

Application: 20240687

**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 Michael Keckes, Mile Property Group
C/O Hannah Rusbridge, Invicta Planning
Chart House
10 Western Road
Borough Green
TN15 8AG**

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:

**Custom House
The Terrace
Gravesend
Kent
DA12 2BW**

and being **Application for the variation of condition 2 attached to planning permission reference number 20210757 for the redevelopment of the site including demolition of the southern part of the workshop building and existing corridor link at first floor level between Custom House and the outbuildings and conversion of Custom House, the coachhouse and outbuildings to include extensions, the Old Boathouse and the Boathouse with external alterations and erection of a new three storey building to provide 27 residential units with associated landscaping and parking. To allow; for internal and external alterations to facilitate additional bedspaces to increase the number of bedrooms in the development.** Your application dated 22nd August 2024 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 24 November 2026.

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:

(Planning Application reference 20210757)

- Application form;
- Drawing no. 001 - Site Block and Location;
- Drawing no. 002 - Existing Site and Roof Plan;
- Drawing no. 003 - Existing Site Lower and Upper Ground Plans;
- Drawing no. 004 - Existing Site First and Second Floor Plans;
- Drawing no. 005 - Custom House Main Building 1 of 2 Existing Plans;
- Drawing no. 006 - Custom House Main Building 2 of 2 Existing Plans;

- Drawing no. 007 - Custom House Main Building Existing Elevations;
- Drawing no. 008 - Custom House Outbuildings Existing Plans;
- Drawing no. 009 - Custom House Outbuildings Existing Elevations;
- Drawing no. 010 - Workshop Existing Plans and Elevations;
- Drawing no. 011 - Boathouse Existing Plans and Elevations;
- Drawing no. 012 - Gazebo Existing Plans & Elevations;
- Drawing no. 013 - Existing Streetscenes;
- Drawing no. 014 - Existing Streetscenes;
- Drawing no. 015 - Existing Site Sections;
- Drawing no. 016 - Existing Site Sections;
- Drawing no. 020 Rev. F - Proposed Site and Roof Plan;
- Drawing no. 021 Rev. D - Proposed Site Lower and Upper Ground Plans;
- Drawing no. 022 Rev. C - Proposed Site First and Second Floor Plans;
- Drawing no. 023 Rev. B- Proposed Streetscenes;
- Drawing no. 024 Rev. B - Proposed Streetscenes;
- Drawing no. 027 Rev. A - Custom House Main House Proposed Elevations;
- Drawing no. 029 Rev. B - Custom House Outbuildings Proposed Plans;
- Drawing no. 033 - Gazebo Proposed Plans and Elevations;
- Drawing no. 034 Rev. B - Proposed Site Sections;
- Drawing no. 037 - Section - Relationship to PLA New Build Proposed Plans;
- Drawing no. 040 Rev. B - Demolition Lower and Upper Ground Plans;
- Drawing no. 041 Rev. B - Demolition First and Second Floor Plans;
- Drawing no. 050 Rev. B - Proposed Landscaping Plan;
- Drawing no. 071 - Cycle Storage Plan Semi-Vertical Storage;
- Drawing no. 072 Rev. B - Strategy Plans First and Second Floor Plans;
- Drawing no. 100 - Detail 01 - Typical New Window Detail;
- Drawing no. 101 - Detail 02 Typical New Rooflight Detail;
- Drawing no. 102 - Detail 03 Opening to be closed retaining door;
- Drawing no. 103 - Detail 03 - Shadow Gap Detail;
- Drawing no. 104 Rev. A - Detail 05 - Suspended Ceiling Detail;
- Drawing no. 105 - Detail 06 - Spine Wall Opening Detail;
- Drawing no. 107 - Detail 07 Bathroom Pod;
- Planning Statement September 2022;
- Development Viability Report May 2023 by Bespoke Property Consultants;
- Phase 1 Geo Environmental Desk Study and Preliminary Risk Assessment February 2021; Ref. 3852/21 by R. Carr Geotechnical Services;
- Archaeological Desk Based Assessment March 2021 by Kent Archaeological Projects;
- Daylight and Sunlight Assessment June 2021 Rev. 2 by Herrington Consulting Limited
- Marketing Report Regarding Loss of B1 Office Space by Caxtons Chartered Surveyors;
- Marketing Report Appendix;
- Flood Risk Assessment and Drainage Strategy March 2023 Issue 7, Revision 6 by Herrington Consulting Limited;
- Steel Sheet Piled Analysis;
- Response to EA objection - letter from Herrington Consulting dated 08/02/2023;
- Remedial Works Report Rev. P5 February 2023 by CTP Engineers.
- Preliminary Ecological Appraisal (PEA) February 2023 Rev. B by Native Ecology;
- Bat Survey Report by Native Ecology Ref:1149_R02_REV A_Bat Survey Report; Rev. A.

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.

(Planning Application reference 20240687)

- Cover Letter;
- Application form;
- Drawing no. 025 Revision SK-E - Custom House Main Building 1 of 2 Proposed Plans;
- Drawing no. 026 Revision SK-F - Custom House Main Building 2 of 2 Proposed Plans;
- Drawing no. 028 Revision SK-G - Custom House Outbuildings Proposed Plans;
- Drawing no. 030 Revision SK-C - Unit 20 Workshop Proposed Plans;
- Drawing no. 031 Rev. SK-C - Units 21, 22, 23 & 24 The Boathouse Proposed Plans;
- Drawing no. 032 Revision SK-E - Units 26, 27 & 28 New Build Proposed Plans;
- Design & Access Statement, July 2024 Rev. A
- Heritage Statement, June 2024;
- Heritage and Conservation Strategy, July 2024;
- Schedule of Accommodation; and
- Suggested conditions in respect of the Port of London Authority.
- Fire Tender Tracking Drawing (no drawing no.)

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.

3. Within six months of the date of this permission and before any work other than investigation work commences affecting the River Thames tidal flood defence structures, a scheme for the design and construction of the proposed raised tidal flood defence shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency. The scheme of works shall include:

- that all new flood defence assets shall be designed with a lifetime of no less than 100 years from the date the development is expected to be completed, with a defence crest level no lower than 8.00 metres above Ordnance Datum (mAOD);
- that the design shall be supported by structural and stability calculations and any required ground investigation works;
- details of how the improved flood defence structures will tie in to the flood defence line at the neighbouring sites both upstream and downstream;
- as far as reasonably practical, the removal of buried obstructions within 3.9 metres landward of the proposed tidal flood defence;
- a detailed method statement and sequence of works plans;
- details of existing and proposed underground services within 3.9 metres of the proposed tidal flood defence;
- That the existing site tidal flood defences, including tidal flood gate, will be demolished to at least ground level and the flood gate will be replaced with a continuous, fixed tidal flood defence;
- the timing of implementation of the works making up the scheme.

Reason: To minimise the risk of flooding to the surrounding built environment, to protect the development from flooding for its lifetime including with climate change induced sea level rise, and to mitigate the environmental impacts of the development in line with the Thames Estuary 2100 plan in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy (September 2014) and section 14 of the National Planning Policy Framework (2024).

4. Within six months of the date of this permission, a long-term monitoring and maintenance plan for the flood defence structures and applying for as long as the development remains shall be submitted to, and approved in writing by, the Local Planning Authority, in consultation with the Environment Agency. The long-term monitoring and maintenance plan shall include:
- details of how and when the flood defence structures will continue to be inspected and tested;
 - success criteria for the condition of each element of the flood defence structures.

Reason: To minimise the risk of flooding to the surrounding built environment and to protect the development from flooding for its lifetime including with climate change induced sea level rise in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy (September 2014) and section 14 of the National Planning Policy Framework (2024).

5. The designing of the new flood defence wall subject to condition 3 shall consider the structural impact on the grade II listed gazebo as well as its access and use. This impact shall be demonstrated through the submission of a report to be submitted to the Local Planning Authority within 6 months of commencement of the development. Should it be the case that the impact on the gazebo would be such that it cannot remain in situ a detailed scheme for the re-location of the gazebo to within the site (south of the new flood defence wall) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a detailed method statement of how the gazebo would be moved which should ideally be in one piece rather than disassembled and rebuilt. The development shall be carried out and completed in accordance with the approved details prior to any part of the permitted development first being occupied or used.

Reason: In order to protect the architectural and historic importance of this grade II listed building in accordance with Policies CS19 and CS20 Gravesham Local Plan Core Strategy (September 2014) and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review 1994.

6. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence details of the proposed means of foul and surface water sewerage disposal shall be submitted to, and approved in writing by, the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved details.

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 Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

7. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence details and samples of all the external facing materials to be used in the construction of the development hereby permitted including the extensions to the coach house and Custom House outbuildings and the new terrace hereby permitted along with the replacement of any existing materials in connection with repair works shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the architectural and historic importance of the grade II listed Custom House and Gazebo and the curtilage listed buildings and their setting including the setting of other nearby listed buildings and to protect the character and appearance of the

Riverside Conservation Area in accordance with Policies CS19 and CS20 Gravesham Local Plan Core Strategy (September 2014) and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review 1994.

8. Notwithstanding the submitted drawings and documents, prior to any above groundworks the following information shall be submitted to and approved in writing by the Local Planning Authority:

- Drawings to a scale of 1:10 with 1:2 or 1:1 joinery details of all new windows and doors including architraves/surrounds;
- Drawings to a scale of 1:10 with 1:2 or 1:1 joinery details of all existing windows and doors to be repaired together with a full schedule of the repair works for each window and door which should correlate with each being numbered on corresponding elevation drawings/photographs;
- Scaled drawings and details of the repair works to existing original features including staircases, fireplaces, skirtings, cornicing, architraves and how they are to be preserved within the scheme;
- Scaled drawings of all new internal and external joinery;
- Scaled drawings and details including a method statement of all fire protection and sound and thermal insulation measures;
- Scaled drawings and details of all new internal walls and cupboards;
- Scaled drawings and details of all services including external pipework, vents and flues;
- Details of the repair works to the existing lead flashing and guttering including details of any new flashing and guttering;
- Details of all new flooring and repair of existing historic flooring;
- Scaled drawings and details of the new opening in the Old Boathouse;
- Method statement for the new openings in the spine wall including details of the proposed materials for the reveals of the openings;
- Scaled drawings and details of the repair works to the railings;
- Scaled drawings and details of the new vehicular gate;
- Scaled drawings and details of the repair works to the section of spine wall in connection with the demolition of the Workshop;
- Details of the repair works to the brick wall and timber gates in front of Custom House including details of the new pier;
- Details of all mortar mix and pointing finish; and
- Details of the location, design and appearance of the Historic Interpretation board(s).

Reason: To protect the architectural and historic importance of the grade II listed Custom House and Gazebo and the curtilage listed buildings and their setting including the setting of other nearby listed buildings and to protect the character and appearance of the Riverside Conservation Area in accordance with Policies CS19 and CS20 Gravesham Local Plan Core Strategy (September 2014) and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review 1994.

9. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence, details of crime prevention measures according to the principles and physical security requirements of Crime Prevention through Environmental Design (CPTED) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to any of the residential units hereby permitted first being occupied and shall thereafter retained.

Reason: To ensure the development protects the environment of the site and its locality generally, in the interest of security, crime prevention and community safety and is in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

10. Prior to any part of the permitted development being occupied or used a verification report demonstrating the completion of works set out in the approved remediation strategy (which was subject to condition 4 of the original planning permission ref. 20210757 and discharged on 16/07/2024 under application ref. 20240285) 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 Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 15 of the National Planning Policy Framework (2024).

11. A new tidal flood defence will be constructed, as per the approved detailed design package (subject to condition no. 3) prior to any part of the permitted development being occupied or used. The tidal defence shall be retained and maintained thereafter, throughout the lifetime of the development. The above ground existing tidal defence assets will be removed.

Reason: To ensure a satisfactory tidal flood defence is constructed thereby providing the required standard of protection to the site occupants and neighbouring area, for the design life of the development in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy (September 2014) and section 14 of the National Planning Policy Framework (2024).

12. 12 (a) Prior to any part of the permitted development being occupied or used a noise impact assessment shall be carried out and submitted to and approved in writing by the Local Planning Authority (which amongst all other noise sources shall also include any noise impact on future occupiers from a river related use to the north of the flood wall) and which shall ensure compliance with the following requirements:
- i. 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
 - ii. 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.
 - iii. The outdoor/external sound levels of any private garden, balcony, terrace or external communal space should not exceed 50-55dB LAeq 5 min during the day, and no more than 45dB LAeq 5 min should be exceeded 1 metre from the façade of residential properties at night, in accordance with WHO guidance. Where it is practical and feasible, the lower outdoor sound level (50dB) should be considered the maximum desirable sound level for new development.
 - iv. Internal noise reduction shall be calculated and achieved by using the excess of the highest measured octave band exceedance of Noise Rating Curve NR30.
 - v. The rating noise from any fixed building services/mechanical plant/equipment associated with the 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
- Where compliance with these 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.
- Any works that are required to address the findings and recommendations of the noise impact assessment shall be implemented before the first occupation of any part of the development.

b) Prior to any part of the permitted development being occupied or used a suitable post-completion report demonstrating compliance with a) shall be submitted to and approved, in writing, by the Local Planning Authority.

The development shall be carried out in accordance with the approved details prior to any part of the permitted development being occupied or used and shall thereafter be maintained for the lifetime of the development.

Reason: In order to safeguard the living conditions of the future occupants of the residential units and pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and paragraph 198 of the National Planning Policy Framework (NPPF), 2024.

13. Prior to first occupation of each affected dwelling as shown on drawing nos. 032 SK-E or 032 SK-C, details of an internal noise survey shall be submitted to and approved in writing by the Local Planning Authority. Noise measurements shall be undertaken over a 5-day period including weekdays and weekends within proposed bedrooms (as marked with the green circle on drawing numbers 032 SK-E or 032 SK-C) to ensure that night-time internal noise levels meet the guideline values as presented within BS 8233:2014 and the WHO Guidelines (30 dB LAeq,8hr and 45 dB L_{Amax,F} no more than 10-15 per night).

In the event that specified internal noise levels are not achieved, additional noise attenuation measures shall be incorporated. Details of any additional mitigation shall be submitted to and approved in writing by the Local Planning Authority and thereafter installed prior to first occupation and maintained in perpetuity.

Reason: In order to safeguard the living conditions of the future occupants of the residential units and to safeguard the operation of the adjacent Port of London Authority by virtue of the Agent of Change principle, pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and paragraph 185 of the National Planning Policy Framework (NPPF), 2024.

14. No building on any phase (or within an agreed implementation schedule) of the development hereby permitted shall be occupied or used until a Verification Report, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority. The Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from 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 in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 14 of the National Planning Policy Framework (2024).

15. Prior to any part of the permitted development being occupied or used and notwithstanding the details shown on the approved plans, submitted documents and application form, a schedule and details of all windows within the development to be obscure glazed (and where applicable fixed shut) shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be implemented as approved prior to any of the residential units hereby permitted first being occupied. For the avoidance of doubt any obscure windows 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. All fixed shut windows shall be permanently retained as such.

Reason: To protect the amenity and privacy of neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

16. Prior to any part of the permitted development being occupied or used 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. For the avoidance of doubt the details shall include the following:

- proposed boundary treatments,
- hard surface finishes to the vehicle parking areas ;
- details of the pedestrian access and circulation areas including to the amenity areas.

The approved works shall be completed in accordance with the approved details prior to first occupation of any of the residential units hereby permitted.

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 Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 of the Gravesham Local Plan First Review (1994).

17. The development shall be carried out in accordance with the landscaping scheme as shown in approved drawing no. 050 Rev. B 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 suitably implemented in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

18. Prior to any part of the permitted development being occupied or used and notwithstanding the details shown on the approved plans, submitted documents and application form, the vehicle parking areas shown on the approved plans 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 Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy P3 of the Gravesham Local Plan First Review (1994).

19. Prior to any part of the permitted development being occupied or used and notwithstanding the details shown on the approved plans, submitted documents and application form, a strategy for the allocation and safeguarding of parking spaces for the occupiers of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy and measures to safeguard the use of the

spaces shall be implemented prior to any of the residential units hereby permitted first being occupied and shall be maintained thereafter.

Reason: In order to ensure an acceptable standard of development upon completion in accordance with adopted Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

20. Prior to any part of the permitted development being occupied or used and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the proposed cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to any of the residential units hereby permitted first being occupied and thereafter be retained for such purposes at all times.

Reason: In order to encourage options for sustainable travel in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

21. Prior to the first use of the car parking spaces hereby approved details for provision of cabling to enable charging facilities to be installed for electric vehicles for the future occupants of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the first use of the car parking spaces hereby approved to which the cabling applies.

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 (September 2014).

22. Prior to any part of the permitted development being occupied or used and notwithstanding the details shown on the approved plans, submitted documents and application form, 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 prior to any of the residential units hereby permitted first being occupied 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 Policy CS19 of the Gravesham Local Plan of the Core Strategy (September 2014).

23. Prior to any part of the permitted development being occupied or used and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the refuse arrangements along with a refuse collection management plan 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 and the management plan shall include arrangements for how the bins shall be taken nearer to the public highway on collection days and then returned to the bin store after the refuse has been collected. The development shall be carried out in accordance with the approved details prior to first occupation of any of the residential units hereby permitted and shall 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 Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

24. Prior to any part of the permitted development being occupied or used a fibre to premises (FTTP) Statement shall have been submitted to and approved by the Local Planning Authority in writing for the installation of a high speed wholly FTTP connection to the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority (where supported by evidence detailing reasonable endeavours to secure the provision of FTTP and alternative provisions that have been made in the absence of FTTP). Thereafter, the infrastructure shall be laid out in accordance with the approved details and be available for use on the first occupation of any of the residential units hereby approved.

Reason: To ensure that the new development in Gravesham is provided with high quality broadband services enhancing Gravesham as an attractive location in accordance with Policy CS19 and CS20 Gravesham Local Plan Core Strategy (September 2014).

25. Prior to any part of the permitted development being occupied or used full details of riparian life saving equipment (such as grab chains, access ladders and lifebuoys) and suicide prevention measures shall be submitted to and approved in writing by the Local Planning Authority. The riparian lifesaving equipment and suicide prevention measures shall be implemented in accordance with the approved details prior to any part of the permitted development being occupied or used.

Reason: For the safety of residents and users of the area and in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

26. Within 3 months of completion of the tidal flood defence (subject to condition no.9), 'as built' drawings shall be provided to the Local Planning Authority and the Environment Agency.

Reason: For the avoidance of doubt, to facilitate any future flood defence intervention and to prevent an increased risk of flooding in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy (September 2014) and section 14 of the National Planning Policy Framework (2024).

27. 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 Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and paragraph 15 of the National Planning Policy Framework (2024).

28. No surface water drainage into the ground or controlled waters is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure 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 accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 14 of the National Planning Policy Framework (2024).

29. The minimum horizontal distance between any part of the development and the landward extent of the proposed tidal flood defence shall be no less than 1.2 metres. No part of the

development will encroach within 3.9 metres to the nearest face of the proposed tidal flood defence where such encroachment would not be demountable within 48 hours.

Reason: To prevent an increased risk of flooding, to ensure that the development is appropriately protected from flooding in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy (September 2014) and section 14 of the National Planning Policy Framework (2024) and to enable the inspection of the tidal flood defence assets.

30. Finished floor levels for residential sleeping accommodation must be set to no lower than 6.92mAOD.

Reason: To ensure that the development is appropriately protected from flooding in accordance with Policy CS18 of the Gravesham Local Plan Core Strategy (September 2014) and section 14 of the National Planning Policy Framework (2024) and to enable the inspection of the tidal flood defence assets.

31. No satellite antenna, apparatus or plant of any sort (including structures or plant in connection with the use of telecommunication systems or any electronic communications apparatus) shall be erected on the site or roofs/walls of the development hereby approved.

Reason: In the interests of the visual amenity of the development and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

32. The windows as shown on drawing nos. 032 SK-E and 032 SK-C as 'fixed shut' shall remain as such throughout the lifetime of the development.

Reason: In order to safeguard the living conditions of the future occupants of the residential units and to safeguard the operation of the adjacent Port of London Authority by virtue of the Agent of Change principle, pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and paragraph 185 of the National Planning Policy Framework (NPPF), 2024.

INFORMATIVES:-

1 APPROVED DETAILS

The following conditions of application ref. 20210757 have been discharged and the development must be carried out in accordance with the approved details as follows:

- Condition 3 (Construction Environmental Management Plan (CEMP) - Approved on 04/10/2024 under application reference 20240449;
- Condition 4 (Contaminated Land Strategy - Approved on 16/07/2024 under application reference 20240285;
- Condition 5 (Archaeology) - Approved on 16/07/2024 under application reference 20240285;
- Condition 6 (Public Sewer) on 16/08/2024 under application reference 20240443;
- Condition 7 (Sustainable Surface Water Drainage) - Approved on 16/07/2024 under application reference 20240285;
- Condition 8 (Land Management Plan - Shingle beach habitat and other envisaged ecological enhancements) - Approved on 16/07/2024 under application reference 20240285.

The development must be carried out in accordance with the details as approved.

2 SECTION 106 AGREEMENT

The requirements of the s106 in respect of planning permission reference 20210757 have been complied with, the payments for SAMMS and leisure contributions being paid on 17/09/2024.

3 INFORMATION RELATING TO CONDITION NOS. 12 & 13 (NOISE)

Please note that in respect of any potential mitigation required, given the site has listed buildings and curtilage listed buildings the use of double glazing on the site would not be acceptable.

4 APPROVAL OF DETAILS APPLICATIONS WHICH ARE PENDING

There are currently approval of condition applications that have been submitted to the Local Planning Authority which are pending consideration for discharge of condition nos. 9, 10, 11 & 14 of application reference. 20210757. These are:

- o Condition 9 (Scheme for Flood Defence)
- o Condition 10 (Monitoring and Maintenance of Flood Defence)
- o Condition 11 (Gazebo)
- o Condition 14 (Details & Particulars)

The descriptions of these approval of details applications will need to be amended to reflect the reference number of this variation of condition application (ref. 20240687) and the new condition numbers (i.e. condition numbers 9, 10, 11 & 14 are now condition numbers 3, 4, 5 & 8).

5 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].

6 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.

7 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.

8 GBC ENVIRONMENTAL PROTECTION

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

9 GBC WASTE

Flats are generally serviced by communal bin stores. Bin stores should be large enough to accommodate and manoeuvre sufficient 1,100 litre refuse and recycling Eurobins for the number of dwellings in each block.

Developers are required to pay for the provision of all bins required for a development and these can be purchased through the Council. Developers are welcome to purchase their own 1,100 litre bins however the bins must be metal and comply with European Standard EN840.

The following provision is required:

Refuse - 1 x 1,100ltr bin per 6 flats

Recycling - 1 x 1,100ltr bin per 6 flats with special recycling lid

Food Waste - 1 x 140ltr bin per 10 flats with an individual 5ltr caddy per flat

10 NOTIFICATION OF THE PORT OF LONDON AUTHORITY'S OPERATIONS

The landowner should notify any future occupiers of the development (as part of the handover pack) of the operations at the Port of London's site, that they operate 24/7 and that vehicles have to reverse park into car parking spaces.

11 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.

Dated: 5 March 2025

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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.