

28th August 2025



Gravesham Borough Council
Planning Department,
Civic Centre,
Gravesend,
DA12 1AU

Dear Sir/Madam

Application for the Variation of Condition 4 of Planning Permission GR/94/706E to allow for the variation of trading hours

Asda Petrol Filling Station, Rochester Rd, Chalk, Gravesend DA12 4TN

On behalf of our clients, ASDA Stores Limited, please find enclosed an application for the variation of Condition 4 of Planning Permission GR/94/706E to vary the trading hours permitted at the above petrol station. Asda have recently acquired the site and converted the PFS to an Asda Express operation.

The current restriction on the hours within which the PFS is permitted to trade are set out in Condition 4 of Planning Permission GR/94/706E which was granted February 1995. The condition states:

“The petrol filling station, sales shop and office shall be open for business only between the hours of 0700 and 2300 daily.”

ASDA wish to have flexibility to trade an hour earlier in the day, and therefore are proposing the following variation to the condition:

“The petrol filling station, sales shop and office shall be open for business only between the hours of 0600 and 2300 daily.”

Justification to allow the variation of the condition

As the Council will be well aware, planning conditions should only be used where they meet the tests set out in the National Planning Policy Framework at paragraph 57 which states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Submitted in support of this application is an environmental noise impact assessment by Bureau Veritas relating to the proposed additional opening hour between 0600 and 0700. An assessment of the operation noise during the proposed extension period has been carried out in accordance with the relevant British Standard to consider the potential impacts on the nearest noise sensitive receptors.

To establish the current levels of ambient and background sound levels at the nearest residential receptors, a measurement survey was undertaken in August 2025. Existing ambient noise levels at the nearest residential receptors are dominated by the local road traffic noise from Rochester Road, along with pedestrian sound and occasional car movements within the PFS.

A computational noise model of the site operation was developed using measured noise emission data for the sound sources. Standard noise propagation calculations were used to predict the operational noise levels at the nearest noise sensitive receptors.

The assessment concludes that, the noise impacts of the extension of opening hours would be below the Lowest Observed Adverse Effect Level.

We are aware of a previous application GR/97/326 submitted in 1997 to vary the trading hours to between 0600 and 2400; this was obviously before Asda's involvement in the site. The application was refused and an appeal dismissed. The assessments of that application are now nearly 30 years old and therefore it is appropriate to assess this new application on the basis of the current ambient and background sound levels in the vicinity of the site. It is on this basis that the noise assessment confirms that the noise impacts of the extension of opening hours would be below the Lowest Observed Adverse Effect Level and should therefore be supported.

Given the conclusions of the noise impact assessment, the ongoing imposition of restrictions between 0600 and 0700 does not meet the tests as set out in NPPF in terms of being necessary. As a result this application seeks the removal of condition 4.

We trust that the above information assists in the determination of the application. We would be happy to discuss any aspect of the application in further detail as required.

We would be of course happy to discuss any element of the application in further detail as required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'KSneed'.

Katherine Sneed MRTPI
Director