

Application: 20211431

**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 John Davison
Hollytrees
13 Hornbeams
Vigo Village
Meopham Kent
DA13 0TA**

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:

**13 Hornbeams
Vigo
Gravesend
Kent
DA13 0TA**

and being **for the variation of condition 3 attached to planning permission ref. no. 20190364 for the erection of a single storey front extension, to allow the retention of the Redland 49 dark grey roof tiles.** Your application dated 2nd December 2021 is permitted subject to the following:-

1. The development hereby permitted shall be carried out only in precise accordance with the following approved details, plans and specifications:

Householder planning application form;
Red line site boundary plan;
Drawing No. 19-016 sheet 1A Existing ground floor layout;
Drawing No. 19-016 sheet 2 Existing first floor layout;
Drawing No. 19-016 sheet 3A Proposed ground floor layout;
Drawing No. 19-016 sheet 4 Proposed first floor layout;
Drawing No. 19-016 sheet 5 Existing front and side elevations;
Drawing No. 19-016 sheet 6A Proposed front and side elevations;
Drawing No. 19-016 sheet 7 Sections A and B;
Drawing No. 19-016 sheet 8A Sections C and D;
Application form for removal or variation of condition;
Roof tile details;

and pursuant to any condition contained hereafter and there shall be no deviation therefrom.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

2. Apart from the roof tiles, all external facing materials used in the development hereby permitted, shall match those used externally on the existing dwelling.

Reason: To ensure a satisfactory standard of appearance upon the completion of the development and in line with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

3. 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 other than those shown on the approved drawings shall be formed in either flank elevation of the extension hereby permitted without the prior permission, in writing, of the Local Planning Authority. For the purposes of this condition openings shall include chimneys, flues and the insertion of cover holes for flue extracts.

Reason: To protect the amenity of occupiers of adjoining residential properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

4. The shower room window on the front elevation of the extension and the new side window in the main side wall of the dwelling shall be fitted with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) and shall be fixed shut, with the exception of any top hung fanlight window that has a cill level of not less than 1.7 metres above the internal finished floor level of the room it serves. Thereafter these windows shall be maintained in accordance with this condition.

Reason: In order to prevent overlooking both into and out of the property and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

5. The existing frontage parking area (as reduced in depth following the development hereby permitted) shall be kept available at all times for such use, and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or any provision equivalent to that Order in any statutory instrument revoking and re-enacting that Order, with or without modification, shall be carried out on the site in such a manner or in such a position so as to preclude its use for vehicle parking.

Reason: In the interests of highway safety and in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policy P3 of the Gravesham Local Plan First Review.

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 HIGHWAYS ISSUE FOR CONSIDERATION

The applicant is requested to note the following guidance from the GBC Highway Development Management Officer;

Please consider providing cabling to allow for the future provision of electric vehicle 30 ampere (amps) charging points at the front of the property. Provision as part of this build would be considerably cheaper than a retrospective installation.

6 VIGO COVENANT APPROVAL

The property is covered by a Title Deed Covenant which requires the alterations to a property to be approved directly by the Vigo Parish Council. The Parish Council can be contacted directly via their website: www.vigo-kent.org, email: clerk@vigo-pc.gov.uk or by phone: 01732 823 337.

7 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: 26 January 2022

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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.

### **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.