



Application: 20231109

**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: **Thanh And Binh Duong, NBS Distribution
C/O Mr P Nicholls, Graham Simpkin Planning Ltd
2 The Parade
Ash Road
Hartley
Longfield
Kent
DA3 8BG**

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:

**31 Shrubbery Road
Gravesend
Kent
DA12 1JW**

and being **Change of use of public house to a single family dwelling with associated access, parking and amenity space and partial demolition of single storey side extension (including revisions to planning permission 20191193)**. Your application dated 1st November 2023 is permitted subject to the following:-

1. The development hereby permitted shall be carried out in precise accordance with the following submitted plans and particulars and pursuant to any condition hereinafter contained and there shall be no deviation therefrom without the prior permission in writing of the Local Planning Authority:-

- Application form;
- Drawing no. 01 - Site Location and Existing Block Plan;
- Drawing no. 02 - Existing Ground Floor Plan;
- Drawing no. 03 - Existing First Floor Plan;
- Drawing no. 04 - Existing Cellar Plan;
- Drawing no. 05 - Existing Elevations;
- Drawing no. 06 - Proposed Block Plan;
- Drawing no. 07 - Proposed Ground Floor Plan;
- Drawing no. 08 - Proposed First Floor Plan;
- Drawing no. 09 - Hard and Soft Landscaping and Refuse Storage Plan;
- Drawing no. 10 Rev. A - Proposed Elevations;
- Drawing no. 11 - Proposed Fencing;
- Drawing no. 12 - Flush Casement Window Joinery Details W01, W02, W03, W08 & W09;
- Drawing no. 13 - Flush Casement Window Joinery Details W04;
- Drawing no. 14 - Entrance Door Joinery Details D01;
- Drawing no. 15 - Heritage Context and Visual Impact analysis;

- Drawing no. 16 - Existing Fencing;
- Drawing no. 17 - Proposed Cellar Plan;
- Sash Window Details Windows W07, W10, W11, W12, W13 and W14;
- Un-numbered drawing - Timber Door Profiles Doors D02 & D03;
- Un-numbered drawing - Flush casement French door Sections and Elevation;
- Planning, Design and Access Statement;
- Heritage Statement; and
- Heritage Statement Appendices - HS1 (i), (ii), (iii) & (iv), HS2, HS3 (i), (ii), (iii), (iv).

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

2. Within one month of the date of this permission a scaled drawing at a scale of 1:10 showing details of the flush eaves to be reinstated to the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In order to protect the character and appearance of the Windmill Hill Conservation Area and protect the setting of the nearby listed buildings in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policy TC3 of the Gravesham Local Plan First Review (1994).

3. Upon approval of the details as requested by condition 2, the development hereby approved shall thereafter be carried out and completed in its entirety within one year of the date of the approval of those details.

Reason: In order to ensure the current breach of planning control is resolved in a timely manner.

4. All timber window cills shall be a minimum of 50mm high at their front face.

Reason: In order to protect the character and appearance of the Windmill Hill Conservation Area and protect the setting of the nearby listed buildings in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014) and saved Policy TC3 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.

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: 18 September 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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

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.