



Application: 20240186

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

DETERMINATION AS TO WHETHER PRIOR APPROVAL IS REQUIRED

To: **Mr Richard Batchelor
C/O Mr Gregory Bunce, Prime Folio
129 Island Wall
Whitstable
CT5 1DY**

TAKE NOTICE that **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **DETERMINED THAT PRIOR APPROVAL** for the relevant matters for the development of land as described below **IS GRANTED**

at **Buildings North Of Hill Farm
Taylors Lane
Higham
Rochester
Kent
ME3 7JT**

and being **conversion of existing agricultural storage buildings north of Hill Farm House to 3no. dwellings, including the insertion of windows, glazed doors, first floors and roof lights to ensure all habitable rooms are naturally lit.**

Referred to in your application dated 26th February 2024.

CONDITIONS:-

1. 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:

Application Form - dated 26 February 2024;
Supplementary Information - Structural Report by BDR Civil and Structural Engineering Consultants - dated 12 July 2023;
Supplementary Information - Access Appraisal by Partrick Parsons (ref. CV/11350/Hill Farm/01) - dated 22 February 2023;
Supplementary Information - Environmental Report by Argyll Environmental (ref. 332674015) - dated 25 January 2024;
Drawing no. 22-36-01 - Site Location Plan (scale - 1:1250);
Drawing no. 22-36-02 B - Site Layout Plans as Existing and Proposed;
Drawing no. 22-36-03 - Building Plans as Existing;
Drawing no. 22-36-04 - Elevations as Existing;
Drawing no. 22-36-05 A - Building Plans as Proposed;
Drawing no. 22-36-06 A - Building Elevations as Proposed;
Drawing no. 22-36-07 - Planning, Design and Access Statement;
Drawing no. 22-36-08 - Planning Statement Addendum;
Drawing no. 22-36-SMS 01 - Structural Method Statement (1);
Drawing no. 22-36-SMS 01 - Structural Method Statement (2);

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

2. 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 contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the Local Planning Authority prior to investigations commencing on site.
 - (b) 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.
 - (c) 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.
 - (d) 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.
 - (e) 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.
 - (f) 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 in accordance with policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

3. Prior to first occupation of the dwellings hereby approved, a noise impact assessment shall be carried out and submitted to the Local Planning Authority for approval demonstrating that:
 - a) The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014.
 - b) The maximum internal noise levels in all habitable rooms should not exceed 45dB LAmax more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.

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).

Your attention is drawn to the following informatives

INFORMATIVES:-

1 TIME LIMIT FOR COMPLETION

In accordance with Part 3 Class Q.2 (3) of the Town and Country (General Permitted Development) (England) Order 2015, the development must be completed within a period of three years starting with the date of this decision notice.

2 SAMMS

It is a condition of any permission granted by a general development order that, in those cases where a development is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, the development must not be begun until the developer has received written notification of the approval of the Local Planning Authority under Regulation 73, of the Conservation of Habitats and Species Regulations 2010, which is expressly saved by Schedule 7 of the Conservation of Habitats and Species Regulations 2017. Pursuant to Article 3(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015, an application under Regulation 73 would therefore be required before development is begun.

3 ACCESS

This decision notice does not provide formal planning permission for the vehicular access. Therefore, should you require a formal determination from the Local Planning Authority, you will need to apply for Planning Permission. Any work carried out without seeking a formal determination will be carried out at your own risk.

4 FOUL SEWERAGE ('Klargester Biodisk BB Sewage Treatment Plant')

This decision notice does not provide formal planning permission for the septic tank. Therefore, should you require a formal determination from the Local Planning Authority, you will need to apply for Planning Permission. Any work carried out without seeking a formal determination will be carried out at your own risk.

5 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.

6 LAWFUL DEVELOPMENT CERTIFICATE

This decision notice does not provide a formal determination of whether or not the proposed development is lawful under section 192 of the Town and Country Planning Act 1990 (as amended). Therefore should you require a formal determination from the Local Planning Authority as the lawfulness of the proposed works, you will need to apply for a Proposed Lawful Development Certificate. Any work carried out without seeking a formal determination will be carried out at your own risk.

7 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming> . Please submit the application and the requisite fee in accordance with the guidance on the form.

8 LIGHTING

Artificial lighting can cause a statutory nuisance under the Environmental Protection Act 1990. It is important that the applicants are not permitted to install external lighting that illuminate anything other than the ground within the curtilage of the new properties in order to assist in preventing a nuisance from occurring (which would be most likely if the bedrooms on neighbouring properties are illuminated).

9 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. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

10 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: 28 May 2024

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