

**Planning Portal ref: PP-11514734**  
**Our ref: PR3687/SC**

**Date: 31 August 2022**

Mr Richard Hart  
Development Manager  
Gravesham Borough Council  
Civic Centre  
Windmill Street  
Gravesend  
DA12 1AU

Dear Mr Hart,

**Application for approval of reserved matters pursuant to Outline Planning Permission 20190870 dated 16 October 2019 for demolition of existing garage, and erection of 2no. three bedroom houses each vehicular access.**

**28 Coutts Avenue Shorne Gravesend Kent DA12 3HJ**

This letter accompanies an application submitted on behalf of our clients CT Building Contractors Ltd., which is seeking approval of the Reserved Matters of Appearance, Scale and Landscaping for the erection of two dwellings pursuant to the Outline Permission dated 16 October 2019 under application reference 20190870. We are also seeking approval for the details required by conditions 5 and 6 of the permission.

The application comprises the following

- Application Covering Letter
- Application Form
- Drawing nos.
  - Dwg 001 28A Floorplan
  - Dwg 002 28A Elevations
  - Dwg 003 28B Floorplan
  - Dwg 004 28B Elevations
  - Dwg 005 Block Plan
  - Dwg 006 Landscaping Plan
  - Dwg 007 Site Location Plan

#### Proposed development

The site layout and access remain as previously approved. The garage to no 28 would be demolished and a new central access formed serving the proposed dwelling to the rear of the site that is located to the rear of the existing dwelling, no28.

The proposed design of Plot 28A reflects the approved alterations to the existing dwelling, 28 Coutts Avenue, permitted by the Council under application 20211382 dated 10 January 2022. Plot 28B to the rear is a single-storey dwelling.

The proposed materials for Plot 28A comprise;

- Brickwork - Wienerberger Hathaway Brindled
- Main Roof & Hanging Tiles - Marley Old English Dark Red Plain Tiles
- Lower Roof - Marley Modern Interlocking Concrete Roof Tile (Old English Dark Red)
- Mock Tudor Beams to be sand blasted and stained slate grey
- Render between beams to be Polar White K-Rend

The proposed materials for Plot 28B comprise

- Brickwork - Wienerberger Hathaway Brindled
- Main Roof - Marley Old English Dark Red Plain Tiles

These materials would result in an acceptable external appearance for the two dwellings, that would not be out of character with the surrounding area.

Drawing 006 indicates the proposed landscaping and shows the retention of the existing boundary treatments and hedgerows/trees. Additional planting within each plot is not indicated given the fact that this would be located in the private rear gardens of the dwellings. Footways within the site would be surfaced with permeable brindle block paving and the site access would be surfaced in heavy duty permeable 80mm grey block paving.

Drawing no 006 also shows the details of fencing and boundary enclosures required by condition 5 of the outline permission.

With regards to the details required by condition 6 of the outline permission, these are also indicated on drawing 006. A 3m x 1.8m shed is shown for cycle storage to the rear of Plot 28A. Bin Storage for Plot 28A will be within the Plot and Plot 28B has been provided with a storage area adjacent to Coutts Avenue.

#### Considerations

The principle of the amount and form of development has been established through the outline permission. The development will not result in any loss of privacy or amenity to the occupiers of neighbouring dwellings.

There have been no material changes in the circumstances of the site or Development Plan Policies relating to the site since the outline planning permission was granted. An appropriate SAMMS payment relating to the Thames Estuary and Marshes Special Protection Area and Ramsar sites was made at the time the Outline Permission was approved in October 2019.

The details should therefore be approved without delay in accordance with NPPF paragraph 11.

I look forward to receiving confirmation that the application has been registered and details of the allocated case officer in due course.

Yours sincerely,



**STEVE CLARKE**  
**Associate Planner**

# **APPENDIX ONE**

**Outline planning permission 20190870 dated 16/10/2019**

Gravesham Borough Council



**Application: 20190870**

**TOWN AND COUNTRY PLANNING, ENGLAND  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015 (AS AMENDED)**

**NOTIFICATION OF GRANT OF OUTLINE PERMISSION TO DEVELOP LAND**

To: **Mr And Mrs Thackham  
C/O Mr Shane Jell, Sub Rosa Architecture Ltd.  
The Studio  
52 Pine Avenue  
Gravesend  
Kent  
DA12 1QZ**

**TAKE NOTICE** that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **GRANTED OUTLINE PERMISSION** for development of land situate at

**28 Coutts Avenue  
Shorne  
Gravesend  
Kent  
DA12 3HJ**

and being **outline Application with Some Matters Reserved for the demolition of existing garage, and erection of 2no. three bedroom houses each vehicular access**. Your application dated 20th August 2019 is permitted subject to the following:-

**CONDITIONS AND REASONS**

1. Applications for approval of the reserved matters for the development hereby permitted must be made to the Local Planning Authority within 3 years beginning with the date of the grant of outline planning permission.

**Reason** To comply with the provisions of section 92 (2) of the Town and Country Planning Act 1990.

2. The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
  - (a) the expiration of three years from the date of the grant of outline planning permission.
  - (b) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.

**Your attention is drawn to the following informatives**

**Reason** To comply with the provisions of section 92 (2) of the Town and Country Planning Act 1990.

3. Details of the appearance, landscaping and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

**Reason** Reason: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 (1) of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Application form received 20 August 2019.
- Design and Access Statement received 20 August 2019.
- Drawing no. 19-1362-01 A (site plan) received 16 October 2019.
- Drawing no. 19-1362-02 A (proposed block plan) received 16 October 2019.
- Site location plan received 20 August 2019.

and pursuant to any conditions contained hereinafter and there shall be no deviation therefrom, save with the prior consent of the Local Planning Authority having first been obtained.

**Reason** For the avoidance of doubt and in the interest of proper planning in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

5. The reserved matters of the development to be submitted pursuant to condition 3 of this outline planning permission shall show full particulars of all fences, walls or other means of enclosure to the plot boundaries of the residential units hereby permitted; the development shall be carried out in accordance with the approved details before the additional residential units are first occupied.

**Reason** In the interests of visual amenity and in order to protect the amenity of adjoining occupiers and future occupiers pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

6. The reserved matters of the development to be submitted pursuant to condition 3 of this outline planning permission shall show full particulars of cycle storage and refuse bin storage facilities to serve the residential units hereby permitted; the development shall be carried out in accordance with the approved details before the residential units are first occupied.

**Reason** In order to encourage sustainable travel and in the interests of the residential amenity of future and neighbouring occupiers pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

7. 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** In order to ensure the development does not take place on contaminated land pursuant to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

8. No development approved by this permission shall be commenced until a comprehensive Code of Construction Practice covering all environmental impacts of this development is provided by the applicant and submitted for approval to the Local Planning Authority. The approved scheme shall include details of hours of work during the construction period, delivery times for materials, parking of vehicles of site personnel and visitors, loading and unloading of plant and materials, storage of materials and wheel washing proposals; the development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice.

**Reason** To ensure the free flow of traffic on the highway and to minimise the impact on residential amenity and in accordance with adopted Policy CS19 Gravesham Local Plan: Core Strategy (September 2014)

9. Prior to the first occupation of the development hereby approved, details of all proposed external lighting shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details and no additional external lighting shall be provided on the site.

**Reason** In order to ensure the development does not cause harm to residential amenity by reason of the installation of intrusive lighting and in accordance Policy CS19 Gravesham Local Plan: Core Strategy (September 2014).

10. The vehicle parking areas shown on plans approved pursuant to condition 3 of this permission shall be formed, surfaced and drained prior to first occupation of the dwellings hereby approved. Thereafter, notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 as amended, or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, no development 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 vehicle parking areas.

**Reason** To ensure sufficient off street car parking provision to serve the development, in accordance with Policy CS11 of the Gravesham local Plan Core Strategy (September 2014).

11. Prior to the first occupation of the development hereby permitted, vision splays of 2.0m x 2.0m shall be provided on both sides of the vehicular access points and no obstruction of sight more than 0.6m above carriageway level shall be permitted within the splays thereafter.

**Reason** To preserve highway safety in accordance with Policy CS11 of the Gravesham local Plan Core Strategy (September 2014).

## **INFORMATIVES:-**

### **1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING**

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 and paragraph 38 of the National Planning Policy Framework, the Local Planning Authority has approached the assessment and determination of this application in a positive and proactive manner and, where appropriate, has worked 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 THE 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 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: 16 October 2019

Civic Centre  
Windmill Street  
Gravesend  
Kent  
DA12 1AU



**Planning Manager (Development Management)  
Planning & Regeneration Services**

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### **NOTES:**

This permission is confined to permission under the Town and Country Planning Acts and the Town and Country Planning (Development Management Procedure) (England) Order 2015 and does not obviate the necessity of compliance with any other enactment, bye-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.

### **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.

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## **APPENDIX TWO**

**SAMMS agreement dated 16/10/2019**

Gravesham Borough Council

# Strategic Access Management and Monitoring Strategy (SAMMS) Contribution Agreement

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**Application reference number/Planning Portal Reference** (If known): 20190870

**Address of Planning Application Site:** 28 Coutts Avenue, Shorne, DA12 3HJ

**Description of Development:** Outline Application with Some Matters Reserved for the demolition of existing garage, and erection of 2no. three bedroom houses each vehicular access.

**Online/Telephone Payment Ref** (If known):

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I am contributing a sum of £.491.12..... towards the cost of measures to mitigate the likely significant effect of additional residential development through the recreational impact on the over-wintering and migrating bird interest on the Special Protection Areas (SPAs) and Ramsar Sites that comprise the North Kent Marshes. Known as the 'SAMMS Contribution,' it is set at £245.56 per additional residential unit created (or each additional bedroom created in a House of Multiple Occupation (HMO); each room/bedroom in student accommodation; or tourist accommodation, for example).

I hereby acknowledge and agree that:

- a) The SAMMS contribution has been paid to Gravesham Borough Council as a contribution towards mitigating the effect of the proposed development on the coastal North Kent Marshes Special Protection Areas (SPAs) and Ramsar Sites as set out in the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy produced by Footprint Ecology in July 2014.
- b) I have been informed of the opportunity to complete a unilateral undertaking, in accordance with Section 106 of the Town and Country Planning Act 1990 (as amended), to make the SAMMS contribution when the development commences and I have chosen to make this direct payment as an expeditious alternative to relying upon a unilateral undertaking.

- c) No refund of this SAMMS contribution will be made where a decision has been issued, unless:
- i) That decision was one of refusal and no appeal has been lodged within the relevant appeal period<sup>1</sup>; or
  - ii) The application was withdrawn prior to a decision having been issued.
- d) In respect of any refund (including where an application is withdrawn) I further acknowledge that:
- A request for a refund will be made the Council's Planning Manager (Development Management) in writing;
  - The total amount of the refund will be the sum of the original SAMMS contribution payment minus an administration fee of £50;
  - No interest will accrue to be refunded; and
  - No refund will be made until the appeal period has passed without an appeal having been lodged or, in the event of an appeal being lodged that appeal has been dismissed, or in the case of a withdrawn application, 12 months has elapsed since the date of application first being registered as a valid submission.

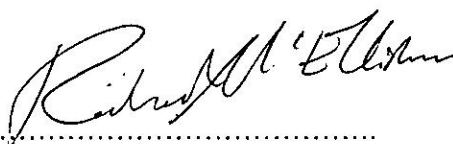
Full name of applicant: Adrian Thackham.....

Full name of agent (if applicable): Shane Jell.....

Signature of the applicant/agent: .....

Date: 16th October 2019.....

Signed on behalf of Gravesham Borough Council:



3/2/2020

Richard McEllistrum (Interim Planning Manager – Development Management)

This receipt signifies the agreement on behalf of Gravesham Borough Council to the terms in which the SAMMS contribution is made by the applicant as set out in this form and in accordance with Section 111 of the Local Government Act 1972.

If submitting this form electronically, a signed copy of this document must be sent to: [planning.admin@gravesham.gov.uk](mailto:planning.admin@gravesham.gov.uk)

Alternatively, a hard copy of this document should be sent to the following address:

**Planning Manager (Development Management), Gravesham Borough Council, Civic Centre, Windmill Street, Gravesend, Kent. DA12 1AU.**

<sup>1</sup> Normally within 6 months from the date of the refusal decision notice.