

Application: 20230274

**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 K Gozzett
C/O Mr Steve Clarke, Graham Simpkin Planning Ltd
Graham Simpkin Planning Ltd
2 The Parade
Ash Road
Hartley
DA3 8BG**

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:

**Warren Farm
Swillers Lane
Shorne
Gravesend
Kent**

and being **Demolition of existing barn and erection of a new barn for storage including three stables and a tack room**. Your application dated 22nd March 2023 is permitted subject to the following:-

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.

2. 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;
Cover Letter;
Design and Access Statement;
Drawing no. 03 (existing elevations);
Drawing no. 02 (existing floor plan);
Drawing no. 01 (site location plan and existing block plan);
Drawing no. 05 (proposed barn floor plan);
Drawing no. 06 (proposed barn elevations); and
Drawing no. 04 (proposed barn block).

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

3. The proposed barn herein approved shall be used for the stabling of horses and storage of feed and agricultural equipment and for no other purpose.

Reason: To protect the rural character of the area and Green Belt in accordance with Policies CS12 and CS19 of the Core Strategy 2014.

4. All materials used externally shall match those shown on the submitted plans herein approved.

Reason: To ensure the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policies CS12 and CS19 of the Gravesham Local Core Strategy 2014

5. Prior to the occupation of the stables herein approved, details of where and how manure/waste is to be stored and ultimately disposed of shall be submitted to and approved in writing by the Local Planning Authority. Once the use commences, this shall be carried out in accordance with the approved details. No manure or waste materials shall be burned upon the land within the application site.

Reason: In the interests of protecting the amenity of adjoining/nearby residential properties and safeguarding the amenities of the surrounding area and Green Belt in accordance with Policies CS12 and CS19 of the Core Strategy 2014.

6. No external lighting or sound system shall be installed or erected on the site or buildings without the prior written permission of the Local Planning Authority having first been obtained.

Reason: In the interests of local amenity and to protect the rural character of the area and Green Belt in accordance with Policies CS12 and CS19 of the Core Strategy 2014.

7. Prior to the occupation of the stables herein approved details of bird and bat boxes to enhance biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed within three months of being approved.

Reason: To create opportunities to enhance, restore, re-create and maintain habitats in accordance with Policy CS12 of the Core Strategy 2014.

8. Notwithstanding the provisions of Class Q of Schedule 2, Part 3 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) or any provision equivalent to it in any statutory instrument revoking and re-enacting or replacing that Order, no change of use from agricultural barn/stable shall occur, unless prior written consent has been obtained, in the form of full planning permission, from the Local Planning Authority.

Reason: In the interests of protecting the Green Belt and surrounding rural character of the area in accordance with policies CS02 and CS12 of the Core Strategy.

INFORMATIVES:-

1 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].

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 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.

4 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: 17 May 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:

- 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
- 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 –

- an application for change of use;
- 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.