

Application: 20250262

**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: **Gravesham Borough Council
C/O Mr L Wood, Abbey Design
Canterbury Innovation Centre
University Road
Canterbury
Kent
CT2 7FG**

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:

**The Builders Yard
Lower Range Road
Gravesend
Kent**

and being **Application for variation of condition 2 attached to planning permission reference number 20190520 for erection of three storey building to form 14no. two bedroom self-contained flats; to allow increase in building height, a new ramped and stepped approach to both principle entrances along with omitting private gardens to Units 2, 3, 4 & 5.** Your application dated 20th March 2025 is permitted subject to the following:-

1. The development hereby approved shall be carried out in accordance with the following schedule of approved plans:

Application Form Date 17 May 2019;
Design and Access Statement Dated 13 May 2019;
Flood Risk Assessment Reference 4523 Dated May 2019;
Water Drainage Strategy Reference 3235 Dated May 2019;
Site Location Plan (Scale 1:1250);
Drawing no. 25/578 04 rev P3 (Site Location Plan and Proposed Block Plan);
Drawing no. 25/578 05 rev P2 (Proposed Floorplans);
Drawing no. 25/578 06 rev P3 (Proposed Elevations and Section);
Drawing no. 25/578 08 rev P1 (Proposed Street Elevation and Details of Bin Store, Cycle Store and Pergola).

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

2. All materials including surface materials to be used externally on any part or phase of the development hereby permitted shall match those submitted under planning reference 20211523 and maintained thereafter.

Reason: In the interests of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

3. The Code of Construction Practice submitted and approved under reference 20211467 shall be adhered to throughout the construction of the development herein approved.

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

4. The surface water drainage scheme approved under reference 20220092 shall be implemented in full prior to first residential occupation of the development and thereafter maintained and managed in accordance with the approved scheme.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions, in accordance with Gravesham Local Plan Core Strategy Policy CS18: Climate Change and CS19: Development and Design Principles.

5. No building of the development hereby permitted shall be occupied until a Verification Report pertaining to the surfacewater drainage system, carried out by a suitably qualified professional, has been submitted to the Local Planning Authority which demonstrates the suitable modelled operation of the drainage system such that flood risk is appropriately managed, as approved by the Lead Local Flood Authority. The report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; topographical survey of 'as constructed' features; and an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from the development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 165 of the National Planning Policy Framework.

6. Prior to the occupation of the dwellings 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 approved by application reference 20211464 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be submitted to and approved in writing by the Local Planning Authority.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: 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 187 of the National Planning Policy Framework and Local Plan Core Strategy Policy CS18: Climate Change.

7. 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 by a piling risk

assessment 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 187 of the National Planning Policy Framework and Local Plan Core Strategy Policy CS18: Climate Change.

8. Prior to any part of the development hereby permitted being occupied, 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.

Reason: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete, in accordance with Paragraph 187 of the National Planning Policy Framework and Local Plan Core Strategy Policy CS18: Climate Change.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 187 of the National Planning Policy Framework and Local Plan Core Strategy Policy CS18: Climate Change.

10. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans a scheme of hard landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall be completed in accordance with the approved details prior to the completion of the development or the first occupation of any of the residential units whichever is sooner. The scheme shall include:

- proposed boundary treatments;
- proposed finished levels and contours;
- hard surface finishes to the vehicle parking areas, pedestrian accesses, private gardens and amenity areas;
- details of any retaining walls, steps, railings, walls, fencing, gates or other supporting structures;
- details of the pedestrian access and circulation areas;
- minor structures such as play equipment, log piles, and any proposed seating.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Local Plan Core Strategy Policy CS19: Development and Design Principles.

11. Prior to the first occupation of the development hereby approved and notwithstanding the details shown on the approved plans a scheme detailing the proposed 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 trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with Local Plan Core Strategy Policy CS19: Development and Design Principles.

12. Prior to the first occupation of the development hereby approved the vehicle parking areas shown on 25/578 04 rev P3 (Site Location Plan and Proposed Block Plan) shall be formed, surfaced, drained and marked out in accordance with a scheme first to be submitted to and approved in writing by the Local Planning Authority. Thereafter, notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas.

Reason: To ensure sufficient off street car parking provision is available to serve the development, in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport and saved Policy P3 of Gravesham Local Plan First Review (1994).

13. Prior to the first occupation of the development hereby approved, details of all proposed external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details and no additional external lighting shall be provided on the site.

Reason: In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance with Local Plan Core Strategy Policy CS19: Development and Design Principles.

14. The cycle storage facilities indicated on Drawing no. 25/578 08 rev P1 and 25/578 04 rev P3 shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

Reason: In order to encourage options for sustainable travel in accordance with Local Plan Core Strategy Policy CS19: Development and Design Principles and saved Policy P3 of Gravesham Local Plan First Review (1994).

15. Prior to the first occupation of the development hereby approved details of the refuse arrangements indicated on Drawing no. 25/578 08 rev P1 and 25/578 04 rev P3 shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The approved refuse arrangements shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with Local Plan Core Strategy Policy CS19: Development and Design Principles.

16. The development shall be carried out in accordance with the submitted flood risk assessment (ref: Phase 1 Flood Risk Assessment - Ambiental, May 2019, 4523, V1) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5.64 mAOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: In accordance Local Plan Core Strategy Policy CS18: Climate Change and section 14 of the National Planning Policy Framework 2024.

17. The proposed window(s) serving all bathrooms/ensuites shall be glazed with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall be permanently retained as such.

Reason: To protect the amenity and privacy of adjoining properties and in accordance with Local Plan Core Strategy Policy CS19: Development and Design Principles.

18. The existing trees as shown on drawing no. 25/578 04 rev P3 shall be retained at all times and shall not be cut down, uprooted or destroyed, nor topped or lopped, without the written approve of the Local Planning Authority. If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at such a time as may be specified by the Local Planning Authority.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with Local Plan Core Strategy Policy CS19: Development and Design Principles.

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 39 of the National Planning Policy Framework (NPPF) 2024, 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 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.

3 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].

4 REFUSE

Please note developers are required to pay for the provision of all bins required for a development. Developers are welcome to purchase their own 1100ltr bins. However the bins must be metal and comply with European Standard EN840.

Collections from sites will not occur until containers are in place. It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints in regard to non-collection due to the fault of the developer will be passed onto the developer for response.

The Council should be informed at least two weeks prior to collections taking place.

Gravesham Borough Council operates a fortnightly collection of refuse and recycling and a weekly collection of food waste.

5 ENVIRONMENT AGENCY - FLOODING

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

The planning practice guidance to the National Planning Policy Framework states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG).

6 ENVIRONMENT AGENCY - GROUNDWATER AND CONTAMINATED LAND

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with the Environment Agency guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice: excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the Environment Agency some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to: the Position statement on the Definition of Waste: Development Industry Code of Practice and the Environmental regulations page on GOV.UK. Any re-use of excavated materials not undertaken formally using the CL:AIRE Definition of Waste

Code of Practice would require an environmental permit for deposit, unless materials are solely aggregates from virgin sources, or from a fully compliant Quality Protocol aggregates supplier. Any deposit of materials outside of these scenarios could be subject to enforcement actions and/or landfill tax liabilities.

7 SOUTHERN WATER

A formal application for connection to the public sewerage system is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.

It is the responsibility of the developer to make suitable provision for the disposal of surface water. Part H3 of the Building Regulations prioritises the means of surface water disposal in the order
a Adequate soakaway or infiltration system
b Water course
c Where neither of the above is practicable sewer

Decommissioned combined sewers within the site. If the sewer should be found during construction works the applicant should contact Southern Water Services before any further works commence on site.

For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk

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.

Dated: 20 August 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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

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**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.