



Application: 20221291

**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 D South
C/O Mr J Bolton
Synergy
The Office, The Larches
Higham
Rochester
ME3 7NQ
United Kingdom**

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 Old Parsonage
Butchers Hill
Shorne
Gravesend
Kent
DA12 3EB**

and being **Application for variation of condition 4 attached to planning permission reference no. 20200307 for Construction of a garage and drive from Butchers Hill with demolition of an existing timber store building; to enable the timber store to remain until the new garage is constructed so it can be used for building material storage during the works.** Your application dated 5th December 2022 is permitted subject to the following:-

1. The development to which this permission relates must be begun not later than 19 May 2023.

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 approved plans listed under planning reference 20200307 and:

Application form
Drawing no. 19/235/01 rev B (block plan).

3. The garage hereby permitted shall be used only for the accommodation of private motor cars for the occupants of The Old Parsonage, Butchers Hill as a private dwelling house and for no other purpose and no trade or business shall be carried on therefrom, and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 as amended, or any provision equivalent to that Order in any Order revoking or re-enacting that Order, 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 reserved vehicle parking area.

Reason: In order that any other proposed use of the garage may be the subject of a planning application which the Local Planning Authority would wish to consider on its own merits having regard to the amenity of the area and the planning policies prevailing at the time.

4. The existing timber workshop/shed shown hashed in red on plan no. 19/235/01 rev B shall be demolished in its entirety and all materials arising from the demolition removed from the site prior to the bringing into use of the new garage building herein approved.

Reason: In order to reduce the built form on site and to safeguard the character of the Shorne Conservation Area and protect the openness of the Green Belt, in accordance with Policy TC3 of the Gravesham Local Plan First Review 1994 and Policy CS12 of the Gravesham Local Plan Core Strategy September 2014.

5. Notwithstanding the details shown on the plans or the application form, the details of the following that were submitted to and approved by the Local Planning Authority under reference 20200699 shall be carried out and retained in accordance with the approved details:

(a) Full details of and alternative track surface to a scale of 1:50 showing layout and 1:10 showing a section of the construction surface.

(b) Full details of the specification for the roof showing details including the roof covering in grass to a scale of 1:20 and a cross section to a scale of 1:10

(c) Full details of the entrance gates to the site showing them to be timber with a dark/black stain.

Reason: In the interests of visual amenity in accordance with Policy CS19 and CS20 of the Gravesham Local Plan Core Strategy September 2014.

6. The scheme of landscaping shown in the 'Soft Landscaping Proposals' shall be implemented in the first planting season following occupation of the building or the completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Authority gives written consent to any variation.

Reason: To ensure that the proposed development includes a properly designed and suitably landscaped amenity area in the interests of visual amenity and to accord with Policy TC3 of the Gravesham Local Plan First Review 1994 and Policies CS12, CS19 and CS20 of the Gravesham Local Plan Core Strategy September 2014.

7. The proposed works shall be carried out in strict accordance with the recommendations and requirements set out in the submitted Arboricultural Impact Assessment and Method Statement CAS/2019/219 and no deviation made without first obtaining written permission from the Local Planning Authority.

Reason: To ensure the loss of trees on site remains only to those which have been previously identified and to ensure adequate root protection of those to remain with Policy TC3 of the Gravesham Local Plan First Review 1994 and Policy CS19 of the Gravesham Local Plan Core Strategy September 2014.

8. Notwithstanding the submitted plans any visible brickwork shall be finished in a dark blue or grey brick and the garage doors shall be finished in a dark/black or grey colour.

Reason: In the interests of visual amenity in accordance with Policy CS19 and CS20 of the Gravesham Local Plan Core Strategy September 2014.

INFORMATIVES:-

1 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

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) 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.

5 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: 25 January 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.