



Sleek Direct London Limited
C/O Ken Judge & Associates Ltd
FAO Mr D Rose
The Barn
Monument Office
Maldon Road
Woodham Mortimer
CM9 6SN

6 February 2025

PLANNING DECISION NOTICE

APPLICANT:	Sleek Direct London Limited
DEVELOPMENT TYPE:	Large Maj Dwellings
APPLICATION REFERENCE:	23/505558/FULL
PROPOSAL:	Proposed change of use of the existing first and second floor from office use (Class E) to residential (use class C3) including the erection of an additional third floor and a three storey rear extension to create a total of 22 self contained residential flat units.
ADDRESS:	87 High Street/1-5 Central Avenue, Sittingbourne, Kent, ME10 4AU

The Council hereby **GRANTS** permission/consent for the proposal referred to above subject to the following Condition(s):

- (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 the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

MKPS – Working in Partnership with: Swale Borough Council

Please Note: All planning related correspondence for SBC should be sent to:

Mid Kent Planning Support, Maidstone House, King Street, Maidstone ME15 6JQ

Email: planningsupport@midkent.gov.uk

Access planning services online at: www.swale.gov.uk or submit an application via www.planningportal.co.uk

(2) The development hereby approved shall be carried out in accordance with the following documents and drawings:-

- Revised Proposed First and Second Floor Plan, ref. 2666/11 rev. F, Sept 23
- Revised Proposed Third Floor Plan & Roof Plan, ref. 2666/12 rev. C, Sept 23,
- Proposed Elevations, 2667/13 rev. D, Sept 23
- Proposed Sections, 2667/15 rev. A, Nov 23
- Proposed Block Plan, 2666/10 rev. C, September 2024
- Energy Statement (NRG Consulting, November 2023)
- Drainage Strategy (SuDS Report, ref. C3238-R1-REV-A, Nimbus Engineering Consultants)
- Noise Impact Assessment (DAA Group, Issue 01, 20th October 2023)
- Transport Statement (GTA, ref. 12768, November 2023)
- Construction Management Plan (NRG Consulting November 2023)
- Air Quality Assessment (NRG Consulting, November 2023)

Reason: In the interest of proper planning.

(3) The development hereby approved shall be constructed in accordance with the sustainability measures as set out in the Energy Statement (NRG Consulting, November 2023) prior to the first use of any dwelling.

Reason: In the interest of promoting energy efficiency and sustainable development.

(4) No development beyond the construction of foundations shall take place until details and samples of all the external finishing materials (including details of replacement windows to the existing building) to be used on the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

Reason: In the interest of visual amenity.

(5) No flat hereby approved shall be occupied until the exterior of the building has been cleaned, fully in accordance with a scheme of cleaning that shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that there is a minimal contrast between the new and existing concrete facades of the building, in the interests of visual amenity and to preserve the character and appearance of the conservation area.

- (6) To assess and mitigate the impacts of development on significant archaeological remains:

A) No development works shall commence until the applicant (or their agents or successors in title) have secured a programme of archaeological field evaluation works, in accordance with a specification and written timetable which has been submitted to and approved by the Local Planning Authority.

B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a specification and timetable which has been submitted to and approved by the local planning authority.

C) The archaeological safeguarding measures (B), investigation and recording shall be carried out in accordance with the agreed specification and timetable.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with policies in the Local Plan and the National Planning Policy Framework.

- (7) Within six months of the completion of archaeological works, a Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:

a. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;

b. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;

c. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.

The measures outlined in the Post-Excavation Assessment Report shall be implemented in full and in accordance with the agreed timings.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with policies in the Local Plan and the National Planning Policy Framework.

- (8) Prior to the first occupation of any unit hereby permitted, details of a scheme for the enhancement of biodiversity on the site shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall consist of the enhancement of biodiversity through durable integrated methods into the design and appearance of the building and extension by means such as swift bricks, bat tubes or bee bricks and an implementation timetable.

The development shall be implemented in accordance with the approved details, and all features shall be maintained thereafter.

Reason: To ensure biodiversity net gain.

- (9) Development shall not begin in any phase until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority.

The detailed drainage scheme shall be based upon the SuDS Report ref: C3238-R1-REV-A and shall demonstrate that the surface water generated by this development (for all rainfall durations and intensities up to and including the climate change adjusted critical 100 year storm) can be accommodated and disposed of at a rate of 0.5l/s without increase to flood risk on or off-site.

The drainage scheme shall also demonstrate (with reference to published guidance):

- That silt and pollutants resulting from the site use can be adequately managed to ensure there is no pollution risk to receiving waters.
- Appropriate operational, maintenance and access requirements for each drainage feature or SuDS component are adequately considered, including any proposed arrangements for future adoption by any public body or statutory undertaker.
- The elevation drawings showing detailed design and location of wall-mounted rainwater harvesting units (to be installed within the rear elevation of the building if feasible)
- The detailed design and extent of green roofs

The drainage scheme shall be implemented in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water and to ensure that the development does not exacerbate the risk of on/off site flooding.

- (10) No unit hereby permitted shall be occupied until a Verification Report, pertaining to the surface water drainage system, and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.

The Verification Report shall demonstrate that the drainage system constructed is consistent with that which was approved. The Report shall contain information and evidence (including photographs) of details and locations of inlets, outlets and control structures; landscape plans; full as-built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an operation and maintenance manual for the sustainable drainage scheme as constructed.

Reason: To ensure that flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development as constructed is compliant with and subsequently maintained pursuant to the requirements of paragraph 175 of the National Planning Policy Framework.

- (11) No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority. The post-completion testing shall assess the performance of the noise mitigation measures, implemented in accordance with the 'Noise Impact Assessment' by DAA Group dated 20th October 2023.

If the noise levels set out in the report are exceeded, additional noise mitigation measures to ensure the appropriate noise levels can be met shall be submitted to and approved in writing by the Local Planning Authority and implemented in full prior to the first occupation within any dwelling hereby approved.

The final approved noise mitigation scheme shall be implemented and maintained in accordance with the approved plans.

The post-completion noise survey shall assess the performance of any ventilation and cooling/heating system that has been installed to the satisfaction of the local planning authority. The approved alternative means of ventilation and cooling/heating shall be maintained thereafter.

Reason: In the interest of the amenity of future occupiers.

- (12) No external lighting shall be installed until a detailed scheme of lighting has been submitted to, and approved in writing by the Local Planning Authority.

This scheme shall take note of and refer to the Institute of ILP Guidance Note 01/21 The Reduction Of Obtrusive Light (and any subsequent revisions) and shall include a layout plan with beam orientation and a schedule of light equipment proposed (luminaire type; mounting height; aiming angles and luminaire profiles) and an ISO lux plan showing light spill.

The lighting scheme shall be installed, maintained, and operated in accordance with the approved scheme.

Reason: In the interests of neighbouring and visual amenity.

- (13) The bin storage facilities, as shown on drawing 2666/10 rev. C, shall be installed and provided in full prior to the first occupation of the flats hereby approved. The refuse storage facilities shall be retained thereafter as approved.

Reason: In the interests of protecting amenities.

- (14) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times:

Monday to Friday 0730 - 1900 hours,
Saturdays 0730 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (15) No impact pile driving in connection with the construction of the development shall take place on the site on any Saturday, Sunday or Bank Holiday, nor any other day except between the following times:-
Monday to Friday 0900-1700hours unless in association with an emergency or with the written approval of the Local Planning Authority.

Reason: In the interests of residential amenity.

- (16) No development beyond the construction of foundations shall take place until the applicant has submitted details of what measures will be implemented to design out crime.

Reason: In the interest of amenities of future occupiers, ensuring safe spaces and discouraging anti-social behaviour.

- (17) No development beyond the construction of foundations shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include means of enclosure, details of green roof, hard surfacing materials, and an implementation programme.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (18) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed in writing with the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (19) Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity.

- (20) The area shown on the submitted plan as car parking space shall be kept available for such use at all times and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking or re-enacting that Order) or not, shall be carried out on the land so shown (other than the erection of a private garage or garages) or in such a position as to preclude vehicular access thereto; such land and access thereto shall be provided prior to the first occupation of first dwelling hereby permitted.

Reason: Development without adequate provision for the parking or garaging of cars is likely to lead to car parking inconvenient to other road users.

- (21) The 4 EV charging points as shown on the submitted plan (drawing number 2666/10 rev C), shall be installed prior to the first occupation within site commencing.

All Electric Vehicle chargers provided for homeowners in residential developments must be provided to Mode 3 standard (providing a minimum 7kw output) and SMART (enabling Wifi connection). Approved models are shown on the Office for Low Emission Vehicles Homecharge Scheme approved chargepoint model list:

<https://www.gov.uk/government/publications/electric-vehicle-homecharge-scheme-approvedchargepoint-model-list>

Reason: In the interests of highways safety and to encourage sustainability

- (22) The cycle parking facilities to accommodate a minimum of 24 cycle spaces (in accordance with the Transport Statement and drawings 2666/10 rev. C, BEXB-5000-1.001, Cycle Shelter Specification Sheet received on 27th September 2024), shall be installed prior to the first residential occupation within the site commencing. The cycle spaces shall be maintained and made available to residents thereafter.

Reason: In the interests of highways safety

- (23) The development shall be carried out in accordance with the Construction Management Plan (NRG Consulting, November 2023).

Reason: In the interests of amenities and highway safety.

- (24) All dwellings shall be constructed to accord with part M4(2) of the Building Regulations.

Reason: To ensure a high standard of homes for future occupiers.

Informative(s):

- (1) For avoidance of the doubt, the Applicant is informed that this decision is bounded by planning obligations contained in s.106 and dated 28th January 2025.

Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan,

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at :

<https://www.legislation.gov.uk/ukxi/2024/47/contents/made>

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan is Swale Borough Council.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans. More information can be found here - <https://www.gov.uk/guidance/irreplaceable-habitats>

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

If this permission which has been granted has the effect of requiring or permitting the development to proceed in phases, then Biodiversity gain plans would be required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).

Further information on the application of BNG to both Section 73 applications and phased developments can be found here - <https://www.gov.uk/guidance/biodiversity-net-gain>.

Advice about how to prepare a Biodiversity Gain Plan and a template can be found at [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](#)

The Biodiversity Gain Plan should be submitted as an 'application for approval of details reserved by condition following grant of planning permission' via the Planning Portal and separate to any discharge application for any other conditions set out above.

If your decision includes conditions that need to be discharged, please be advised that there is a separate application process to discharge them which includes a fee. For more information on this please visit https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12 and to submit an application for approval of details (discharge conditions) please use this link <https://www.planningportal.co.uk/applications>



Emma Wiggins
Director of Regeneration & Neighbourhoods

Please be advised that irrespective of whether your proposal requires planning permission or not, it may still require Building Regulation Approval. For more information on this please visit our website <https://www.swale.gov.uk/building-control>

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, within **6 months** of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (planningappeals@midkent.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA 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.