



PEFULZ

Application: 20211415

**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

To: **Mr Navneet And Abhinav Vij And Duggal, Stem Homes Ltd
C/O Mr Hugh McEwen, Office S&M LLP
18 Ashwin Street
London
E8 3DL**

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:

**Garages Rear Of Osney Way Car Park
Lower Higham Road
Gravesend
Kent**

and being **Demolition of 14 existing lock-up garages and the erection of 4no. three-storey terraced homes, with associated parking, gardens, access, refuse and bike storage, and boundary treatments.** Your application dated 6th December 2021 is permitted subject to the following:

Conditions

Time Limit Condition

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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.

Approved Plans and Particulars

2. The development hereby permitted shall be carried out only in precise accordance with the following approved details, plans and specifications:

Application Form and Certificates;
Drawing No 21366 001: Site Location Plan;
Design and Access Statement Part 1 by Office S&M Architects;
Design and Access Statement Part 2 by Office S&M Architects;

Proposed Plans

Drawing No 21366 002: Proposed Block Plan;
Drawing No 21366 100 Rev A: Proposed Ground Floor Plan;

Drawing No 21366 101: Proposed First Floor Plan;
Drawing No 21366 102: Proposed Second Floor Plan;
Drawing No 21366 103: Proposed Roof Plan;
Drawing No 21366 104: Proposed House 1 Floor Plans;
Drawing No 21366 200: Proposed North and South Elevations;
Drawing No 21366 201: Proposed East and West Elevations;
Drawing No 21366 202: Proposed North Elevation;
Drawing No 21366 203: Proposed East Elevation;
Drawing No 21366 204: Proposed South Elevation;
Drawing No 21366 205: Proposed West Elevation;
Drawing No 21366 206: Proposed Elevations;
Drawing No 21366 300: Proposed Section A-A;
Drawing No 21366 301: Proposed Section B-B;
Drawing No 21366 400: Proposed Boundary Treatments;

Landscape Strategy (Revision 01) by Maude Pinet;
Drawing No LUAR2107-100 Rev 01: Site Plan - Illustrative (Hard and Soft Landscaping) by Maude Pinet (Luar Landscape) 12 November 2021;

and those approved pursuant to any conditions contained herein after and there shall be no deviation therefrom.

For the avoidance of doubt the revised plans will take precedence over any original plans that have not been revised or superseded in any of the supporting documents.

Reason: In order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Construction and Contamination

Code of Construction Practice (CoCP)

3. The construction of the development hereby permitted shall adhere at all times and be carried out in full accordance with the Construction Traffic Management Plan November 2021 ref P2390 by Paul Mew Associates or any subsequent variations that may be approved in writing by the Local Planning Authority for the full duration of the construction period.

Reason: To ensure the free flow of traffic on the highway, to protect the amenity of local residents and businesses and protected species and to mitigate the risks to groundwater, in accordance with adopted Gravesham Local Plan Core Strategy Policies CS11 (Transport), CS12 (Green Infrastructure) and CS19 (Development and Design Principles).

Times of Construction

4. No construction activities in connection with the development of the site including any preparatory earthworks shall take place on site except between the following times:
- 07.30 a.m. and 6.00 p.m. on Weekdays
08.00 a.m. and 1.00 p.m. on Saturdays

No construction activities shall take place at any other time including Sundays, Bank or Public Holidays, without the prior approval of the Local Planning Authority having first been obtained.

Reason: In the interests of residential amenity and pursuant to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles).

Contaminated Land

5. The above ground works of the development hereby permitted shall not be commenced until the following components of a scheme to deal with the risks associated with contamination of the site shall have been submitted to and approved, in writing, by the Local Planning Authority:
- 1) A site investigation, based on the findings of the submitted Ground Investigation Report from soiltechnics, ref STT5362-G01 dated June 2021, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. This is to include a detailed UXO assessment.
 - 2) A Remediation Method Statement (RMS) based on the site investigation results and the detailed risk assessment at (1). This should give full details of the remediation measures required and how they are to be undertaken. The RMS should also include a verification plan to detail the data that will be collected in order to demonstrate that the works set out in the RMS are complete and identifying any requirements for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
 - 3) Prior to occupation, a Closure Report is submitted upon completion of the works. The closure report shall include full verification details as set out in (2). This should include details of any post remediation sampling and analysis, together with documentation certifying quantities and source/destination of any material brought onto, or taken from, the site. Any material brought onto the site shall be certified clean.
- Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall thereafter 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 in line with paragraph 174 of the National Planning Policy Framework (2021) and to accord with Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014).

Watching Brief

6. If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and approved in writing by, Local Planning Authority. The closure report shall include:
- A) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
 - B) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria, together with the necessary documentation detailing what waste materials have been removed from the site.

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 174 of the National Planning Policy Framework (NPPF) and to ensure suitable material is imported to site and appropriate measures for disposal of site waste are employed and pursuant to Gravesham Local Plan Core Strategy Policy CS19: Development and Design Principles.

Archaeology

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of:
- i. Archaeological field evaluation works in accordance with a Written Scheme of Investigation (WSI) and timetable, which has been submitted to and approved in writing by the Local Planning Authority; and
 - ii. Following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate evaluation of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record in accordance with adopted Gravesham Local Plan Core Strategy Policies CS19 and Policy CS20 and saved Gravesham Local Plan First Review Policy TC7 and the National Planning Policy Framework (NPPF).

Drainage and Flood Risk

Foul Drainage

8. The dwellings hereby permitted must be connected to suitable mains drainage and a copy of the permission from Southern Water to connect to the mains is provided to the Local Planning Authority.

Reason: To ensure that an acceptable means of foul disposal for the development is agreed with the sewerage undertaker and in accordance with Policy CS18 of Gravesham Core Strategy Gravesham Local Plan Core Strategy (September 2014) and Section 94 of the Water Industries Act 1991.

Sustainable Surface Water Drainage - Management and Maintenance

9. Notwithstanding the details set out in the Flood Risk and Drainage Strategy (ref 2914, Issue 5, Revision 4) dated November 2021 by Herrington Consulting Limited, a Sustainable Surface Water Drainage management and maintenance plan shall be submitted for the written approval of the Local Planning Authority before the commencement of any above ground works on the site. The surface water drainage scheme shall thereafter 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 any measures to mitigate flood risk and protect water quality on/off the site are fully implemented and maintained (both during and after construction), as per the requirements of paragraph 167 of the NPPF and its associated Non-Statutory Technical Standards.

Design and Detailed External Appearance

Submission of Details of Ground Levels and Floor Levels

10. Notwithstanding the details shown in the approved drawings or other supporting documents no works in connection with the development shall commence until full details of any proposed earthworks or changes to ground levels on the site including details of any earth retention measures have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details before the first occupation of the development. For the avoidance of

doubt the development shall not include the raising of any ground levels from the existing surface level of the existing garages and garage forecourt.

Reason: No such details have been submitted and to ensure the development contributes to local character and local visual amenity and protects the privacy and amenity of adjoining premises and pursuant to Policy CS19: Development and Design Principles of the Gravesham Local Core Strategy and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF).

Materials

11. Notwithstanding the details relating to the materials and finishes as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, additional details (and samples where requested by the Local Planning Authority) of all the external facing materials, colours and finishes to be used in the construction of the development hereby permitted, and including all surface treatments, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the dwellings hereby permitted are first occupied.

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 Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

Lighting

12. Prior to the first occupation of the development hereby approved, details of all proposed external lighting of the site and dwellings 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 before the dwellings are first occupied. No additional lighting shall thereafter be installed on the site of dwellings without the grant of further specific planning permission from the Local Planning Authority.

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 Policy CS19 Gravesham Local Plan Core Strategy (September 2014) and paragraph 185 of the National Planning Policy Framework (NPPF), 2021.

Boundary Treatments

13. Notwithstanding the details relating to the boundary treatments as set in the application form, Design and Access Statement and approved drawings, before any above ground works commence, full details of all boundary treatments, including their design, height and materials, to the dwellings hereby permitted and the access thereto including similar details of any vehicular or pedestrian gates to the access and communal areas of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the dwellings hereby permitted are first occupied. Thereafter, and notwithstanding the provisions of Article 3 of and Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to that Class in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no additional gates, fences, walls or other means of enclosure shall be erected on the site without the grant of further specific planning permission from the Local Planning Authority.

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 Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

Detailed Energy and Sustainability Statement

14. Notwithstanding the details shown in the approved drawings or other supporting documents, full details of the sustainability measures to be incorporated in the development hereby permitted (including in terms of renewable and low carbon energy and water supply and efficiency) shall be submitted for the approval of the Local Planning Authority before the commencement of any above ground works; the development shall be carried out in accordance with the approved details before the first occupation of any part of the development.

Reason: To ensure that the development of the site promotes sustainability measures, in accordance with adopted Gravesham Local Plan Core Strategy Policy CS18 (Climate Change).

Noise Control

15. Prior to any above ground works, a suitable noise impact assessment demonstrating compliance with the following requirements, including details of the glazing and ventilation strategy and their respective noise reduction values, shall be submitted to and approved by the Local Planning Authority:

a) The internal ambient noise levels in all habitable rooms of the residential dwellings shall not exceed the guideline LAeq values in Table 4 of BS 8233:2014

b) The maximum internal noise levels in all habitable rooms should not normally exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.

c) Where relevant, the rating noise from fixed building services/mechanical plant/equipment associated with/in the vicinity of the development (e.g. the air conditioning unit or similar on the flank wall of the Parish Hall adjacent to the proposed development) shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

Any mitigation measures recommended in the noise impact assessment in order to meet the above criteria as agreed by the Local Planning Authority shall be implemented prior to first occupation of the development.

Where compliance with the above criteria will rely on closed windows, the development must include sufficient and suitable ventilation to affected residential dwellings by means other than opening windows to ensure that the internal noise levels required by the above conditions can be retained all year round.

Reason: In order to safeguard the living conditions of the future occupants of the residential units and pursuant to Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (September 2014) and paragraph 185 of the National Planning Policy Framework (NPPF), 2021.

Permitted Development Rights - Windows and Obscure Glazing

16. Notwithstanding the provisions of Article 3, and Part 1 Classes A and G of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to those Classes in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no window, door or other form of opening other than those shown on the approved drawings shall be formed in either flank elevations of the dwellings hereby permitted. For the avoidance of doubt the second floor bathroom window in the north elevation of the development shall be obscure glazed only at all times.

Reason: In the interest of local residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits.

Permitted Development Rights - Extensions and Alterations

17. Notwithstanding the provisions of Article 3 of, and Part 1 Classes A, A-A, B, C and D of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to those Classes in any Order replacing, revoking or re-enacting that Order with or without modification), no enlargement improvement or other alteration of the dwellings hereby permitted, including the construction of an additional storey, an addition or other alteration to the roof of the dwellings or the erection or construction of a porch outside any external door, shall be constructed without the grant of a further specific planning permission from the Local Planning Authority having first been obtained.

Reason: In the interest of residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits having regard to the limitations of the site.

Vehicle Parking and Vehicle Access

Parking Provision

18. Prior to the first occupation of the development hereby permitted the vehicle parking areas shall be formed, surfaced, drained and marked out in accordance with the details shown on the approved ground floor layout plan; thereafter, 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 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. For the avoidance of doubt only one vehicle parking space shall be allocated to each dwelling with the remaining parking space unallocated, to provide flexibility in their usage.

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 (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994) and the adopted vehicle parking standards (SPG 4).

Cycle Parking Provision and Retention

19. The cycle parking facilities to serve all of the residential units, as shown on the submitted drawings and other accompanying documents, and which shall be both secure and weatherproof, 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.

Reason: To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS19: Development and Design Principles and the adopted vehicle parking standards (SPG 4).

Electric Vehicle (EV) Charging Points

20. The development hereby permitted shall include the provision of at least one active electric vehicle charging point plus cabling for at least two of the remaining car parking spaces. Each charging point should be able to accommodate a useable supply of 7kW, more under surge conditions; such provision shall be implemented prior to the first occupation of any part of the development hereby permitted and therefore permanently retained and maintained.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS18: Climate Change and Policy CS19: Development and Design Principles.

Travel Plan

21. The Travel Plan Statement as set out in Appendix B to the approved Transport Statement, November 2021 by Paul Mew Associates (ref P2577) that details the measures designed to help and thereafter maintain a modal shift in favour of reduced reliance on private car usage for travel to and from the development, including the appointment of a Travel Plan Co-ordinator, shall be brought into use before the first occupation of the development. All elements of the Travel Plan shall continue to be implemented at all times following its approval for as long as any part of the development is occupied or used.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport and Section 9: Promoting Sustainable Transport of the National Planning Policy Framework (NPPF).

Waste Collection Point Design

22. Notwithstanding the details shown in the approved drawings and other supporting documents and before any above ground works commence, additional design details of the proposed waste collection point and delivery point at the point of access to the site shall be submitted for the approval of the Local Planning Authority; the details shall include a sign to be erected at the start of the drive prohibiting all vehicles except residents; the approved details shall be implemented before the first occupation of any part of the development and thereafter permanently retained.

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 and section 12 (Achieving well-designed places) of the NPPF.

Hard and Soft Landscaping

Soft Landscaping

23. Notwithstanding the details as shown in the Landscape Strategy (Revision 01) by Maude Pinet and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping for the development 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 the 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 type during the next available planting season.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Hard Landscaping

24. Notwithstanding the details as shown in the Landscape Strategy (Revision 01) by Maude Pinet and prior to the first occupation of the development hereby permitted and unless otherwise agreed in writing by the Local Planning Authority, full details of hard landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall ensure the suitability of the surface treatments for the vehicle parking and turning areas within the site and the ramped access and its junction with Lower Higham Road ensuring that there is a bound surface that avoids the potential of loose material from spilling on to the highway.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity and highway safety in accordance with Policy CS11 (Transport) and Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5: Access to the Identified Highway Network, of the Gravesham Local Plan First Review (November 1994).

Ecology/Biodiversity Provision

25. The biodiversity gains as proposed including the bird boxes and insect 'hotels' as shown in the submitted Landscape Strategy (Revision 01) by Maude Pinet shall be fully implemented prior to the first occupation of the development hereby permitted, and shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of protecting wildlife and encouraging biodiversity and pursuant to the requirements of Gravesham Local Plan Core Strategy Policy CS12 (Green Infrastructure).

INFORMATIVES:-

1 STATUS OF SUBMITTED PLANS AND DOCUMENTS

Plans and Documents submitted for Approval

For the avoidance of doubt the following plans and documents were submitted in support of the application for approval and were taken into account in making the decision:

Application Form and Certificates;
Drawing No 21366 001: Site Location Plan;

Design and Access Statement Part 1 by Office S&M Architects;
Design and Access Statement Part 2 by Office S&M Architects;

Existing Plans

Drawing No 21366 001: Existing Block Plan;
Drawing No 21366 010: Existing Ground Floor Plan;
Drawing No 21366 020: Existing North and South Elevations;
Drawing No 21366 021: Existing East and West Elevations;

Proposed Plans

Drawing No 21366 002: Proposed Block Plan;

Drawing No 21366 100 Rev A: Proposed Ground Floor Plan;
 Drawing No 21366 101: Proposed First Floor Plan;
 Drawing No 21366 102: Proposed Second Floor Plan;
 Drawing No 21366 103: Proposed Roof Plan;
 Drawing No 21366 104: Proposed House 1 Floor Plans;
 Drawing No 21366 200: Proposed North and South Elevations;
 Drawing No 21366 201: Proposed East and West Elevations;
 Drawing No 21366 202: Proposed North Elevation;
 Drawing No 21366 203: Proposed East Elevation;
 Drawing No 21366 204: Proposed South Elevation;
 Drawing No 21366 205: Proposed West Elevation;
 Drawing No 21366 206: Proposed Elevations;
 Drawing No 21366 300: Proposed Section A-A;
 Drawing No 21366 301: Proposed Section B-B;
 Drawing No 21366 400: Proposed Boundary Treatments;
 Drawing No LUAR2107-100 Rev 01: Site Plan - Illustrative (Hard and Soft Landscaping) by Maude Pinet (Luar Landscape) 12 November 2021;

Other Plans and Documents submitted for Approval

- Planning Statement by Maddox Planning November 2021;
- Daylight and Sunlight Assessment for Planning (Ref No: 3146 Issue 1) November 2021 by T16 Design;
- Transport Statement and Travel Plan Statement (Ref P2577) November 2021 by Paul Mew Associates;
- Construction Traffic Management Plan (Ref P2577) November 2021 by Paul Mew Associates;
- Archaeological Desk-Based Assessment (Document Ref. 240420.01) December 2020, Updated November 2021 240421 by Wessex Archaeology;
- Flood Risk and Drainage Strategy (ref 2914) Issue 5 Revision 4 November 2021 by Herrington Consulting Limited;
- Appendix A.8 Ground Investigation Report by Soil Technics Report No STT5362-G01 Rev 0 June 2021;
- Landscape Strategy (Revision 01) by Maude Pinet;
- Transport Statement Addendum Figures 6 a-f - Revised Parking Spaces Tracking;

Plans and Documents submitted for Information

For the avoidance of doubt the following plans and documents were submitted in support of the application for information and were taken into account in the determination of the application:

- Response to neighbour comments by Maddox Planning dated 09.02.22;
- Daylight and Sunlight Assessment Addendum - Response of consultants to neighbour objections re sunlight/daylight impacts (Reference: 4146/OW/ow) dated 26.01.2022;
- Unnumbered Fire Access Drawing (received 07.01.2022);

2 DEVIATION FROM THE APPROVED PLANS

Deviation from or amendment to the approved plans could require a further application and permission/consent. In the event that any change is proposed, applicants and builders are advised to seek advice from the Local Planning Authority. Proceeding without the necessary permissions or consents could result in enforcement action.

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 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

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.

This has involved extensive discussions and negotiations during the processing of the planning application in a collaborative manner in order to address the various consultation responses and neighbour concerns.

The original proposals were also the subject of a pre-application enquiry that enabled issues and concerns to be identified at an early stage prior to the submission of a planning application.

5 ENVIRONMENTAL REQUIREMENTS - REFUSE ARRANGEMENTS

The refuse and recycling storage requirements for the development for each property are as follows:

- Refuse - 1 x 180ltr bin (grey body/grey lid)
- Recycling - 1 x 240ltr bin (grey body/green lid)
- Food waste - 1 x 23ltr caddy per property for (Black body / orange lid) with an individual 1 x 5ltr kitchen caddy (Silver body and lid)

Please note that collection for refuse and recycling are now once every two weeks with food waste collected weekly. Collection is from the front entrance to the property adjacent to the road or footpath.

The Council offers an 'opt-in' garden waste service collected via a 240ltr or 140ltr bin. The take up of the service is extremely high therefore space should also be allocated to accommodate an additional bin.

It is the developer's responsibility to provide the bins although the Gravesham Borough Council waste management team will happily assist the developer if required.

6 LIGHTING ADVICE

The applicants are advised of the following advice from Gravesham Borough Council Environmental Protection:

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

7 KENT COUNTY COUNCIL (KCC) HIGHWAYS AND TRANSPORTATION

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 KENT POLICE CRIME PREVENTION DESIGN ADVICE

The applicants are encouraged to incorporate or address all the matters raised in the design advice from Kent Police (ref G-227/20211415/EH3 dated 30 December 2021) with regard to Crime Prevention Through Environmental Design (CPTED) and are recommended to ensure the use of Secured by Design (SBD) Homes 2019.

9 SOUTHERN WATER ADVICE

Southern Water advise:

- The public foul sewer requires a clearance of 3 metres on either side of the gravity sewers to protect it from construction works and
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: <https://www.southernwater.co.uk/media/3011/stand-off-distances.pdf>

Furthermore, 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.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service:

<https://developerservices.southernwater.co.uk/> and please read our New Connections Charging Arrangements documents which are available on our website via the following link:

<https://www.southernwater.co.uk/developing-building/connection-charging-arrangements>

The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS).

Under certain circumstances SuDS will be adopted by Southern Water should this be requested by the developer. Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption will be considered if such systems comply with the latest Sewers for Adoption (Appendix C) and CIRIA guidance available here:

<https://www.water.org.uk/sewerage-sector-guidance-approved-documents/>

https://www.ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

Where SuDS rely upon facilities which are not adoptable by sewerage undertakers the applicant will need to ensure that arrangements exist for the long-term maintenance of the SuDS facilities. It is critical that the effectiveness of these systems is maintained in perpetuity. Good management will avoid flooding from the proposed surface water system, which may result in the inundation of the foul sewerage system.

Thus, where a SuDS scheme is to be implemented, the drainage details submitted to the Local Planning Authority should:

- Specify the responsibilities of each party for the implementation of the SuDS scheme.
- Specify a timetable for implementation.
- Provide a management and maintenance plan for the lifetime of the development.

This should include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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.

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

Website: <https://www.southernwater.co.uk/> by email at:

SouthernWaterPlanning@southernwater.co.uk

10 SUPERFAST FIBRE OPTIC BROADBAND

Kent County Council recommends that all developers work with a telecommunication partner or subcontractor in the early stages of planning for any new development to make sure that Next Generation Access Broadband is a fundamental part of the project. Access to superfast broadband should be thought of as an essential utility for all new homes and businesses and given the same importance as water or power in any development design. Please liaise with a telecom provider to decide the appropriate solution for this development and the availability of the nearest connection point to high speed broadband. We understand that major telecommunication providers are now offering Next Generation Access Broadband connections free of charge to the developer. For advice

on how to proceed with providing access to superfast broadband please contact broadband@kent.gov.uk

11 SMOKE CONTROL AREA

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 by emailing: air.quality@gravesham.gov.uk

12 KENT FIRE AND RESCUE SERVICE

Kent Fire & Rescue Service advise that on-site access is a requirement of the Building Regulations 2010 Volume 1 and 2 and must be complied with to the satisfaction of the Building Control Authority who will consult with the Fire and Rescue Service once a building Regulations Application has been submitted.

13 PRE-COMMENCEMENT CONDITIONS

Pursuant to the Town and Country Planning (Pre-Commencement Conditions) Regulations 2018 introduced on 1 October 2018 the following planning conditions (conditions 7 and 10) attached to this permission are pre-commencement conditions and have been agreed as such by the applicants.

It is agreed that the requirements of those planning conditions (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site.

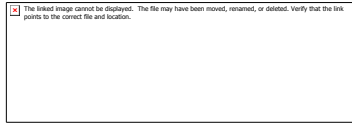
14 NAMING AND NUMBERING

As a result of the changes to this land/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, and the schedule of charges is enclosed, which should be used for your application. Please submit the application and the requisite fee in accordance with the guidance on the form. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.local.gravesham.gov.uk/>

Dated: 17 February 2022



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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.
- **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](mailto:enquiries@pins.gsi.gov.uk) or online at [www.planningportal.gov.uk/pcs](http://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.