



Application: 20220915

**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: **Strawberry Star SL1 Limited**
C/O Miss Gillian Cooper, Newsteer Real Estate Advisers
C/O HubHub London
20 Farringdon Street
London
EC4A 4AB

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED PERMISSION** for development of land situate at:

Former Gravesend And North Kent Hospital (M Block)
Clifton Road
Gravesend
Kent

and being **Application for a minor material amendment to planning permission reference no. 20190504 (following planning permission reference no. 20220487 for non-material amendment to allow the change of description to: Conversion of existing building with a side extension and a roof extension, the construction of a new residential building to provide residential units (class C3) consisting of one bed, two bed and three bed homes, together with associated car parking, motorcycle and cycles spaces alongside amenity space, private gymnasium and waste and space in Class E as flexi use space) to allow: amendments to Block M only (conversion building), including amendments to unit mix, internal layouts and parking, introduction of additional private and shared amenity space, elevational changes and amended material palette.** Your application dated 30th August 2022 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 the original permission 20190504 was granted (17 February 2022).

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 approved shall be carried out in accordance with the following schedule of approved plans and particulars:

(Plans submitted under planning application 20190504):
Application Form dated 05/03/2020
Drawing no. M-B-P3 Revision B (Existing Ground and First Floor Plan M Block)
Drawing no. M-B-P4 Revision B (Existing Second and Third Floorplan M Block)
Drawing no. M-B-P5 Revision B (Existing Fourth and Fifth Floorplan M Block)

Drawing no. M-B-P6 Revision B (Existing Sixth and Seventh Floorplan M Block)
 Drawing no. M-B-P12 Revision B (Proposed Tenth and Roof Floorplans)
 Drawing no. M-B-P13 Revision B (Existing East Elevation M Block)
 Drawing no. M-B-P14 Revision B (Existing North and South Elevation M Block)
 Drawing no. M-B-P15 Revision B (Existing West Elevation M Block)
 Drawing no. L-B-P19 Revision C (Proposed First Floorplan L Block)
 Drawing no. L-B-P20 Revision C (Proposed Second Floorplan L Block)
 Drawing no. L-B-P21 Revision C (Proposed Third Floorplan L Block)
 Drawing no. L-B-P22 Revision C (Proposed Fourth Floorplan L Block)
 Drawing no. L-B-P23 Revision C (Proposed Fifth Floorplan L Block)
 Drawing no. L-B-P24 Revision C (Proposed Clifton Road Elevation L Block)
 Drawing no. L-B-P25 Revision B (Proposed East Elevation L Block)
 Drawing no. L-B-P26 Revision B (Proposed South Elevation L Block)
 Drawing no. L-B-P27 Revision C (Proposed West Elevation L Block)
 Drawing no. ML-B-P28 Revision C (Proposed Clifton Road Elevation)
 Drawing no. ML-B-P32 Revision B (Proposed Section C-C)
 View C (1) Car Park Entrance
 View D (1) Clifton Road/Stuart Road
 Planning Statement by Tetlow King Planning (May 2019)
 Design and Access Statement
 Design and Access Statement Appendix 1
 Transport Statement by Entran (March 2020)
 Noise Assessment by In Acoustic (April 2019)
 Urban Design Assessment by Rummey Design (May 2019)
 Landscape Design Document by Rummey Design (March 2020)
 Landscape Design Document by Rummey Design (June 2019)
 Affordable Housing Statement by Tetlow King Planning (May 2018)
 Phase 1 Desk Study by Lustre Consulting (April 2019)
 Preliminary Ecological Appraisal by Corylus Ecology (29 April 2019)
 Daylight and Sunlight Study by Right of Light Consulting (May 2019)
 Archaeological Desk-Based Assessment by Swale and Thames Archaeological Survey Company (07 May 2019)
 Air Quality Assessment by Entran (29 April 2019)
 Flood Risk and Sustainable Drainage Assessment (May 2019)

(Plans submitted under planning application 20220915):

Covering letter dated 19 August 2022 from Newsteer

Application form

Drawing no. 2244_0900 Rev. A (Sitewide Ground Floor Plan Block M S73 (Block L & T Consented))

Drawing no. 2244_0901 Rev. A (Sitewide First Floor Plan Block M S73 (Block L&T Consented))

Drawing no. 2244_0915 Rev. A (Site Location Plan, Existing & Consented Site Block Plan with S73 Block M)

Drawing no. 2244_0920 Rev. A (Ground and First Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0922 Rev. A (Second & Third Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0924 Rev. A (Fourth & Fifth Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0926 Rev. A (Sixth & Seventh Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0928 Rev. A (Eighth & Ninth Floor Plan Block M S73 (Block T Consented))

Drawing no. 2244_0930 Rev. A (Tenth & Roof Plan Block M S73 (Block T Consented))

Drawing no. 2244_0950 Rev. A (East Elevation Block M S73 (Block T Consented))

Drawing no. 2244_0951 Rev. A (West Elevation Block M S73 (Block T Consented))

Drawing no. 2244_0952 Rev. A (North and South Elevations Block M S73 (Block T Consented))

Drawing no. 2244_0960 Rev. A (Section A-A Block M S73 (Block L Consented))

Drawing no. 2244_0961 Rev. A (Section B-B Block M S73 Existing Context)

Drawing no. 2244_0970 Rev. A (West Street Scene Block M S73 (Block L & T Consented))

Consented))
 S73 Drawing List Rev. A dated 21/07/2022
 S73 Planning Statement ref. 2022-067 by Newsteer dated August 2022
 S73 Design Addendum by RM_A
 Air Quality Assessment by Entran (Rev. 1.1 dated 19/08/2022)
 S73 Application Transport Note August 2022 (ref. 11405168) by Entran
 Internal Amenity Assessment by Behan (ref. 20223730 dated 3 August 2022)
 Affordable Housing Statement by Newsteer dated July 2022
 Noise Assessment for Planning by inacoustic (dated 19 August 2022)
 Update Preliminary Ecological Appraisal by Corylus Ecology (dated 30 August 2022)
 Fire Strategy Report by Hoare Lea (Rev. 01 dated 23 August 2022)
 Overheating Assessment by Waterstone Design (Rev. 1 dated 19/08/2022)
 Letter dated 26 July 2022 from Swale and Thames Survey Company re. Archaeological
 Desk-Based Assessment under planning permission 20190504
 Letter dated 19 July 2022 from Lustre Consulting re. Phase 1 Desk Study under planning
 permission 20190504
 Letter dated 29/07/2022 from Herrington Consulting Ltd re. Flood Risk and Sustainable
 Drainage Assessment under planning permission 20190504

And pursuant to any conditions contained herein after and there shall be no deviation
 there from, save with the prior written consent of the Local Planning Authority.

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

Pre-commencement Conditions

3. Code of Construction Practice

No development shall be commenced until a comprehensive Code of Construction Practice covering environmental impacts during the construction phase of this development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall include details of hours of work during the construction period, delivery times for materials, parking of vehicles of site personnel and visitors, loading and unloading of plant materials, storage of materials and wheel washing proposals. The development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice.

Reason: To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

4. Details of Construction Compound

No development shall be commenced until details of the proposed construction compound for the development, including its extent, location and access arrangements, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before construction commences.

Reason: To ensure the development does not result in debris being deposited on the road during the construction of the development and does not result in detriment to highway safety, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

5. Contaminated Land

No development shall be commenced until a contaminated land assessment (in accordance with the CLEA guidelines and CLR 11 methodology) and if necessary an associated remedial strategy, together with a timetable of works, has been submitted to and approved in writing by the Local Planning Authority.

a) A site investigation, based on the findings of the submitted Phase 1 Desk Study, ref 2461_FP01.0-2019, from Lustre Consulting dated April 2019, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

c) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

d) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

e) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the local planning authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority.

Reason: To ensure that the development is carried out safely in the public interest and in accordance with best practice and with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy 2014.

6. Wheel Washing

Details of the type and location of wheel washing facilities and chassis cleaning equipment to be provided on the site during the construction period for each phase of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site for each phase and shall thereafter be used and kept on site for the duration of construction and be maintained in working order throughout the period of construction.

Reason: To ensure the development does not result in debris being deposited on the road during construction of the development and its locality generally, does not result in detriment to highway safety, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

7. Surface Water Drainage Scheme

No development shall be commenced in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the

Local Planning Authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment prepared by Herrington Consultants, dated May 2019, and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

Reason: In order 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 or off-site flooding, in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

8. Verification Report

No development shall be commenced in any phase until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority. The Report shall demonstrate the suitable modelled operation of the drainage system where the system constructed is different to that approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 169 of the National Planning Policy Framework 202 and Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

9. Water Contamination

No development shall be commenced until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy must include:

- 1) A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site
- 2) A site investigation scheme based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The site lies over a principal aquifer and to ensure that the development does not contribute to or is 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 Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

10. Foul and Surface Water Sewerage Disposal

No development shall be commenced until details of the proposed means of foul and surface disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be implemented in accordance with the approved details.

Reason: To ensure the development protects the groundwater environmental of the site and its locality generally and it compliant with the National Planning Policy Framework 2021. Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

11. Heritage and Archaeology

No development shall be commenced until the applicant, their agents or successors in title have secured the implementation of:

(a) Archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

(b) Following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigations and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and that due regard is had to the preservation in situ of important archaeological remains in compliance with Policy CS20 of the Gravesham Local Plan Core Strategy 2014.

12. Phasing Plan

No development shall be commenced until full details of the phasing of the development 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.

Reason: The Local Planning Authority needs to be satisfied that the development of the site is undertaken in a coherent and comprehensive manner and to ensure compliance with Policies CS05 and CS19 of the Gravesham Local Plan Core Strategy 2014.

13. Materials

Prior to the commencement of any above ground works on any particular phase of development, details and samples of all materials including the façade wall and all surface materials to be used externally on any part or phase of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure a high quality of design pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

14. Boundary Treatments

Prior to the commencement of any above ground works on any particular phase of development, details and samples of all railings, gates, boundary treatments and balcony treatments to be used on any part or phase of the development hereby permitted shall be submitted to and approved in writing by the Local Planning. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure a high quality of design pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

15. Sustainability

Prior to the commencement of any above ground works, an Energy Report including the carbon footprint and emissions of the site, along with full details of the sustainability measures to be incorporated into 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 before the first occupation of any part of the development. The sustainability measures should include the provision of solar photovoltaics (PV) and Electric Vehicle charging points.

Reason: To ensure that the development of the site promotes sustainability measures, in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

16. Access

Prior to the commencement of any above ground works, the existing access should be configured as a dropped kerb with footway crossover as opposed the current bellmouth arrangement and details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of highway and pedestrian safety in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

17. Noise

Prior to the first occupation of the development hereby approved, a post completion report demonstrating that the specifications and recommendations contained in the 'Noise Assessment for Planning' provided by Lustre dated 30th April 2019, including the following;

- The internal ambient noise levels shall not exceed these set out in BS8233:2014
- The maximum internal noise levels in habitable rooms should not exceed 45dB LAmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise
- The rating level of the noise emitted from any plant or equipment associated or close to this use shall not exceed existing background (LA90) measured 1m from the nearest noise sensitive façade. The measurements and assessments shall be made according to BS4142:2014

Demonstrating compliance with these requirements and confirming the façade, glazing, ventilation and other migratory treatments used to achieve them, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory standard of accommodation for the future occupants of the development pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

18. Contaminated Land Remediation Strategy

Prior to the first occupation of the development hereby approved, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan for longer term monitoring or pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site lies over a principal aquifer and to ensure that the development does not contribute to or is 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 Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

19. Soft Landscaping

Prior to the first occupation of the development hereby approved, full details of soft landscaping 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. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of the development. Any tree 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 during the next available planting season.

Reason: To ensure that the proposed development includes a properly designed and suitably landscaped amenity area which is maintained in the long term in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

20. Hard Landscaping

Prior to the first occupation of the development hereby approved, and notwithstanding the details shown on the approved plans, full details of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The details shall include where appropriate: proposed hard surface treatments; means for surfacing; draining and demarcating the car parking spaces; proposed finish levels; external fixtures e.g. lighting, bollards; vehicle and pedestrian access and circulation. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development and thereafter it shall be retained and not subsequently altered without permission in writing from the Local Planning Authority.

Reason: In order to ensure an acceptable standard of development upon completion in accordance with Policies CS19 of the Gravesham Local Plan Core Strategy 2014.

21. External Lighting

Prior to the first occupation of the development hereby approved, details of all proposed external lighting, including around the podium level, shall be submitted to and approved in writing by the Local Planning Authority. The details should include the height, position, external appearance, light intensity, and where appropriate a report to demonstrate its effect on the landscaping of the site and nearby residential properties. The development shall thereafter be carried out in accordance with these approved details and no

additional external lighting shall be provided on the site without the prior written consent of the Local Planning Authority.

Reason: In order to ensure the development does not cause harm to residential amenity by reason in the installation of intrusive lighting and in order to protect and preserve the character and appearance of the area in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

22. Parking Management Plan

Prior to the first occupation of the development hereby approved, a Parking and Cycle Management Plan specifying the parking arrangement, its operation and allocation for both the residential and commercial units, along with a delivery and servicing plan, shall be submitted to and approved in writing by the Local Planning Authority. The Parking and Cycle Management Plan shall be implemented in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the effective use of the parking and cycle provision for the site in the interest of the highway and pedestrian safety in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014.

23. Travel Plan

Prior to the first occupation of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall provide the sustainable travel options available to future occupants, how the Travel Plan will be available, implemented and keep updated in accordance with the approved details or any changes subsequently made under its monitoring review process.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport and in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014.

24. Ecological Enhancements

Prior to the first occupation of the development hereby approved, and in tandem with Condition 19 (soft landscaping), details of a scheme for the protection and enhancement of biodiversity, including bat and bird boxes, use of native species in landscaping and incorporation of features beneficial to wildlife wherever possible within and around the perimeter of the site, together with details of the timing/phasing of the respective elements forming the scheme and proposed management arrangements, in line with the recommendations in the hereby approved and updated Preliminary Ecological Appraisal, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented in accordance with the approved details and thereafter maintained.

Reason: In the interests of biodiversity and in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

25. Hours of Use

Prior to the commercial unit first being brought into use, the hours of use, including the times of deliveries, must be applied for and approved in writing by the Local Planning Authority. The commercial units shall thereafter operate only in accordance with the approved operating hours.

Reason: In order to safeguard the amenity of surrounding residential dwellings and future occupants of the development pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

26. The recommendations and mitigation measures set out in the Air Quality Assessments by Entran (dated 29 April 2019 and Rev. 1.1 dated 19 August 2022) shall be carried out as hereby approved, including the details set out in the Emissions Mitigation Calculation.

Reason: In the interests of air quality and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

27. Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework 2021 and Policy CS18 of the Gravesham Local Plan Core Strategy 2014.

28. Employment Uses

The commercial units of the development hereby approved shall be used for purposes within Use Classes B1, D1 and D2 of the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification) only and for no other purpose; and notwithstanding the provisions of Article 3 of Classes I and O of Part 3 and Class D of Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification) the commercial use shall not be used for such other purposes specified by those Classes unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: To safeguard the employment uses and to ensure the commercial element of the development is not subsequently changes to the detriment of local amenity, in accordance with Policies CS07 and CS19 of the Gravesham Local Plan Core Strategy 2014.

29. Privacy

Any window serving a bathroom/wc must be fitted with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) only at all times.

Reason: In order to safeguard the amenity of future occupiers and neighbouring dwellings in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

30. Balcony Clutter

The balconies hereby approved shall remain open at all times and no additional form of enclosure (other than those outlined on the approved plans) or additional boundary treatments shall be added or attached to the balconies or railings at any times.

Reason: In the interest of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

31. Refuse Storage Areas

The refuse storage rooms identified on drawing no. 2244_0900 Rev. A (Sitewide Ground Floor Plan Block M S73 (Block L & T Consented)) must be kept available at all times and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason: To ensure a satisfactory standard of amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

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

2 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)

In accordance with The Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 and paragraph 19 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant as part of 20190504 to the inclusion of the following pre-commencement conditions:

Condition 3 - Code of Construction Practice
Condition 4 - Details of Construction Compound
Condition 5 - Contaminated Land
Condition 6 - Wheel Washing
Conditions 7, 8 and 9 - Surface Water Drainage Scheme
Condition 10 - Foul and surface water sewerage disposal
Condition 11 - Heritage and Archaeology
Condition 12 - Phasing Plan.

3 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.

4 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].

5 Waste and Recycling Provision

It is the responsibility of the developer to ensure waste requirements and collection arrangements are organised prior to first occupation. For further advice or to order bins please contact the Council's Waste Management Team at waste.management@gravesham.gov.uk.

6 Kent County Council 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.

7 SOUTHERN WATER

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

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

8 NAMING & NUMBERING

As a result of the changes to this 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. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

9 KENT POLICE CRIME PREVENTION BY DESIGN

The applicants/developers are advised to contact Kent Police Crime Prevention Design Advisor to progress any Secured by Design or BREEM applications from a security aspect.

10 SUPERFAST FIBRE OPTIC BROADBAND

Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk

11 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.

12 BREEDING BIRDS

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 between 1st March and 31st August (the main nesting bird season) in particular, could contain active nests, unless a survey carried out immediately prior to the clearance of suitable nesting habitat has been undertaken by a competent ecologist and has shown that nesting birds are not present.

Therefore, the clearance of suitable nesting habitat should take place outside the main nesting bird season, or only be carried out following a nesting bird check immediately prior to clearance, that shows that the nesting habitats are not in active use by nesting birds.

13 S106 AGREEMENT

The applicant is advised that the original S106 Agreement relating to planning permission 20190504 contains a Section 73 Consents clause at 5.18 that sets out that the obligations in the Deed shall relate to and bind the S73 consent, and therefore the obligations in the original Deed also apply to the planning permission hereby granted.

Dated: 25 November 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.