no groundwater or land drainage is to enter public sewers.

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.

13 ENVIRONMENT AGENCY (EA) ADVICE

The EA advise:

The site history indicates medium polluting potential from previous use which always flags significant concerns about land contamination. The site is also underlain by an aquifer, meaning there is also a risk of pollution to water resources. The EA need to ensure that the proposals, with associated foundation and drainage designs and the required ground disturbance, will not cause an unacceptable risk to the aquifer. The EA guidance on groundwater protection (formerly known as GP3) states that:

- '1. We expect developers to provide adequate information to statutory bodies when submitting their proposals, so that the potential impact on groundwater resources and quality can be adequately assessed. Developers should be prepared to supply specific relevant data to allow the risk to groundwater to be assessed.
2. We expect developers to comply with any relevant statutory codes of good practice and to have due regard to our advice and guidance, and to other reputable standards and guidance. This applies particularly to the handling, use, storage and treatment of substances that can potentially result in an unacceptable input to groundwater.'

This is supported by paragraph 178 ground conditions and pollution of the NPPF which states that planning decisions should ensure that adequate site investigation information, prepared by a competent person, is available to inform assessments.

The EA refer the applicant to the 'Managing and reducing land contamination: guiding principles (GPLC)' page which provides guidance for the land contamination risk management process.

The EA note that infiltration SuDS are proposed, and the details need to ensure protection of controlled waters. This location is sensitive as it is Source Protection Zone 1 and located above a Principal aquifer.

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

15 PRE-COMMENCEMENT CONDITIONS

Pursuant to the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 introduced on 1 October 2018 the following planning conditions (conditions 3,7,8 and 10) attached to this permission are pre-commencement conditions and have been agreed as such by the applicants.

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

16 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/>

Dated: 20 December 2022

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.