

Application: 20220728

**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 Jack Rai, Guru Nanak Darbar Gurdwara Gravesend
C/O Mr Jeff Haskins, Haskins Design Ltd
Civic Centre
St Mary's Road
Swanley
Kent
BR8 7BU**

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 Guru Nanak Darbar Gurdwara
Clarence Place
Gravesend
Kent**

and being **Conversion of existing building to accommodate 14 residential apartments with ancillary cycle and bin storage facilities**. Your application dated 19th July 2022 is permitted subject to the following:-

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 Plans

2. The development hereby permitted shall be carried out only in precise accordance with the following schedule of approved plans and details, unless alternative details are approved pursuant to the conditions imposed on this decision notice:

Drawing no. 181-PD17 rev A (proposed street scene);
Drawing no. 181-PD15 rev C (proposed site plan);
Drawing no. 181-PD16 rev C (proposed elevations);
Drawing no. 181-PD11 rev D (proposed plans and accommodation schedule);
Drawing no. 181-PD12 rev D (proposed sections);
Drawing no. 181-PD15 rev D (proposed site plan, location plan and block plan).

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

Times of Construction

3. No noise generating building works which can be heard at the boundary of the site shall take place on site except between the following times:

08.00 and 18:00 Monday to Friday;
08.00 and 13:00 on Saturdays; and
Not at all on Sundays, bank holidays and public holidays.

Piling, excavation and demolition works must only be carried out between the following times;

08.00 and 18:00 Monday to Friday; and
Not at all on Saturdays, Sundays, bank holidays and public holidays.

Noise generating works must not take place outside of these hours unless otherwise agreed through a Control of Pollution Act 1974 Section 61 prior consent in special circumstances (for example to meet police traffic restrictions, in an emergency or in the interests of public safety).

Reason: In the interests of residential and local amenity and pursuant to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Pre-commencement

Code of Construction

4. No development approved by this permission shall be commenced until a comprehensive Code of Construction Practice covering all environmental impacts of this development is provided by the applicant and submitted for approval to the Local Planning Authority in consultation with the Local Highway Authority. The development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice. For the avoidance of doubt Code of Construction Practice shall include, but not exclusively cover the following:
- a) Construction Traffic Management Plan covering:
 - Means of direct access to the site from the adjoining maintainable public highway
 - Surface treatment of the access to avoid spill of migratory material on to the maintainable public highway
 - Details of numbers and routeing of construction and delivery vehicles to / from site
 - Timing of deliveries and waste movement
 - Loading and unloading of plant and materials away from the maintainable public highway
 - Parking and turning areas for construction and delivery vehicles and site personnel
 - Type and location of wheel washing and chassis cleaning facilities
 - Temporary traffic management / signage
 - b) Details of the location of the proposed construction compound;
 - c) A Dust Management Plan to minimise emissions to air and to prevent nuisance from wind-blown dust including fencing and the dampening down with water of excavated construction and cover materials on site, and other areas traversed by plant vehicles and machinery;
 - d) Location and height of cranes and/or scaffolding;
 - e) Suitable mitigation measures to minimise noise pollution and vibration during the construction phase including the insulation of fixed plant and the silencing of vehicles and mobile machinery;
 - f) Predicted noise and, if appropriate, vibration levels for construction using methodologies and at locations agreed with the Local Planning Authority;
 - g) Scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authority;

- h) Scheme for location and appearance security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) Details of disposal of waste arising from the construction programme, including final disposal points (the burning of waste on the site at any time is specifically precluded);
- j) Smoke management controls;
- k) Odour controls;
- l) Road cleaning and wheel washing facilities; and
- m) Any other matters relevant to this particular site.

Reason: To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with Policy CS19 Gravesham Local Plan Core Strategy (September 2014).

Archaeology

- 5. Prior to the commencement of works, including demolition the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded in accordance with Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Historic England Level 3 Survey

- 6. Prior to the commencement of works, including demolition, a Historic England Level 3 survey and report shall be made of the building for future record and research. The report shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing.

Reason: To ensure a suitable record is made of the building before works start in accordance with Policy CS20 of the Gravesham Core Strategy (September 2014).

External Finish

Joinery Details

- 7. All external joinery including windows and doors shall be of a timber construction only. Details of their design, specification, method of opening, method of fixing and finish, in the form of drawings and sections of no less than 1:10 & 1:2 or full-size scale, and showing the relationship to the wall opening, shall be submitted to and agreed in writing by the Local Planning Authority before the windows and doors hereby approved are installed. The development shall be carried out only in accordance with the agreed details.

Reason: Inadequate details of these matters have been submitted with the application and to ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

External Facing Materials

- 8. Before any external alterations commence, samples and detailed specifications of all external materials, including new brick/stone/ roof tiles to be used on the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed materials.

Reason: To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Verges and eaves details

9. Before any external alterations occur, details of the treatment of verges and eaves hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the agreed verges and eaves details.

Reason: Inadequate details of these matters have been submitted with the application and in order to ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Rainwater Goods

10. Before any external alterations occur, samples and detailed specifications of the rainwater goods hereby approved, shall be submitted to and agreed in writing by the Local Planning Authority. It is expected that the rainwater goods will be cast metal or an imitation cast metal, finished black, with half-round gutters fixed on rise and fall brackets without fascia boards. The development shall be carried out only in accordance with the agreed rainwater goods.

Reason: To ensure the rainwater goods help to preserve the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Render Details

11. Before the render hereby permitted is applied, a specification for the external render to be used shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out only in accordance with the approved details. The specification shall define:
- The mortar mix,
 - The number of coats and finish, including colour,
 - Backing and edging materials,
 - The relationship to existing finishes and openings.

Reason: To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Cleaning of Masonry

12. Before any cleaning of masonry is carried out, details of the method of any masonry cleaning shall be submitted to the Local Planning Authority and a test panel(s) undertaken in a position to be agreed with the Conservation Team. The submitted cleaning method and the test panel must then be agreed in writing with the Local Planning Authority. The cleaning shall only be carried out in accordance with the approved details.

Reason: To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Details of Dormer Windows/rooflights

13. Before the rooflights, including dormer windows, hereby permitted are installed, a detailed specification of all new rooflights, dormer windows shall be submitted to and agreed in writing with the Local Planning Authority. The development shall only be carried out in accordance with the approved details. The rooflight(s) specification shall include details of:

- Size;
- Material;
- Colour;
- Method of opening;
- Method of fixing; and
- Appearance.

Reason: To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Railing Details

14. Before the metal railings/handrails are installed, details of their design, scale, material(s) and finish, in the form of drawings and sections to no less than 1:20 scale (or detailed specifications), shall be submitted to and agreed in writing with the Local Planning Authority. The development shall only be carried out in accordance with the agreed railings/handrails details.

Reason: To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Landscaping Scheme

15. Within 6 months of works commencing a landscaping scheme (including details of hard landscaping materials, soft landscaping planting and external lighting design and levels) shall be submitted to and approved by the Local Planning Authority. That scheme shall be carried out in full prior to the first occupation of any dwelling hereby approved, and retained thereafter.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Boundary Treatment

16. Within 6 months of works commencing, full details and specifications of all new boundary treatments (including any alterations to existing boundary treatments) shall be submitted to and agreed in writing by the Local Planning Authority. The information submitted shall include details of all wall/gate/fence materials, designs, brick sample(s), coping sample(s), brick bond(s) and finishes. The completed boundary treatments shall be installed in full prior to occupation of any of the residential units.

Reason: To ensure the completed boundary treatments help to preserve the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Biodiversity Enhancement

17. Within six months of works commencing, details of how the development will enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. This will include a native species-only landscape scheme. The approved details will be implemented and thereafter retained prior to first occupation of any of the dwellings.

Reason: In order to enhance biodiversity of the site and surrounding area in accordance with Policy CS12 of the Gravesham local Plan Core Strategy (September 2014).

New Vehicle Crossover Serving Refuse Store

18. Prior to first occupation, a vehicular crossover (dropped kerb) serving the refuse store must be constructed in accordance with the Highway Authority's specification and requirements and with the written approval of the Highway Authority having first been obtained. The vehicle crossover shall be commensurate with the width of the vehicular access as hereby permitted.

Reason: In the interests of highway safety and pursuant to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 (Access to the Identified Highway Network) of the Gravesham Local Plan First Review (November 1994).

Tile Vents

19. Ventilation of the roof space shall not be provided via tile vent at any time.

Reason: To ensure the development preserves the character and appearance of the Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

Watching Brief (condition)

20. 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 safeguard human health and the natural environment, in accordance with adopted Local Plan Core Strategy Policy CS19 and paragraphs 130 of the National Planning Policy Framework 2021.

Obscure Glazing

21. The windows shown in the western elevation that serve the first floor kitchen/living/dining room of Flat 13, the bedroom and bathroom of Flat 5 and the bedroom of top floor Flat 9 shall be fitted with obscure glass and fixed shut apart from any top hung fan light. This work shall be carried out and completed before the room is occupied and shall be retained at all times thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking in accordance with adopted Local Plan Core Strategy Policy CS19 and paragraphs 130 of the National Planning Policy Framework 2021.

External Services

22. No post boxes, meter boxes, satellite dishes, vents or flues or other service outlets or piping shall be attached to or inserted into the front elevation of the building at any time.

Reason: In order to ensure special regard is paid to protecting the character and appearance of the Windmill Hill Conservation Area pursuant to Policy CS20 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy TC3 of the Gravesham Local Plan First Review (1994).

INFORMATIVES:-

1 **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.

2 **BREEDING BIRDS**

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Breeding bird habitat is present on the application site and assumed to contain nesting birds between 1st March and 31st August, unless a recent survey has been undertaken by a competent ecologist and has shown that nesting birds are not present.

3 **ENVIRONMENT AGENCY**

Non planning consents:

Although we have no comments on this planning application, the applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licences for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.

Drainage may be restricted in a Source Protection Zone or over an aquifer where groundwater is at shallow depths. Foul drainage should be discharged to mains sewers where possible. Developers should check <https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h> for Binding Rules information for small scale non mains discharges.

If you feel we should assess this planning application in more detail due to local issues please email KSLPLANNING@environment-agency.gov.uk.

4 **WASTE**

It is the responsibility of the developer to pay for the bins, this can be done through the Council's Waste Management Team.

Collections from sites will not occur until containers are in place. It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints in regard to non-collection due to the fault of the developer will be passed onto to the developer for response.

The Council should be informed at least two weeks prior to the waste collections by the council taking place.

5 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 air.quality@gravesham.gov.uk.

6 DRAINAGE/SEWERAGE

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

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 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.

8 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 30th January 2023 to the inclusion of pre-commencement conditions.

Dated: 31 January 2023

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.
- **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.