

Application: 20230935

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

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND
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To: **Mr R Jago
C/O MKA Architects
MKA Architects Ltd
Rosewood House
High Street
Hadlow
TN11 0EF**

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:

**Mid Kent Golf Club
Singlewell Road
Gravesend
Kent
DA11 7RB**

and being **Erection of a single storey side extension on the western side of the existing club house and the refurbishment of the club house.** Your application dated 7th September 2023 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this decision.

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 schedule of approved plans:

Application Form;
Drawing No. 2353 01 - OS Plan;
Drawing No. 2353 10 Rev A - Ground Floor Plan - Proposed;
Drawing No. 2353 11 Rev A - Roof Plan - Proposed;
Drawing No. 2353 12 - Block Plan - Existing and Proposed;
Drawing No. 2353 15 Rev A - North and West Elevations - Proposed;
Drawing No. 2353 16 Rev A - East and South Elevation - Proposed;
Drawing No. LUG/9.0 - Site Survey;
Drawing No. LUG/9.1 - Floor Plan - Existing;
Drawing No. LUG/ 9.2 - Roof Plan - Existing; and
Drawing No. LUG/9.3 - Elevations - Existing.

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

3. An archaeological watching brief shall be undertaken by an archaeologist during below ground works to ensure groundworks are observed and items of interest and finds are recorded. The watching brief shall be in accordance with the Supplementary Information; Archaeological Watching Brief (duplicate document) and Archaeological Watching Brief Scheme of Investigation and a report on the findings of the watching brief shall be submitted to and approved in writing by the Local Planning Authority ;(LPA)

Reason: To ensure that features of archaeological interest are properly examined and recorded and in accordance with Policy CS20 of the Gravesham Local Plan Core Strategy (2014).

4. Prior to above ground works commencing, details and samples of all materials and finishes to be used in the external faces of the building (have been submitted to and approved in writing by the Local Planning Authority, the development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visually attractive development in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

5. The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical, and the work shall not continue until written agreement is provided by the LPA as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason: To prevent harm to human health and pollution of the environment and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

6. A proposed soft landscaping scheme shall be submitted to and approved in writing by the LPA, the details of which shall be carried out in full within the first planting season. Any trees or plants that die, are damaged, removed or become diseased within five years from implementation shall be replaced with a similar size and species during the next planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the site and biodiversity, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

7. Before the commencement of any above ground works and notwithstanding the details as shown in the approved plans and other supporting documents full details of the hard surface treatments and boundary treatments to the site, including details of any retaining walls or structures and any new surface treatments shall be submitted for the approval of 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.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), and section 12 of the National Planning Policy Framework (2023).

8. Within 3 months of commencement of the development hereby permitted, details of how the development shall mitigate for lost habitat/habitat features and enhance biodiversity shall be submitted to, and approved in writing by, the Local Planning Authority. These shall include the installation of bat and bird nesting boxes along with provision of native species planting. The approved details shall be implemented before 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 Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

9. Those areas within the application site currently used for vehicle parking, access and manoeuvring space shall be retained for such purposes at all times when the premises is in use 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 replacing, revoking or 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 (2014), saved Policy P3 of Gravesham Local Plan First Review (1994) and the adopted vehicle parking standards (SPG 4).

10. The development hereby permitted shall include the provision of cycle parking facilities for the use of staff and visitors in accordance with the adopted parking standards, details of which shall be first submitted to and approved in writing by the Local Planning Authority; the facilities shall be both secure and weatherproof, and shall be implemented and made available for such use before the first occupation of the development; thereafter the cycle parking facilities shall be permanently retained and maintained.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policies CS11, CS18 and CS19 of the Gravesham Local Plan Core Strategy (2014).

11. The single storey side extension hereby permitted shall be used for additional facilities, including function/bar/lounge spaces ancillary to the use of the existing golf club house and it shall not be occupied or run separately or independently therefrom.

Reason: In order that any alternative use of the extension hereby permitted may be the subject of a separate planning application that the Local Planning Authority would wish to determine on its merits having regard to issues of local amenity, traffic safety, parking provision and the prevailing planning policies and notably Policies CS11 and 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) 2023, 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 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.

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 SMOKE CONTROL

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 air.quality@gravesham.gov.uk

6 BREEDING BIRDS

The applicant is reminded that, under the Wildlife and Countryside Act 1981 (as amended), 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.

Habitats are present on and around the site that provide opportunities for breeding birds. Any work to vegetation/structures that may provide suitable nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If vegetation/structures need to be removed during the breeding season, mitigation measures need to be implemented. This includes examination by a suitably qualified and experienced ecologist immediately prior to starting work. If any nesting birds are found, works must cease until after the birds have finished nesting.

N.B.: It should be noted that some birds are capable of nesting outside of these times, especially where weather conditions are favourable. Birds such as feral pigeon, wood pigeon and barn owl have been recorded nesting in every month of the year. Care when removing bird nesting habitat

may therefore be required at all times of year, with attention paid to the nesting habits of the species that could make use of the site and weather conditions at the time of clearance.

7 HIGHWAYS INFORMATIVE

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 SOUTHERN WATER INFORMATIVE

Southern Water requires a formal application for a connection to the public 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 Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

The applicant should be advised that a wastewater grease trap should be provided on the kitchen waste pipe or drain installed and maintained by the owner or operator of the premises. It should be noted that under the Water Industry Act 1991 it is an offence to "throw, empty, turn or permit to be thrown or emptied or to pass into any drain or sewer connecting with a public sewer any matter likely to injure the sewer or drain or to interfere with the free flow of its contents."

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.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

9 FOR THE AVOIDANCE OF DOUBT

The 1:100 scale as stated on the proposed elevation drawings are considered to be erroneous.

10 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.

11 NOISE AND LIGHTING

The development shall be in accordance with the Supplementary Information, Lighting Impact Assessment and Noise Assessment, as submitted for previous application 20220795, to ensure no adverse effects on the amenity of the area or neighbouring properties.

Dated: 29 November 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>
<https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which

excuse the delay in giving notice of appeal.

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

***Householder applications**

These are:

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

but does **not** include –

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

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.