



TEFULZ

Application: 20220016

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

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Wm Morrison Supermarkets
C/O Miss Katie Hutchings, Peacock + Smith Ltd
8 Baltic Street
Clerkenwell
EC1Y 0UP**

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

**Morrisons
Coldharbour Road
Northfleet
Gravesend
Kent
DA11 8AB**

and being **Erection of a 'WeBuyAnyCar' car collection point pod**. Your application dated 12th January 2022 is permitted subject to the following:-

1. The use as hereby permitted shall cease and the WeBuyAnyCar car pod removed from the site not later than three years following the use of the car pod building first commencing on this site, unless an application for an extension of the period hereby granted is approved in writing by the Local Planning Authority.

Reason In order that the situation can be reviewed at the end of the period hereby granted, having regard to impact on the amenity of surrounding properties and the surrounding highway network in accordance with Policies CS11 and CS19 of Gravesham Local Plan Core Strategy (2014) and saved policy P3 of the Gravesham Local Plan First Review (1994).

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

Application Form - dated 11/01/2022 (20220016);
Covering Letter - dated 11/01/2022;
Design and Access Statement - dated 01/07/2021;
Supplementary Information - Car Park Survey - conducted and produced by Bryan G Hall (12/2021);
Drawing no. 298_PL_01 - Rev. B - Site Location Plan (scale 1:1250);
Drawing no. 298_PL_02 - Rev. B - Proposed Site Plan (scale 1:500);
Drawing no. WBACSOgV1 - Rev. 01 - Proposed Floor Plans and Advertising Elevations.

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

3. The use of the car pod unit hereby permitted shall be only for an office offering vehicle valuation and purchasing to customers visiting the Morrison's supermarket and for no other purpose. For the avoidance of doubt the car pod office shall not be used as a car sales or car hire/rental office at any time.

Reason In order that any other uses of the car pod/office 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 amenity, parking provision, traffic safety and the prevailing planning policies and to ensure the development has no adverse impact on the amenity of surrounding properties in accordance with Policy CS19 of Gravesham Local Plan Core Strategy (2014) or an adverse impact on the operation of the Morrison's customer car park in accordance with Policy CS11 of Gravesham Core Strategy (2014) and saved policy P3 of the Gravesham Local Plan First Review (1994).

4. No car repairs or servicing of any vehicles on the site or within the Morrison's car park in connection with the car pod/office hereby permitted shall take place at any time.

Reason In order to safeguard local amenity pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and in order to avoid an adverse impact on the operation of the Morrison's customer car park in accordance with Policy CS11 of Gravesham Local Plan Core Strategy (2014) and saved policy P3 of the Gravesham Local Plan First Review (1994).

5. The use for which permission is hereby granted shall only operate between the hours of 09:00 and 18:00 Monday to Friday, 09:00 and 18:00 on Saturdays, and 10:00 and 17:00 on Sundays and Bank or Public Holidays.

Reason In order to ensure the development has no adverse impact on the amenity of surrounding properties and in accordance with Policy CS19 of Gravesham Core Strategy (2014).

6. The approved car pod structure shall match in colour, design and finish to the submitted details and visuals and maintained as such thereafter.

Reason In the interest of visual amenity of the area and in accordance with Policy CS19 of Gravesham Local Plan Core Strategy (2014).

7. No fixed machinery or plant or equipment shall be erected on the car pod/office unit hereby permitted unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason In order to ensure the development has no adverse impact on the amenity of surrounding properties and in the interest of visual amenity of the area and in accordance with Policy CS19 of Gravesham Local Plan Core Strategy (2014).

8. No external lighting shall be installed on the car pod/office unit hereby permitted or additional lighting installed within the Morrison's car park in connection with the use as hereby permitted unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason In order to ensure the development has no adverse impact on the amenity of surrounding properties and in the interest of visual amenity of the area and in accordance with Policy CS19 of Gravesham Local Plan Core Strategy (2014).

9. During the operation of the temporary planning permission hereby granted the applicants shall undertake car park capacity surveys in accordance with a method and with a

frequency to be first agreed by the Local Planning Authority. The parking surveys shall ensure that it covers peak times and during busy seasonal periods when the Morrison's car park is likely to be operating close to full capacity. Such information as may be agreed from the car park capacity surveys shall be submitted to the Local Planning Authority and shall be presented in a tabulated format indicating the number of vehicles parked and the number of spare spaces.

Reason In order to show impact of the development on and the extent of the use of the Morrison's car park having regard to traffic safety issues relating to the use of the car park by other vehicles and pedestrians and the impact on the ability of customers to safely and easily park within the Morrison's car park whilst visiting the store pursuant to Policy CS11 of Gravesham Local Plan Core Strategy (2014) and saved policy P3 of the Gravesham Local Plan First Review (1994).

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 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 WORKS WITHIN THE PUBLIC HIGHWAY

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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 road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil. Information about how to clarify the highway boundary can be found at <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>.

The applicant must ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.

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: 9 March 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



Your attention is drawn to the following notes.

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For **all other applications**, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within **6 months of the date of this notice**.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

- If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.