

Application: 20240598

**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: **Mrs C.E Tarr
C/O Neal Thompson, Robinson Escott Planning
Downe House
303 High Street
Orpington
BR6 0NN**

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:

**Horns Oak Farm
Horns Oak Road
Meopham
Gravesend
Kent
DA13 0BX**

and being **Application for variation of condition 3 attached to planning permission reference number 20200117 for the application for retention of change of use from barn to B1 (office) and B1C (workshop) for the design and production of sustainable fibre optic and low energy LED lighting; to allow the change of the condition to relate solely for the benefit of the owners of Horns Oak Farm.** Your application dated 4th July 2024 is permitted subject to the following:-

1. The development hereby permitted shall be retained only in precise accordance with the following schedule of approved plans and details, unless alternative details are approved pursuant to the conditions imposed on this decision notice:

Application form
Design and Access Statement
Drawing no. 2821-10 (existing block plan)
Drawing no. 2821-02 (proposed plans)
Drawing no. 2821-03 (existing elevations and location plan)
all received 5 February 2020.

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

2. The use of part of the barn for workshop (E(g)(iii)) shall be limited to the space labelled as 'workshop' on submitted plan no. 2821-02 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard conditions of amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

3. This permission shall relate solely for the benefit of the occupiers of the dwellinghouse at Horns Oak Farm, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure control over any changes to future business use to allow assessment of the potential impact on amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

4. The E(g)(iii) (workshop) use shall only be operational between the hours of 9.00am to 17.30pm Mondays to Fridays and at no time on Saturdays or Sundays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard conditions of amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

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) 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.

2 FOR THE AVOIDANCE OF DOUBT

The use of the workshop as originally referenced Class B1(c) has been duly updated to Class E(g)(iii) following the amendment to the Use Class Order which took place on 01 September 2020 following the granting of the original approval under reference 20200117 dated 31 March 2020.

3 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: 23 August 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.