



Application: 20230854

**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 H Singh
C/O Mr Philip Graham, The Duncan And Graham Partnership
8 Cecil Square
Margate
CT9 1BD
United Kingdom**

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:

**The Barn
East Court Farm
Church Lane
Gravesend
Kent
DA12 2NL**

and being **Application for a variation of condition 2 to planning permission reference 20221313 for the creation of storage and games room within roof space, and the insertion of gable end windows, roof windows and rear door to the existing garage building; to allow an amendment to the proposals to allow dormer windows to be formed to the east elevation, and for a larger window to be inserted in the gable wall of the north elevation.** Your application dated 10th August 2023 is permitted subject to the following:-

1. The development to which this permission relates must be begun no later than the 8 February 2026.

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 in accordance with the following approved plans and documents:

(Planning Application reference 20221313)

Application form;

Drawing no. 111 - Existing Details: Floor Plan and Elevation Block Plan; o Drawing no. 112 - Location Plan;

Drawing no. 113 - Existing Details: Existing & Proposed Block Plan; and o Design and Access Statement Incorporating Heritage Statement.

(Planning Application reference 20230854)

Application form;

Drawing no. 126 Rev. C - Floor plan and elevations.

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

3. The garage outbuilding shall only be used for the accommodation of private motor vehicles at ground floor level and a games room and storage at first floor level for the residential occupants of The Barn, East Court Farm as a private dwelling house and for no other purpose. No development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 or any provision equivalent to that Order in any Statutory Instrument replacing, revoking or re-enacting that Order, with or without modification, shall be carried out on the site in such a manner or in such a position as to preclude the use of, or access to, the garage. For the avoidance of doubt the building shall not at any time contain any primary living accommodation or be sold, parted, let or exchanged as a separate unit of living accommodation and no trade or business shall be carried on therefrom.

Reason In order to restrict the use/occupancy of the garage outbuilding and to ensure that the development is in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy C13 of the Gravesham Local Plan First Review (1994).

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) 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.

Dated: 23 January 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

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**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:

- (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.