



PEFULZ

Application: 20220044

**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 and Mrs Nicholls
C/O Joe Manuel, TaylorHare Architects
The Cowshed
Overland Lane
Ash
CT3 2LE**

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:

**The Barn
Jeskyns Road
Cobham
Gravesend
Kent
DA13 9BL**

and being **Erection of a single storey side extension to existing dwelling and extension of residential curtilage to include surrounding adjacent land including existing stable block. Existing stable block to be used for residential storage** Your application dated 18th January 2022 is permitted subject to the following:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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:

Planning Application Form;
Design and Access Statement;
Drawing No. 2114_101 Rev B - Proposed Red Line & Site Location Plan;
Drawing No. 2114_001 Rev A - Existing Red Line & Site Location Plan;
Drawing No. 2114_002 - Existing Ground Floor Plan;
Drawing No. 2114_003 - Existing Roof Plan;
Drawing No. 2114_004 - Existing NE & SE Elevations;
Drawing No. 2114_005 - Existing NW, SE & SW Elevations;
Drawing No. 2114_110 Rev C - Proposed Option B Ground Floor Plan;
Drawing No. 2114_111 Rev C - Proposed Roof Plan;
Drawing No. 2114_120 Rev C - Proposed NE, SE & SW Elevations; and

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in line with the details included on the application form, design and access statement and approved plans, with all other materials to match those used in the existing dwelling.

Reason To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

4. The stable block as shown in approved Drawing No. 2114_110 Rev C as Residential Storage shall be used for the storage of domestic items only ancillary to the dwelling known as The Barn, Jeskyns Road, Cobham and for no other purpose; and 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 replacing, 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 the stables. For the avoidance of doubt, the stables shall not at any time be used for any primary living accommodation and no trade or business shall be carried on therefrom.

Reason: In order to restrict the use/occupancy of the stables and to ensure that the development is in accordance with Policies CS02, CS11 and CS19 of the Gravesham Local Plan Core Strategy September 2014, saved policy P3 of the Gravesham Local Plan First Review 1994 and the National Planning Policy Framework 2021 (NPPF).

5. Notwithstanding the provisions of Classes E and F 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 construction of any further outbuildings or hardstandings, 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 visual amenity and retaining adequate private amenity space for the future occupiers of the dwellinghouse, in accordance with Local Plan: Core Strategy Policy CS19.

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 BREEDING BIRDS

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees, scrub, hedgerows and buildings are likely to contain nesting birds between 1st March and 31st August inclusive. Buildings are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

Dated: 14 March 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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 or online at 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.