



PEFULZ

Application: 20220900

**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

To: **Mr Shoker
C/O Mrs Guneet Kaur, 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 PERMISSION** for development of land situate at:

**Dillybank
Dillywood Lane
Higham
Rochester
Kent
ME3 7NT**

and being **Demolition of the existing dwelling and erection of a 3 bed detached house with associated parking and amenity space**. Your application dated 17th August 2022 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this decision.

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:

Application Form - dated 12/08/2022;
Planning, Design and Access Statement (received 17/08/2022);
Drawing no. 001 - Rev. A - Site Location and Existing Block Plan;
Drawing no. 002 - Rev. A - Proposed Block Plan;
Drawing no. 003 - Rev. A - Existing Floor Plans;
Drawing no. 004 - Rev. A - Existing Elevations;
Drawing no. 005 - Rev. A - Proposed Floor Plans;
Drawing no. 006 - Rev. A - Proposed Elevations;
Drawing no. 007 - Rev. A - Existing and Proposed Garage Plans and Elevations.

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

3. All materials used externally shall match those listed in the submitted planning application form and as shown in 'Drawing no. 006 - Rev. A'.

Reason To ensure the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy CS19 of the Gravesham Local Core Strategy (2014).

4. Any window serving a bathroom/wc/ensuite and the flank window serving the utility room must be top hung and fitted with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) only at all times.

Reason To prevent undue overlooking of the adjoining residential property in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

5. Notwithstanding the provisions of Article 3, and Part 1 Classes A and G of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, or any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order, with or without modification, no window, door or other form of opening shall be formed in any elevation of the dwelling hereby permitted.

Reason In order to protect the amenity and privacy of the occupants of the neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

6. Notwithstanding the provisions of Classes A, B and D 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 enlargements to the dwellinghouse, including the roof of the dwellinghouse or the construction of a porch, 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 retaining adequate private amenity space for the future occupants of the dwellinghouse, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

7. The garage hereby permitted shown annotated on 'Drawing no. 007 - Rev. A' shall be used only for the accommodation of private motor vehicles for the residential occupants of Dillybank, Dillywood Lane, 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 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 and to ensure that the development is in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

8. Prior to any part of the permitted development being occupied or used, a scheme detailing the proposed soft landscaping scheme shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall then be carried out in full within the first planting season. Any trees or plants that die, are damaged, removed or become diseased within five years from implementation shall be replaced with a similar size and species during the next planting season.

Reason To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the site and biodiversity, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

9. Prior to any part of the permitted development being occupied or used, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the refuse arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste and security arrangements for the refuse stores. The approved refuse arrangements shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

Reason In order to ensure the development is served by a suitable refuse storage area in the interest of amenity and in accordance with adopted Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

10. The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason To prevent harm to human health and pollution of the environment 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 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 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].

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.

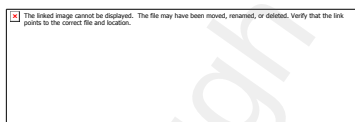
ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.

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: 6 October 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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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.
- **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](mailto:enquiries@pins.gsi.gov.uk) or online at [www.planningportal.gov.uk/pcs](http://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.