

Application: 20240131

**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 A Rai
C/O Mr Jonathan Bolton
Synergy Planning & Property Consultants Ltd
The Office
The Larches
Higham
Rochester
Kent
ME3 7NQ**

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:

**Crown And Thistle Public House
44 The Terrace
Gravesend
Kent
DA12 2BJ**

and being **Conversion of the building from a public house with flat above to a 5 bedroom House of Multiple Occupation (HMO) with associated internal and external alterations**. Your application dated 12th February 2024 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 schedule of approved plans:

- Application form;
- Drawing no. 22/399/03 Rev. F - Proposed elevations, location and block plan
- Drawing no. 23/399/04 Rev. C - Proposed plans;
- Drawing no. 23/399/02 - Survey plans;
- Drawing no. 22/399/01 Rev. A - Existing elevations, location and block plan;
- Heritage Statement;
- Letter from Robinson Michael Jackson Estate Agents
- Planning, Design and Access Statement; and
- Noise Impact Assessment.

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

3. Prior to commencement of the development hereby permitted a full sound insulation test shall be submitted to and approved in writing by the Local Planning Authority which shall be undertaken for both airborne and impact sound and an appropriate mitigation specification (to achieve an enhancement of the minimum levels stated in the Building Regulations of 10dB). The development shall be carried out in accordance with the approved details prior to the House of Multiple Occupation first coming into use.

Reason: In order to protect the amenity of future occupiers of the House of Multiple Occupation and to ensure any works required would protect the significance of this grade II listed building in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policies TC2 and TC3 of the Gravesham Local Plan First Review (1994).

4. Any window serving a bathroom/wc/ensuite must be 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 Local Plan Core Strategy (2014).

5. Refuse sacks shall be used for refuse and recycling which shall be stored in the refuse store in the rear garden in between collections.

Reason: In order to ensure the House of Multiple Occupation is served by sufficient refuse storage which would also preserve this grade II listed building and the character and appearance of the Riverside Conservation Area in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policies TC2 and TC3 of the Gravesham Local Plan First Review (1994).

6. Notwithstanding the details submitted on the application form and in the approved plans, the number of bedrooms and occupants at the property shall at no time be more than 5.

Reason: To ensure the protection of the residential amenities of occupiers and neighbouring properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of condition 3 (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site. The reason for this is in order to protect the amenity of future occupiers of the House of Multiple Occupation and to ensure any works required would protect the significance of this grade II listed building. Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing.

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 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.

4 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.

5 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 18 October 2024 to the inclusion of the following pre-commencement conditions.

Condition 3 - sound insulation test

6 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: 22 October 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

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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.

