



Application: 20221111

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

DETERMINATION AS TO WHETHER PRIOR APPROVAL IS REQUIRED

To: **Mr Greg Kuzdenyi, Joynes House Development Ltd
C/O Mrs Ruth Harding, Gemini Planning Services Ltd
17 Castle Lane
Chandlers Ford
Eastleigh
SO53 4AH**

TAKE NOTICE that **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **DETERMINED THAT PRIOR APPROVAL** for the relevant matters for the development of land as described below **IS REQUIRED AND APPROVED**

at **Joynes House
New Road
Gravesend
Kent
DA11 0AJ**

and being **Application for prior approval under Part 20 Class AA of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for upward extension of existing commercial building through the construction of 2 additional storey to provide 24no. flats along with necessary ancillary works.**

Referred to in your application dated 14th October 2022.

CONDITIONS:-

1. The development hereby permitted under Class AA of Part 20 shall be completed within a period of 3 years from the date of this decision notice.

Reason: In accordance with condition AA.2(3) of Class AA of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. No external alterations to the building shall commence until a report for the management of the construction of the development has been submitted to and approved by the Local Planning Authority, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, demolition works, vibration and traffic on occupiers of the existing building and adjoining owners or occupiers will be mitigated.

Reason: In accordance with condition AA.2(4) of Class AA of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3. The developer must notify the Local Planning Authority in writing of the completion of the development as soon as reasonably practicable after completion, and must include—
- (a) the name of the developer;
 - (b) the address or location of the development; and
 - (c) the date of completion.

Reason: In accordance with conditions AA.2(5) and (6) of Class AA of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order amending, revoking and re-enacting that Order with or without modification) all dwellinghouses herein approved shall remain in use as a dwellinghouse falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or any order amending, revoking and re-enacting that Order with or without modification, and no change of use shall be carried out unless planning permission has been granted on an application relating thereto.

Reason: In accordance with condition AA.2(7) of Class A of Part 20, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5. The development hereby permitted shall be undertaken in accordance with the recommendations set out in section 5 of the noise impact assessment from Venta Acoustics (ref VA3706.220629.AA) dated 2022, as a minimum, to ensure that all habitable rooms of the dwellings meet the maximum values set out in Table 1 of BS8233:2014 and The World Health Organisation 'Guidelines for Community Noise' (1999) as referenced in the Noise Impact Assessment.

Reason: In order to ensure acceptable living conditions for the future occupants, in accordance with adopted Local Plan: Core Strategy Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

6. Prior to the first occupation of the dwellings hereby approved, details of the proposed ventilation system shall be submitted to and approved in writing by the Local Planning Authority, which provides adequate ventilation and compliance with the noise attenuation measures recommend in the noise impact assessment from Venta Acoustics (ref VA3706.220629.AA) dated 2022.

Reason: In order to ensure acceptable living conditions and not compromised noise attenuation measures for the future occupants, in accordance with adopted Local Plan: Core Strategy Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

7. Prior to the first occupation of the dwellings hereby approved, a post-installation noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority. The document will demonstrate compliance with the maximum values set out in Table 1 of BS8233:2014 and The World Health Organisation 'Guidelines for Community Noise'. Any works identified as being required to meet these standards shall be carried out prior to the first occupation of the dwellings.

Reason: In order to ensure acceptable living conditions for the future occupants, in accordance with adopted Local Plan: Core Strategy Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

8. The new residential units hereby approved shall not be occupied unless and until the residential use of the lower floors, as consented by application refs 20210974 / 20210973 / 20210962 / 20210958 (or as otherwise formally amended) have been implemented and the staircores shown on the layout plan hereby approved are used solely for residential purposes.

Reason: In the interests of fire safety and means of escape, in accordance with adopted fire safety standard BS9991.

9. Notwithstanding the details included on the planning statement and design code, all external materials used in the development hereby permitted shall meet the minimum fire performance classification of class A2,s1-d0.

Reason: In the interest of fire safety.

10. 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 the National Planning Policy Framework (2021).

11. Prior to the first occupation of the residential accommodation hereby approved, details of secure, covered and accessible cycle storage facilities (comprising a minimum of 1 space per dwelling) to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to first occupation of the development and shall be retained for such purposes at all times thereafter.

Reason: In the interests of sustainability in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 110A of National Planning Policy Framework (2021).

12. Prior to the first occupation of the residential accommodation hereby approved, details of the provision of electric vehicle charging point(s) shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the location, charging type (power output and charging speed), associated infrastructure and timetable for installation. The development shall be implemented in accordance with the approved details and shall thereafter be maintained.

Reason: In the interests of sustainability in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 110E of National Planning Policy Framework (2021).

13. Prior to the occupation of the dwellings hereby approved and notwithstanding the details shown on the approved plans, details shall be submitted to and approved in writing by the Local Planning Authority of the location and appearance of the refuse and recycling storage area to serve the development and the waste management arrangements associated with the proposed use. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste. The approved bin store and

waste management arrangements shall be implemented in full prior to the first use of the building and shall thereafter be maintained while the building remains in use as flats.

Reason: In order to ensure the development is served by a suitable refuse storage area, to preserve the residential and visual amenities of the locality in accordance with Policies CS19 of the Gravesham Local Plan Core Strategy (2014).

Your attention is drawn to the following informatives

INFORMATIVES:-

1 EXTENT OF THE PRIOR APPROVAL

This written notice confirms that prior approval is granted for the proposed development.

The developer is advised that the development must be carried out in accordance with the details provided in the application, unless the Local Planning Authority and developer agree otherwise in writing. Details of the proposed scheme are included in the following plans and documents that accompanied the application to which this notice relates:

Application Form - dated 14/10/2022;
Covering Letter - dated 11/10/2022;
Supplementary Information - Planning Statement (11/2022);
Supplementary Information - Transport Statement (10/2022);
Supplementary Information - Fire Statement (dated 14/10/2022);
Supplementary Information - Noise Impact Assessment (dated 29/06/2022);
Supplementary Information - Daylight and Sunlight Assessment (07/2022);
Supplementary Information - Residential Space Standards Statement;
Supplementary Information - Design Code (received 14/11/2022);
Supplementary Information - Townscape and Visual Appraisal (dated 18/08/2022);
Supplementary Information - Townscape Visualisations CGIs (1-3);
Supplementary Information - HSE Response (20220799);
Drawing no. 001 - Rev. A - Proposed Elevation;
Drawing no. 002 - Rev. A - Proposed Elevations;
Drawing no. 003 - Rev. A - Proposed Elevation (without cladding above entrances);
Drawing no. 004 - Rev. A - Proposed Floor Plans;
Drawing no. 005 - Rev. A - Proposed Site Plan;
Drawing no. 006 - Rev. A - Section;
Drawing no. 009 - Rev. A - Existing South Elevation;
Drawing no. 010 - Rev. A - Existing North Elevation;
Drawing no. 011 - Rev. A - Existing East and West Elevations.

2 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.

3 THAMES ESTUARY AND MARSHES RAMSAR/SPECIAL PROTECTION AREA

It is a condition of any permission granted by a general development order that, in those cases where a development is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, the development must not be begun until the developer has received written notification of the approval of the local planning authority under Regulation 73, of the Conservation of Habitats and Species Regulations 2010, which is expressly saved by Schedule 7 of the Conservation of Habitats and Species Regulations 2017. Pursuant to Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015, an application under Regulation 73 would therefore be required before the development hereby approved is begun.

4 ACCESSIBLE PARKING PROVISION

The Local Planning Authority would request that consideration is given to the provision of accessible parking spaces for future residents and/or guests visiting the site. The removal of one parking space would provide for one and potentially up to three spaces to be readily identifiable as disabled parking without any changes to the layout.

5 FOR THE AVOIDANCE OF DOUBT

Condition 8 attached to this decision notice relates to the staircores of the building and ensures that only residential uses occupy the staircases in accordance with adopted fire safety standard BS9991. For the avoidance of doubt this condition relates to the following non-material amendment applications (refs. 20220392 / 20220391 / 20220390) and any future amendments.

Dated: 5 December 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service