



PEFULZ

Application: 20220456

**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: **City Gaming Limited
C/O Andrew Woods, Woods Whur 2014 Limited
Woods Whur
St James House
28 Park Place
Leeds
LS1 2SP**

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:

**22 - 23 New Road
Gravesend
Kent**

and being **Change of Use from Retail Use (E(a)) to an Adult Gaming Centre (Sui Generis)**
Your application dated 6th May 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 this permission is granted.

Reason In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- o Application Form;
- o Planning, Design and Heritage Statement - by Woods Whur;
- o Drawing no. TQRQM22116092117283 - Site Location Plan;
- o Drawing no. GRA_GA001 - Existing Floor Plan;
- o Drawing no. GRA_GA002 Rev B - Licensing Plan (Proposed Floor Plans);
- o Drawing no. GRA_ELE001 - Existing Exterior Elevations;
- o Drawing no. GRA_ELE002 - Proposed Exterior Elevations.

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

3. Notwithstanding the Town & Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking and replacing that Order, the application site hereby permitted shall be used as an Adult Gaming Centre only (Sui Generis) and for no other purpose.

Reason In order that any other proposed uses of the ground floor may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits having regard to issues of retail function, town centre viability and vitality, amenity, and the prevailing planning policies.

4. Within 3 months of the date of this decision, details of the proposed shop frontage and window display shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason To ensure an active frontage and satisfactory visually attractive development is installed which preserves the retail character of the area in accordance with Saved Policy S3 of the Gravesham Local Plan First Review (1994) and Policies CS05 and CS19 of the Gravesham Local Plan Core Strategy (2014).

5. Prior to first operation, a noise impact assessment shall be carried out and submitted to the Local Planning Authority for approval demonstrating that the noise levels produced by the gaming machines and any customer noise shall not cause a nuisance to any residents above the gaming centre. The assessment must be made in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.

Reason In the interests of local amenity, the continued operation of other businesses and pursuant to Policy CS19 of Gravesham's Local Plan Core Strategy (2014).

6. Prior to commencement of the business use hereby permitted, details and confirmation of the following Secured by Design requirements must be submitted and approved in writing by the Local Planning Authority:
- o All perimeter, boundary and divisional treatments must be a minimum of 1.8m high, including any alleyways/ rear entrance routes which must have secure side gates which are lockable from both sides and located flush to the front building line.
 - o Any external lighting should be accompanied by a plan approved by a professional lighting engineer to help avoid conflict and light pollution. Both the main entrance and the fire escape to the rear of the property shall be lit both for safety purposes and to prevent the creation of a vulnerable area which can attract anti-social gathering.
 - o All external doorsets (the door, fabrication, hinges, frame, installation and locks) must meet PAS 24: 2016 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+.
 - o All ground floor windows and potentially vulnerable windows must meet PAS 24: 2016 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1, or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated as toughened glass alone is not suitable for security purposes.
 - o Bin Stores must be well lit and lockable, with controlled access for employees
 - o CCTV is advised for all entry points and communal areas to cover use of gaming machines and any areas where large sums of money are to be stored such as an office safe, or service counter/desk.

Reason To ensure the safety of the site, its users and surrounding residents in accordance with Secured by Design Commercial 2015 Guidance, Section 17 of the Crime and Disorder Act 1998 and Policy CS19 of Gravesham's 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 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].

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 FOR THE AVOIDANCE OF DOUBT (ADVERTISEMENT CONSENT)

This permission does not grant approval to any external alterations to the property or any changes to advertisement. The applicant should apply for a separate advertisement consent from the Local Planning Authority for the display of adverts.

5 WORKS OF CONSTRUCTION

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

i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.

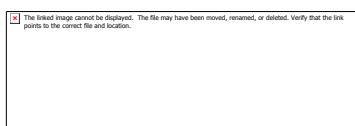
ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.

iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.

iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

Dated: 29 July 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



~~~~~  
**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](http://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.