



Delegated Report

Approval of Conditions Application

Application No:	20231273
Location:	Land To The Rear Of Bridge Bar And Club, 24 Stone Street, Gravesend, Kent, DA11 0NP
Description:	Application for the approval of conditions 3 and 20 attached to planning permission reference number 20211196 relating to details of (3) All features identified as being historic and archaeological interest and (20) Archaeological work.
Applicant:	Mr Lakh Kallar, Kallarview Construction Limited

Submitted Documents/Plans

- Application Form – dated 07 December 2023;
- Supplementary Information – Written Scheme of Investigation: Archaeological Evaluation Trial Trenching (ref. 09347A) – by HCUK Group (dated November 2023).

Relevant Planning History

Reference	Description	Decision	Decision Date
20211196	Application for a minor material amendment to planning permission reference no. 20191187 for Demolition of outbuildings, excavation of soil to form a lower ground and upper ground floor B1 use, unloading bay and refuse areas with construction floors 1 to 4 providing a total of 3no. one bedroom self-contained flats and 11no. two bedroom self-contained flats and associated external works to allow alterations to the main entrance from Rathmore Road to Athboy Road and amendments and substitution to approved plans.	PERMITTED	14.02.2022

Consultations, Publicity and Representations

KCC Heritage - Thank you for consulting us on the submission of the Written Scheme of Investigation for trial trenching and the photographic record for Land Rear of Stone Street.

The historic feature recording in the submitted report (HCUK Ref.09347A) is thorough and provides a useful record of the site and on this basis I would be happy to recommend that Condition 3 could be discharged, if it can be confirmed that the heritage feature recording element of this WSI is subsequently added as an appendix to the field evaluation report or, if there is subsequent mitigation recording and reporting, then to a final site report. In that way it will be easier for the site heritage feature recording element to be found through the Kent HER. Equally the recording could be put into a standalone report, if that was relatively easy to do and submitted to discharge Condition 3.

As the archaeology condition (20) is a single 'programme of works' condition, formal discharge of the planning condition at this stage would remove planning controls for subsequent mitigation (if archaeological remains are encountered) and subsequent assessment, analysis and reporting are required. It would be preferable if the WSI could be formally approved to permit development works and the trial trenching to proceed, with Condition 20 kept in place at this stage.

Officer's Analysis

This is an application for the approval of conditions 3 and 20 attached to planning permission reference 20211196 relating to archaeological and historic features identified/photographically recorded and a programme of archaeological works.

Condition 3 states the following:

3. *No development shall be commenced until all features identified as being of architectural and historic interest that will be removed or concealed as a result of the works hereby permitted, shall be photographically recorded and surveyed and the results deposited in an archive to be agreed with the Local Planning Authority.*

This condition was attached to ensure that any features of interest are identified and archived.

The historic feature recording in the submitted report (HCUK Ref.09347A) is thorough and provides a useful record of the site. Kent County Council (KCC) Heritage provided comment and on the basis of the thorough report would be happy to discharge the condition, however there are concerns that approving the condition at this stage would lead to unlikely documentation or recording of any findings.

This condition is not up-to-date with current watching brief/heritage recording conditions used today and therefore is limited in terms of enforceability. Therefore, due to the wording and trigger point of the condition, the information provided is considered to have met the requirement of the condition and it should be discharged. Nevertheless, an informative will be attached relating to the submission of an appendix or supplementary report documenting any heritage features recorded on the site.

Overall, the Local Planning Authority consider the information provided is sufficient to discharge Condition 3.

Condition 20 states the following:

20. *Prior to the commencement of the development the applicant, or their agents or successors in title, must secure the implementation of a programme of archaeological work in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.*

This condition was attached to ensure that features of archaeological interest are properly examined and recorded.

The condition is worded as such that a programme of archaeological work in the form of a written specification and timetable are submitted to the Local Planning Authority. This application is supported by a programme of works, however KCC Heritage have expressed concerns that the approval of this condition would remove planning controls for any subsequent mitigation. While this is acknowledged, similarly to the above assessment of condition 3, the wording is such that the works cannot be commenced until the condition is discharged and with the correct information submitted to satisfy condition 20, the Local Planning Authority should discharge the condition.

As above, an informative will be attached requesting a subsequent assessment, analysis and report of any archaeological findings/remains that are encountered. However, the information provided is adequate for th

approval of the condition and therefore Condition 20 can be discharged.

Recommendation

Approval of Conditions

Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	1 st February 2024	Dated:	5th February 2024