



**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND

To: **Mr Mun Dhariwal
C/O Mr James Barron, 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 TEMPORARY PERMISSION** for development of land situate at:

**256 Singlewell Road
Gravesend
Kent
DA11 7RE**

and being **Application for variation of condition 3 attached to planning permission reference no 20130959 to allow the gym outbuilding to be used for a personal trainers business, Mon - Fri 8am - 8pm.** Your application dated 8th October 2021 is permitted subject to the following:-

1. The gymnasium use hereby permitted shall be for a limited period only ending on 03 December 2022. After that period the use of the outbuilding shall revert to purposes incidental to the enjoyment of the residential occupants of no. 256 Singlewell Road.

Reason: In order that the gymnasium use can be reviewed at the end of the period hereby granted, having regard to impacts on the amenity of surrounding occupiers and highway safety and in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review 1994.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/documents:

Application form for removal or variation of condition;
Drawing no. 001 Rev. A Original and existing layout and elevations and red line site boundary plan;
Planning Statement 05 October 2021;
Drawing no. MSD/DKM/03/09 Rev. A Existing block plan received 18 October 2013;
Drawing no. MSD/DKM/02/09 Rev. A Existing site layout received 18 October 2013;
Drawing no. MSD/DKM/04/08 Rev. F Proposed phases plan received 01 July 2014;
Drawing no. MSD/DKM/02/08 Rev. F Proposed 3D visuals received 01 July 2014;
Drawing no. MSD/DKM/01/08 Rev. F Proposed 3D elevation received 01 July 2014;
Drawing no. MSD/DKM/06/08 Rev. F Proposed block plan received 13 August 2014;
Drawing no. MSD/DKM/07/08 Rev. F Proposed layout and 3D visuals received 13 August 2014; and
Drawing no. MSD/DKM/08/08 Rev. F Proposed layout and elevations received 13 August

2014.

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

3. Within three months of the date of this approval, details of on-site parking for four vehicles and one bicycle (including layout plans, specifications for the weatherproof cycle parking, the signage to identify a defined gymnasium car parking space and the method to ensure that the gymnasium parking space is available to each client), shall be submitted to and approved in writing by the Local Planning Authority. The approved on-site parking provision shall be provided within three months of the date of the approval and shall thereafter be retained and managed permanently.

Reason: To ensure adequate parking for the dwelling and commercial unit, in the interests of highway safety and in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy 2014 and Saved Policies T1 and P3 of the Gravesham Local Plan First Review 1994.

4. Within three months of the date of this permission, storage facilities for refuse shall be provided and be of sufficient capacity having regard to the quantity of waste produced and the frequency of waste collection. All waste shall be removed from site on a regular basis by a licensed waste carrier and disposed of at a licensed waste disposal site.

Reason: In order to protect the amenity of surrounding residential occupiers and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

5. The Class E(d) use hereby permitted shall be used as a gymnasium only as specified in the approved plans/documents and not for any other use including any other use within Class E of the Town & Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order.

Reason: To enable the Local Planning Authority to maintain proper control of the premises as other Class E uses of the outbuilding could adversely affect the amenities of the locality and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

6. The gymnasium hereby permitted shall only operate between the hours of 08:00-20:00 on Mondays to Fridays and at no time on Saturdays, Sundays, Bank or Public Holidays. No works or ancillary operations (including deliveries) that are audible at the site boundary shall take place on the site at any other time.

Reason: In the interests of residential amenity and in line with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

7. The gymnasium hereby permitted shall only be visited by one client at a time and by a maximum of four clients over the course of a single working day.

Reason: In order to protect the amenity of surrounding residential occupiers and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

8. No classes or training associated with the gymnasium hereby permitted shall take place outside of the building and all classes or training shall take place with all the doors and windows of the outbuilding shut.

Reason: In order to protect the amenity of surrounding residential occupiers and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

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 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].

3 BUILDING REGULATIONS CONSENT

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].

4 PARTY WALL ACT 1996

Applicants are reminded of their responsibilities under the Party Wall Act 1996. This legislation is not taken into account when determining a planning application and independent advice should be taken in this regard. In the event of application of this legislation requiring change to the permitted scheme, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

5 GBC - COMMERCIAL TEAM (REGULATORY SERVICES)

The applicant is requested to note the following;

In these premises the Health and Safety Executive (HSE) will be the enforcing Authority for all health and safety matters as it is located in a domestic premises. Should you require further advice and information check out the HSE website www.hse.gov.uk

6 GBC-HIGHWAYS OFFICER

The applicant is requested to note the following comments;

The parking provision for the gymnasium should be a clearly defined space (identified on site by appropriate signage) that is readily accessible from the public highway, which does not obstruct the spaces or access requirements for the residential dwelling. The gates to the property would have to be left open during trading hours to ensure the access to the parking space is readily available.

Secure and weather proof cycle parking needs to be provided within the property boundary for one bicycle.

To ensure that the gymnasium parking space is always readily available, it is recommended that there should be a minimum of 30 minutes between clients.

Dated: 3 December 2021

Your attention is drawn to the following notes.

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**.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- 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.

COMPENSATION

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.