



Application: 20231014

**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: **Timothy Hance
C/o 5 Stickens Lane
East Malling
West Malling Kent
EAST MALLING
ME19 6BT**

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:

**Gravesend Cricket Club Bat And Ball Ground
Wrotham Road
Gravesend
Kent
DA11 0QP**

and being **Installation of a borehole and 25,000 litre water storage tank and erection of a fibreglass structure to house the pump/pressure vessel**. Your application dated 10th October 2023 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this permission.

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 approved plans:

Application Form - dated 2 October 2023;
Supplementary Information - Image of Water Tank;
Supplementary Information - Image of Pump Room;
Drawing no. 3089-001 - Rev. 0 - Site Location Plan;
Drawing no. 3089-002 - Rev. 0 - Existing and Proposed Block Plans;
Drawing no. 3089-003 - Rev. 0 - Existing and Proposed North Elevations (indicative);
Drawing no. 3089-003 - Rev. 1 - Existing and Proposed North Elevations;
Drawing no. 3089-004 - Rev. 0 - Existing and Proposed East and West Elevations.

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

3. Prior to first operation of the development hereby permitted, full details and specifications of the water pump to be installed shall be submitted to and approved in writing by the Local Planning Authority, and thereafter shall be retained.

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

4. Prior to first operation of the development, a noise impact assessment shall be carried out and submitted to the Local Planning Authority for approval, demonstrating that the rating level of the noise emitted from plant/machinery/equipment installed, shall not exceed the existing background noise level by more than -10dB at the nearest noise sensitive premises when measured and assessed in accordance with BS4142:2014.

Reason To protect residential amenities of occupiers of properties surrounding the site in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).

5. The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason To prevent harm to human health and pollution of the environment and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

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) 2023, 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 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.

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 WATER ABSTRACTION

No abstraction license is required, providing that the abstraction is up to 20 m³/day and there are no other abstractions that would combine to a daily volume greater than 20 m³/day being withdrawn. Subject to abstraction at rates no greater than 20 m³/day, no groundwater investigation

consent (GIC) will be required. To maintain abstraction rates, it is advised that the operator should install a flow meter to ensure being within this volume.

If the abstraction is to exceed the 20m³/day, you are advised to apply for a license. More information on how to apply can be found by following this link: <https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence>

5 PRIVATE WATER SUPPLIES REGULATIONS 2016 (AS AMENDED)

These Regulations place a statutory duty on Gravesham Borough Council Environmental Health Team to carry out a risk assessment of each private water supply, in their area, every 5 years. The local authority is also required to carry out water quality monitoring, at a frequency stipulated in the regulations, to determine compliance with drinking water standards and to verify the risk assessment. Gravesham Council can and will recover costs for these activities.

Due to the public health risks associated with inadequate private water supply sources, associated sampling, treatment and system maintenance costs and the risk of insufficient supply during dry periods, a mains water supply is considered the more appropriate supply type.

Where the applicant decides to continue with this proposal detailed information regarding the private water supply is required. This includes:

- o Details of the source, the nature, exact location (northings & eastings grid reference) and adequacy of the source.
- o Estimated daily volume of water usage in cubic metres.
- o Number of consumers served (maximum).
- o Details of the relevant person / organisation responsible for the up keep of the supply
- o Details of any SOPs
- o Diagram of supply including storage tanks / pipe work.
- o The filtration and disinfection treatment proposed to ensure provision of an adequate and consistently wholesome water supply.

This information should be submitted to Environmental Health Commercial Section via email: commercialhealth.admin@gravesham.gov.uk

6 SOUTHERN WATER

There is a private communication pipe within the development site.

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.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119), www.southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk.

7 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 December 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of 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.
- **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.