

Application: 20190504

**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 N Albay, Peker Holding
C/O Mr Dalian Gill, Barron Edwards Ltd
39 Wrotham Road
Gravesend
Kent
DA11 0PN**

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:

**Former Gravesend & North Kent Hospital (M Block)
Bath Street
Gravesend
Kent**

and being **Conversion of existing building with an 11 storey side extension and a single storey roof extension, the construction of a new residential building ranging from 3-6 storeys to provide 115 residential units consisting of 47 one bed units, 59 two bed units and 9 three bed units, together with associated parking for 69 cars, 6 motorcycles and 212 cycles, amenity space, private gymnasium and waste and a B1, D1 and D2 flexi use space.** Your application dated 29th May 2019 is permitted subject to the following:-

Conditions

Time Limit

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 Drawings and Details

2. The development hereby permitted shall be carried out in accordance with the following approved plans;

Application Form Dated 05/03/2020 REVISED;
Drawing no. M-B-P1 Revision B (Proposed Ground Floor Site Layout Plan) REVISED;
Drawing no. M-B-P2 Revision C (Proposed First Floor Site Layout Plan) REVISED;
Drawing no. M-B-P3 Revision B (Existing Ground and First Floor Plan M Block) REVISED;
Drawing no. M-B-P4 Revision B (Existing Second and Third Floorplan M Block) REVISED;
Drawing no. M-B-P5 Revision B (Existing Fourth and Fifth Floorplan M Block) REVISED;

Drawing no. M-B-P6 Revision B (Existing Sixth and Seventh Floorplan M Block) REVISED;
 Drawing no. M-B-P7 Revision B (Proposed Ground and First Floorplan M Block) REVISED;
 Drawing no. ; M-B-P8 Revision B (Proposed Second and Third Floorplan M Block) REVISED;
 Drawing no. M-B-P9 Revision B (Proposed Fourth and Fifth Floorplan M Block) REVISED;
 Drawing no. M-B-P10 Revision B (Proposed Sixth and Seventh Floorplan M Block) REVISED;
 Drawing no. M-B-P11 Revision B (Proposed Eighth and Ninth Floorplan M Block) REVISED;
 Drawing no. M-B-P12 Revision B (Proposed Tenth and Roof Floorplans) REVISED;
 Drawing no. M-B-P13 Revision B (Existing East Elevation M Block) REVISED;
 Drawing no. M-B-P14 Revision B (Existing North and South Elevation M Block) REVISED;
 Drawing no. M-B-P12 Revision B (Proposed Tenth Floorplan and Roof Plan M Block) REVISED;
 Drawing no. M-B-P15 Revision B (Existing West Elevation M Block) REVISED;
 Drawing no. M-B-P16 Revision B (Proposed East Elevation M Block) REVISED;
 Drawing no. M-B-P17 Revision B (Proposed North and South Elevation M Block) REVISED;
 Drawing no. M-B-P18 Revision B (Proposed West Elevation M Block) REVISED;
 Drawing no. L-B-P19 Revision C (Proposed First Floorplan L Block) REVISED;
 Drawing no. L-B-P20 Revision C (Proposed Second Floorplan L Block) REVISED;
 Drawing no. L-B-P21 Revision C (Proposed Third Floorplan L Block) REVISED;
 Drawing no. L-B-P22 Revision C (Proposed Fourth Floorplan L Block) REVISED;
 Drawing no. L-B-P23 Revision C (Proposed Fifth Floorplan L Block) REVISED;
 Drawing no. L-B-P24 Revision C (Proposed Clifton Road Elevation L Block) REVISED;
 Drawing no. L-B-P25 Revision B (Proposed East Elevation L Block) REVISED;
 Drawing no. L-B-P26 Revision B (Proposed South Elevation L Block) REVISED;
 Drawing no. L-B-P27 Revision C (Proposed West Elevation L Block) REVISED;
 Drawing no. L-A-P30 Revision A (Site Location Plan, Existing and Proposed Block Plan) REVISED;
 Drawing no. ML-B-P28 Revision C (Proposed Clifton Road Elevation) REVISED;
 Drawing no. ML-B-P29 Revision C (Proposed Stuart Road Elevation) REVISED;
 Drawing no. ML-B-P30 Revision B (Proposed Section A-A) REVISED;
 Drawing no. ML-B-P31 Revision B (Proposed Section B-B) REVISED;
 Drawing no. ML-B-P32 Revision B (Proposed Section C-C) REVISED;

View C (1) Car Park Entrance (REVISED);
 View D (1) Clifton Road/Stuart Road (REVISED);

Planning Statement by Tetlow King Planning (May 2019);
 Design and Access Statement;
 Design and Access Statement Appendix 1;
 Transport Statement by Entran (March 2020) REVISED;
 Noise Assessment by In Acoustic (April 2019);
 Urban Design Assessment by Rummey Design (May 2019);
 Landscape Design Document by Rummey Design (March 2020);
 Landscape Design Document by Rummey Design (June 2019);
 Affordable Housing Statement by Tetlow King Planning (May 2018);
 Phase 1 Desk Study by Lustre Consulting (April 2019);
 Preliminary Ecological Appraisal by Corylus Ecology (29 April 2019);
 Daylight and Sunlight Study by Right of Light Consulting (May 2019);
 Archaeological Desk-Based Assessment by Swale and Thames Archaeological Survey Company (07 May 2019);
 Air Quality Assessment by Entran (29 April 2019); and
 Flood Risk and Sustainable Drainage Assessment (May 2019).

And pursuant to any conditions contained herein after and there shall be no deviation there from, save with the prior written consent of the Local Planning Authority.

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

Pre-commencement Conditions

3. **Code of Construction Practice**

No development approved by this permission shall be commenced until a comprehensive Code of Construction Practice covering environmental impacts in the construction phase of this development is provided by the applicant and submitted for approval to the Local Planning Authority. The approved scheme shall include details of hours of work during the construction period, delivery times from materials, parking of vehicles of site personnel and visitors, loading and unloading of plant materials, storage of materials and wheel washing proposals; the development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice.

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

4. **Details of Construction Compound**

Details of the proposed construction compound for the development including its extent, location and access arrangements shall be submitted for the approval of the Local Planning Authority before the commencement of the development; the approved details shall be implemented before construction commences.

Reason: To ensure the development does not result in debris being deposited on the road during construction of the development and does not result in detriment to highway safety and is compliant with the adopted Gravesham Local Plan Core Strategy (2014) Policy CS19: Development and Design Principles.

5. **Contaminated Land**

No development approved by this permission shall be commenced prior to a contaminated land assessment (in accordance with the CLEA guidelines and CLR 11 methodology) and if necessary an associated remedial strategy, together with a timetable of works, being submitted to the Local Planning Authority for approval.

a) A site investigation, based on the findings of the submitted Phase 1 Desk Study, ref 2461_FP01.0-2019, from Lustre Consulting dated April 2019, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

b) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

c) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance). If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

d) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the Local Planning Authority. The closure report shall include details of the proposed remediation works and the quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remediation sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report

together with the necessary documentation detailing what waste materials have been removed from the site.

e) Where applicable, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period of time, and the provision of reports on the same, must be prepared and approved in writing by the local planning authority.

Following completion of the measures identified in that scheme, and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the local planning authority.

Reason: To ensure that the development is carried out safely in the public interest and in accordance with best practice and with Local Plan Core Strategy (2014) Policy CS18: Climate Change and CS19: Development and Design Principles.

6. **Wheel Washing**

Details of the type and location of wheel washing facilities and chassis cleaning equipment to be provided on the site during the construction period for each phase of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of construction work on site for each phase and shall thereafter be used and kept on site for the duration of construction and be maintained in working order throughout the period of construction.

Reason: To ensure the development does not result in debris being deposited on the road during construction of the development and its locality generally, does not result in detriment to highway safety and is compliant with the adopted Gravesham Local Plan Core Strategy (2014) Policy CS19: Development and Design Principles.

7. **Surface Water Drainage Scheme**

The development shall not commence in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to, and approved in writing, by the Local Planning Authority. The detailed drainage scheme shall be based upon the Flood Risk Assessment prepared by Herrington Consultants, dated May 2019, and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of without increase to flood risk on or off-site.

Reason: In order to ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on or off site flooding pursuant to Gravesham Local Plan Core Strategy (2014) Policy CS18: Climate Change.

8. The development shall not commence in any phases 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 the suitable modelled operation of the drainage system where the system constructed is different to that 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 pursuant to the requirements of paragraph 169 of the National Planning Policy Framework and Gravesham Local Plan Core Strategy (2014) Policy CS18: Climate Change.

9. The development shall not commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing, by the Local Planning Authority. This strategy must include;

1) A preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site

2) a site investigation scheme based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: The site lies over a principal aquifer and to ensure that the development does not contribute to or is put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with Paragraph 174 of the National Planning Policy Framework and Gravesham Local Plan Core Strategy (2014) Policy CS18: Climate Change.

10. **Foul and surface water sewerage disposal**

The development shall not commence until details of the proposed means of foul and surface disposal have been submitted to, and approved in writing, by the Local Planning Authority in consultation with Southern Water; the development shall be implemented in accordance with the approved details.

Reason: To ensure the development protects the groundwater environment of the site and its locality generally and it is compliant with the National Planning Policy Framework (NPPF). Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

11. **Heritage and Archaeology**

The development shall not commence until the applicant, their agents or successors in title have secured the implementation of;

(a) Archaeological field evaluation works in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority; and

(b) Following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigations and recording in accordance with a specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded and that due regard is had to the preservation in situ of important archaeological remains in compliance with Gravesham Local Plan Core Strategy (2014) Policy CS20: Heritage and the Historic Environment.

12. **Phasing plan**

Prior to the commencement of the development full details of the phasing of the development 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.

Reason: The Local Planning Authority needs to be satisfied that the development of the site is undertaken in a coherent and comprehensive manner and to ensure compliance with Policies CS05 and CS19 of Gravesham Local Plan Core Strategy (2014).

Prior to above ground works

13. **Materials**

Details and samples of all materials including the façade wall and all surface materials to be used externally on any part or phase of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced; the development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy (2014) Policy CS19: Development and Design Principles.

14. Details and samples of all railings, gates, boundary treatments and balcony treatments to be used in any part of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground works commencing; the development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity and to ensure a high quality of design pursuant to Gravesham Local Plan Core Strategy (2014) Policy CS19: Development and Design Principles.

15. **Sustainability**

Prior to the commencement of any above ground works, an Energy Report including the carbon footprint and emissions of the site, along with full details of the sustainability measures to be incorporated into the development shall be submitted for approval to the Local Planning Authority; the development shall be carried out in accordance with the details before the first occupation of any part of the development. The sustainability measures should include the provision of solar photovoltaics (PV) and Electric Vehicle charging points.

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).

16. **Access**

The existing access should be configured as a dropped kerb with footway crossover as opposed the current bellmouth arrangement and details shall be submitted for approval to

the Local Planning Authority before the commencement of any above ground works; the development shall be carried out in accordance with the approved details.

Reason: In the interest of highway and pedestrian safety in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

Prior to first occupation

17. Noise

Prior to first occupation, a post completion report demonstrating that the specifications and recommendations contained in the 'Noise Assessment for Planning' provided by Lustre dated 30th April 2019, including the following;

- o The internal ambient noise levels shall not exceed these set out in BS8233:2014
- o The maximum internal noise levels in habitable rooms should not exceed 45dB LAmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise
- o The rating level of the noise emitted from any plant or equipment associated or close to this use shall not exceed existing background (LA90) measured 1m from the nearest noise sensitive façade. The measurements and assessments shall be made according to BS4142:2014

Demonstrating compliance with these requirements and confirming the façade, glazing, ventilation and other migratory treatments used to achieve them, must be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure a satisfactory standard of accommodation for the future occupants of the development pursuant to Gravesham Local Plan Core Strategy (2014) Policy CS19: Development and Design Principles.

18. Contaminated Land Remediation Strategy

Prior to first occupation, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan for longer term monitoring or pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The site lies over a principal aquifer and to ensure that the development does not contribute to or is put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with Paragraph 174 of the National Planning Policy Framework and Gravesham Local Plan Core Strategy (2014) Policy CS18: Climate Change.

19. Soft Landscaping

Prior to the first occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of the development. Any tree 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 during the next available planting season.

Reason: To ensure that the proposed development includes a properly designed and suitably landscaped amenity area which is maintained in the long term in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

20. **Hard Landscaping**

Prior to the first occupation of the development hereby approved, and notwithstanding the details shown on the approved plans, full details of hard landscape proposal shall be submitted to and approved in writing by the Local Planning Authority. The details shall include where appropriate: proposed hard surface treatments; means for surfacing; draining and demarcating the car parking spaces; proposed finish levels; external fixtures e.g.; lighting, bollards; vehicle and pedestrian access and circulation. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development and thereafter it shall be retained and not subsequently altered without permission in writing from the Local Planning Authority.

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

21. **External Lighting**

Prior to the first occupation of the development hereby approved, details of all proposed external lighting, including around the podium level, shall be submitted to and approved, in writing, by the Local Planning Authority. The details should include the height, position, external appearance, light intensity, and where appropriate a report to demonstrate its effect on the landscaping of the site and nearby residential properties. The development shall thereafter be carried out in accordance with these approved details and no additional external lighting shall be provided on the site without the prior written consent of the Local Planning Authority.

Reason: In order to ensure the development does not cause harm to residential amenity by reason in the installation of intrusive lighting and in order to protect and preserve the character and appearance of the area in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

22. **Parking Management Plan**

The development hereby permitted shall not be occupied until a Parking and Cycle Management Plan specifying the parking arrangement, its operation and allocation for both the residential and commercial units, along with a delivery and servicing plan, has been submitted to and approved in writing by the Local Planning Authority. The Parking and Cycle Management Plan shall be implemented in accordance with the approved details prior to first occupation of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the effective use of the parking and cycle provision for the site in the interest of the highway and pedestrian safety in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

23. **Travel Plan**

Prior to first occupation, a Travel Plan shall be prepared and submitted for the approval of the Local Planning Authority. The Travel Plan shall provide the sustainable travel options available to future occupants, how the Travel Plan will be available, implemented and kept updated in accordance with the approved details or any changes subsequently made under its monitoring review process.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport and in accordance with the Gravesham Local Plan Core Strategy (2014) Policy CS11 Transport.

Monitoring and Management Conditions

24. Piling

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 174 of the National Planning Policy Framework and Gravesham Local Plan Core Strategy (2014) Policy CS18: Climate Change.

25. Hours of Use

Prior to the commercial unit first being brought into use, the hours of use, including the times of deliveries, must be applied for, and approved in writing by the Local Planning Authority; the commercial units shall thereafter operate only in accordance with the approved operating hours.

Reason: In order to safeguard the amenity of surrounding residential dwellings and future occupants of the development pursuant to Gravesham Local Plan Core Strategy (2014) Policy CS19: Development and Design Principles.

26. Employment Uses

The commercial units of the development hereby approved shall be used for purposes within Use Classes B1, D1 and D2 of the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification) only and for no other purpose; and notwithstanding the provisions of Article 3 of Classes I and O of Part 3 and Class D of Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification) the commercial use shall not be used for such other purposes specified by those Classes unless a specific grant of planning permission has been given by the Local Planning Authority.

Reason: To safeguard the employment uses and to ensure the commercial element of the development is not subsequently changed to the detriment of local amenity, in accordance with Policy CS07 Economy, Employment and Skills, and Policy CS19 Development and Design Principles of the Gravesham Local Plan Core Strategy (2014).

27. Privacy

Any window serving a bathroom/wc must be fitted with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) only at all times.

Reason: In order to safeguard the amenity of future occupiers and neighbouring dwellings in accordance with Policy CS19 Development and Design Principles of the Gravesham Local Plan Core Strategy (2014).

28. **Balcony Clutter**

The balconies hereby approved shall remain open at all times and no form of enclosure (other than those outlined on the approved plans) or additional boundary treatments shall be added or attached to the balconies or railings at any times.

Reason: In the interest of visual amenity in accordance with Policy CS19 Development and Design Principles of Gravesham Local Plan Core Strategy (2014).

29. **Refuse Storage Areas**

The refuse storage rooms identified on Drawing no. M-B-P1 Revision B (Proposed Ground Floor Site Layout Plan) must be kept available at all times and shall not be used for any other purpose without the prior consent of the Local Planning Authority

Reason: In order to ensure a satisfactory standard of development for the future

INFORMATIVES:-

1 **STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING**

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 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.

2 **AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)**

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 19 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant to the inclusion of the following pre-commencement conditions.

Condition 3 - Code of Construction Practice
Condition 4 - Details of Construction Compound
Condition 5 - Contaminated Land
Condition 6 - Wheel Washing
Conditions 7, 8 and 9 - Surface Water Drainage Scheme
Condition 10 - Foul and surface water sewerage disposal
Condition 11 - Heritage and Archaeology
Condition 12 - Phasing Plan

3 **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.

4 **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].

5 WASTE AND RECYCLING PROVISION

Based on 115 units, on a weekly collection regime there would be the expectation of 20 bins for residual waste and 20 bins for dry recycling. It is the responsibility of the development to ensure waste requirements and collection arrangements are organised prior to first occupation. For further advice or to order bins please contact the Council's Waste Management Team at waste.management@gravesham.gov.uk.

6 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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 road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.

7 SOUTHERN WATER

A formal application for connection to the public sewerage system is required in order to service this development, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.

Please read their New Connections Services Charging Arrangements documents which has now been published and is available to read on their website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>.

8 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

9 KENT POLICE CRIME PREVENTION BY DESIGN

The applicants/developers are advised to contact Kent Police Crime Prevention Design Advisor to progress any Secured by Design or BREEM applications from a security aspect.

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 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: 17 February 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

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 or online at 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.