

Application: 20220431

**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 Singh, Super Asset Management Ltd
C/O Miss Ebcin, Barron Edwards Ltd
Whitehall Place
47 The Terrace
Gravesend
DA12 2DL**

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 Site Of Fox And Hounds PH
26 - 27 London Road
Northfleet
Gravesend
Kent**

and being **Erection of a 4-storey building attached to No.25 London Road to provide 2no. 2-bedroom and 7no. 1-bedroom flats; and, erection of a 2-storey detached block to provide 2no. 2-bedroom and 2no. 1-bedroom flats with associated parking, amenity space and waste storage at Fox and Hounds, 26-27 London Road, Gravesend DA11 9JH.** Your application dated 21st April 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 approved shall be carried out in accordance with the following schedule of approved plans:

Application Form - dated 07/04/2022;
Supplementary Information - Lansett Consulting Noise Report reference LC-12-0091-RP1/March 2013;
Drawing no. 001 - Rev. A - Site Location Plan with Existing and Proposed Block Plans;
Drawing no. 003 - Rev. A - Proposed Block Plan;
Drawing no. LR1-19-P2 - Rev. 1 - Proposed Elevations and Floor Plans (Block A);
Drawing no. LR1-19-P3 - Proposed Sections, Detail, Block Plan and Waste Storage;

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

Pre-commencement condition(s)

Code of Construction

3. No development shall take place 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. The approved scheme shall include details of hours of work during the construction period, delivery times for materials, parking of vehicles of site personnel and visitors, loading and unloading of plant and 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 adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Sustainable surface water drainage

4. No development shall be commenced until a scheme for sustainable surface water drainage has been submitted to and approved, in writing, by the Local Planning Authority. The detailed drainage scheme submitted shall
- (i) demonstrate that both the rate and volume of run-off leaving the site post-development will be restricted to that of the existing site during any rainfall event (up to and including the climate change adjusted 100yr critical storm),
 - (ii) demonstrate that the existing on-site surface water flow-routes and accumulation points will not be altered in such a way that the development places property at risk from flooding during any rainfall event, up to and including the climate change adjusted critical 100yr storm,
 - (iii) demonstrate that infiltration features are not located on parts of the site where contamination might be present,
 - (iv) include a timetable for its implementation, and
 - (v) include a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

The surface water drainage scheme shall thereafter be implemented in full prior to first residential occupation of the development and thereafter maintained and managed in accordance with the approved scheme.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal; to ensure that the development does not contribute to, or is not put at risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants and to ensure ongoing efficacy of the drainage provisions, in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Diversion of Public Sewers

5. No development shall take place until details of the measures which will be undertaken to divert the public sewers is provided by the applicant and submitted for approval to the Local Planning Authority (In consultation with Southern Water). The development hereby permitted shall be carried out in accordance with the approved details.

Reason: To ensure that the existing sewer infrastructure is protected and in accordance with Policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

Contaminated Land

6. 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) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, 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 adequate assessment has been undertaken to confirm whether remediation is required to prevent any adverse effects of soil contamination to the public, environment and underlying groundwater.

Prior to above ground level Condition

Materials/samples

7. Prior to any above grounds works and notwithstanding the details shown on the approved plans and application form, additional details (and samples where requested by the Local Planning Authority) of all the external facing materials to be used in the construction of the development hereby permitted, including details of all windows, doors and other openings, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details before the first occupation of the development.

Reason: To maintain the character and appearance of the area and to ensure a satisfactory visual relationship between the existing development and the wider area in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Pre-occupation Condition(s)

Hard Landscaping Scheme

8. Prior to first occupation of any of the development details of the proposed hard landscaping to include the proposed surface and boundary treatments, security gates and means of demarcating the car parking spaces, shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be completed prior to first occupation of the development and thereafter retained in good order during the lifetime of the development.

Reason: To maintain the character and appearance of the site and to ensure a satisfactory visual relationship between the existing and new development in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Soft Landscaping Scheme

9. Prior to first occupation of any of the development details of the proposed soft landscaping to include the provision of native planting and to be informed by the indicative details included on the approved plans, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved details, and the proposed landscaping scheme shall be fully implemented within one year of first occupation of the building. The soft landscaping shall thereafter be maintained for a period of not less than five years and any trees, shrubs or grassed areas which die, are diseased or vandalised within this period shall be replaced within the next planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development, in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Car parking spaces

10. Prior to first occupation of any of the development the car parking spaces indicated on the Drawing no. 001 - Rev. A shall be formed, surfaced and suitably demarcated (in accordance with the hard landscaping scheme to be approved pursuant to condition 8). Thereafter the parking spaces shall be kept available for such use and no development, whether or not permitted by 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 and re-enacting that Order), shall be carried out that would preclude their use for car parking.

Reason: That the development without the provision for adequate accommodation for the parking or garaging of a private motor car or cars is likely to lead to car parking inconvenient to other road users and detrimental to amenity and in accordance with Saved Policy P3 of Gravesham Local Plan First Review (1994).

Dropped Kerb

11. Prior to first occupation of the development the applicant/developer shall, through agreement with the Local Highway Authority, carry out the following works in full:
- (i) Provision of a vehicular crossover to serve the development, as indicated on Drawing no. 001 - Rev. A; and
 - (ii) Re-instatement of the footway in place of the existing vehicular crossover on Rural Vale that will be redundant following redevelopment.

Reason: In order to consolidate the public highway to integrate the new development and in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Noise mitigation measures

12. Prior to first occupation of the development the applicant/developer shall provide written confirmation to the Local Planning Authority that the mitigation measures laid out in section 5 of the Lansett Consulting Noise Report reference LC-12-0091-RP1/March 2013 have been implemented within the construction of the development.

Reason: In order to ensure acceptable living conditions for the future residents and in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Security Measures

13. Prior to first occupation of the development details of security arrangements and means of access controls to the site and the individual buildings 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 and the approved measures shall be retained during the lifetime of the development.

Reason: In order to create a safe and accessible development by reducing opportunities for crime, in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

External lighting

14. Prior to first occupation of the development details of any external lighting to the building, car park or grounds shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be carried out in accordance with the approved details before the first occupation of the development.

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

Refuse Stores

15. Prior to the first occupation of the development hereby approved details of the refuse arrangements structure indicated Drawing no. 003 - Rev. A shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse stores shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times. Thereafter no development, whether or not permitted by 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

and re-enacting that Order), shall be carried out that would preclude the use of these buildings for their intended purpose.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Bicycle Storage

16. Prior to the first occupation of the development hereby approved details of the cycle storage racks indicated on Drawing no. 003 - Rev. A shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle stores shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times. Thereafter no development, whether or not permitted by 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 and re-enacting that Order), shall be carried out that would preclude the use of these buildings for their intended purpose.

Reason: In order to encourage options for sustainable travel in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014) and Saved Policy P3 of Gravesham Local Plan First Review (1994).

Visibility Splays

17. Prior to the first occupation of the development hereby approved and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modifications) the visibility splay(s) shown on the approved plans shall be cleared of all obstructions over 0.6m above the level of the adjoining highway, including the reduction in level of the land if necessary. Nothing over that height shall be permitted to remain, be placed, built, planted or grown within the area of the approved visibility splays.

Reason: In the interests of highway and pedestrian safety and in accordance with Policy CS11 of the adopted Gravesham Local Plan Core Strategy (September 2014), Saved Policy T5 of the Gravesham Local Plan First Review and paragraph 35 of the National Planning Policy Framework (2021).

Other/On-going conditions

Watching Brief

18. The applicant shall undertake a watching brief during construction in case any contamination is encountered during the groundwork phase. 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 ensure no unacceptable risks to human health occur as a result of development.

External fixtures

19. No satellite antenna, apparatus, external pipe work or plant/services of shall be erected on the site or roof/wall of either building hereby approved.

Reason: In the interests of the visual amenity of the development and in accordance with Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

Gates

20. No gates shall be installed across the vehicular access driveway to the development site at any time.

Reason: In the interests of highway safety and to avoid vehicles waiting in the road while gates are opened or closed.

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 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.

3 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].

4 FOR THE AVOIDANCE OF DOUBT - BLOCK PLAN ON DRAWING NO. LR1-19-P3

The Proposed Block Plan (scale - 1:200) as shown in Drawing no. LR1-19-P3 is incorrect and should not be considered an accurate representation of the redline boundary. Therefore, this is to be excluded from the approved plans and superseded by the Proposed Block Plan (scale - 1:200) shown in Drawing no. 003 - Rev. A.

5 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.

6 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

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>

Dated: 21 June 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.