

Gravesham Borough Council – Decisions taken by the Planning Committee on Wednesday, 2 March 2022

Agenda Item No	Topic	Decision
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Set out below is a summary of the decisions taken at the meeting of Planning Committee on Wednesday, 2 March 2022.

The wording used does not necessarily reflect the actual wording that will appear in the minutes. **Please note that the conditions and grounds will be detailed in the decision notice issued by the Planning Department.**

All decisions are taken in the public part of the meeting unless indicated otherwise.

5a)	20211529 - 25 The Avenue, Gravesend, Kent, DA11 0NA	<p>Resolved that application 2021529 be APPROVED with conditions:</p> <p>Conditions</p> <p>1. The development hereby approved shall be begun not later than 3 years following the date of this permission.</p> <p>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.</p> <p>2. The development hereby permitted shall be carried out in precise accordance with the following approved plans and particulars:</p> <p>Heritage Statement; Design and Access Statement; Drawing no. 25TA/A3/01 (Site Map and No Change to Elevations); Drawing no. 25TA/A3/02 (Proposed Ground Floor Plan); Drawing no. 25TA/A3/03 (Proposed First Floor Plan); Drawing no. 25TA/A3/04 (Proposed Second Floor Plan); Drawing no. 25TA/A3/05 (No Change to Block Plan); and Drawing no. 25TA/A3/06 (Existing Floor Plans). (All received 10 December 2021) Application form received 14 December 2021.</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
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		<p>3. The development hereby approved shall not be occupied until a scheme of cycle storage facilities incorporating 3 cycle parking spaces within a secure and weatherproof enclosure has been submitted to and approved in writing by the Local Planning Authority. These facilities shall be made available for use prior to first occupation of the development hereby approved and retained for use by site users at all times thereafter.</p> <p>Reason: In order to encourage options for sustainable travel in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014.</p> <p>4. Prior to the first occupation of the development hereby permitted, details of security for the property to comply with the recommendations of Kent Police in their letter dated 29 January 2022, including access controls, lighting, alarms, and fire/security certified doors, shall be submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in strict accordance with those details.</p> <p>Reason: To ensure a safe living environment in the interests of amenity, and in accordance with Policy CS19 of the Local Plan Core Strategy 2014.</p> <p>5. The approved refuse storage facilities for the development hereby approved shall be provided prior to the first occupation of the development hereby permitted, and shall thereafter shall be retained for such purposes at all times.</p> <p>Reason: In the interest of amenity and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.</p> <p>6. Notwithstanding the details submitted on the application form and in the approved plans, the number of bedrooms and occupants at the property shall at no time be more than 9.</p>

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		<p>Reason: To ensure the protection of the residential amenities of occupiers and neighbouring properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.</p> <p>7. No more than 2 residents' parking permits shall be sought in relation to the property at 25 The Avenue, Gravesend.</p> <p>Reason: In the interests of amenity and parking pressures in the area, and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014</p> <p>INFORMATIVES:-</p> <p>1 WORKS OF CONSTRUCTION</p> <p>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.</p> <p>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.</p> <p>ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.</p> <p>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</p>

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		<p>disposal off site.</p> <p>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.</p> <p>2 DEVIATION FROM APPROVED PLANS</p> <p>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.</p> <p>3 BUILDING REGULATIONS CONSENT</p> <p>The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission.</p> <p>4 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING</p> <p>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.</p>

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		<p>5 SMOKE CONTROL</p> <p>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.</p> <p>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.</p> <p>6 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION</p> <p>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.</p> <p>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.</p>

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		<p>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</p> <p>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.</p> <p>7 It is recommended that appropriate provision should be made for the secure parking of motorcycles at the property, to include at least two spaces, along with an electric charging point for battery powered motorcycles</p>
5b)	20211309 - G And M Motors 85 Milton Road Gravesend Kent	<p>Resolved that the application 20211309 for outline planning permission be REFUSED on the following grounds:-</p> <p>1. The application fails to demonstrate sufficient parking provision to serve the development or reprovision of existing parking provision which would be displaced, without having an unacceptable impact on the surrounding highway network. The proposal is therefore contrary to the requirements of Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy 2014 and the provisions of Section 9 (Promoting Sustainable Transport) of the National Planning Policy Framework 2021.</p>