



Delegated Report

Discharge of Condition

Planning Application No: 20241100

Location: Barn At Oaklands Leywood Road Meopham

Description: Application for approval of condition 3 attached to planning permission reference number 20211161 relating to a comprehensive Construction Environmental Management Plan (CEMP).

Applicant: Mr Ben Merchant

Site Visit Date: None (Desktop assessment only)

Submitted Documents/Plans

Site location plan;
Proposed block plan; and
CEMP: Biodiversity report 23 September 2024.

Relevant Planning History

Reference	Description	Decision	Decision Date
20211161	External and internal works to facilitate the conversion of the agricultural building to a guest house.	Permitted	27.01.2022

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- None

Paragraph 34 of the NPPF (2024) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2024), the Council will also seek to replace these.

National Planning Policy Framework (2024)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving Well-Designed Places
- Section 15 – Conserving and enhancing the natural environment

Consultations, Publicity and Representations

GBC Environmental Protection Team (Regulatory Services)

The reason for condition 3 is 'To avoid adverse impacts to protected/notable species and habitats during the construction phase of the development and in accordance with Local Plan Core Strategy Policy CS12.' This does not fall within Environmental Protection's remit. Therefore no comments to make.

KCC Biodiversity Officer

As a result of reviewing the CEMP: Biodiversity, Calumma, 23rd September 2024 that we have available to us and the information submitted with the conditions of the planning application we advise that the submitted documents are comprehensive and sufficient to discharge condition 3.

Officer's Analysis

Planning permission reference 20211161 was granted for external and internal works to facilitate the conversion of the agricultural building to a guest house at the application site. This application seeks to discharge condition 3 of that permission.

Condition 3 reads as follows;

3. No development shall take place until a comprehensive Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The document shall include the construction precautionary measures described in paragraph 8.1 of the Preliminary Ecological Appraisal 08 December 2021 and any other measures deemed reasonably necessary. The development shall be carried out in accordance with the approved document.

Reason: To avoid adverse impacts to protected/notable species and habitats during the construction phase of the development and in accordance with Local Plan Core Strategy Policy CS12.

The submitted information includes a Construction Environmental Management Plan (CEMP), which the KCC Biodiversity Officer has stated is sufficient to discharge the condition. As such, it is considered that the submitted details are acceptable.

Conclusion

The CEMP submitted in relation to planning permission reference 20211161 is acceptable.

Recommendation

Condition 3 of planning permission reference 20211161 can be discharged.

(For details and informatives, see draft Decision)

Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
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Signed:	<i>K Joyce</i>	Signed:	<i>R Hart</i>
Dated:	15th January 2025	Dated:	16 th January 2024