



Application: 20230633

**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: **Jaman Ali
C/O Matthew Mitchell, M2 Consulting
26 Jordan Road
Birmingham
B75 5AB
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:

**141 Singlewell Road
Gravesend
Kent
DA11 7QA**

and being **Provision for dropped kerb and vehicle crossover for domestic off-street parking, and associated works.** Your application dated 16th June 2023 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this decision.

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 schedule of approved plans:

Application Form;
23.026-101 - Location Plan; and
23.026-102 Rev B - Site Plan.

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

3. Prior to the vehicular access hereby permitted first being brought into use, full details of hard landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority. The hard landscaping shall be thereafter maintained.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

4. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence, full details of the proposed steps including their location, design, height and materials, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details before the driveway is brought into use and thereafter maintained.

Reason: To protect and enhance the visual amenity and the character of the area and to ensure a satisfactory environment for existing and future residents in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF), 2021.

5. Prior to the vehicular access hereby permitted first being brought into use, a scheme detailing the proposed soft landscaping for the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be implemented within the first planting season following the vehicular access first being brought into use. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use, shall be replaced with a species of a similar size and species during the next available planting season.

The area of soft landscaping to the side boundary of the plot, fronting the house as shown on the Proposed Site Plan, shall be retained in perpetuity.

Reason: To safeguard the amenity value of the soft landscaping and to maintain and enhance the character and appearance of the local area in accordance with Policy CS19: Development and Design Principles of the Gravesham Local Plan Core Strategy (2014).

6. The vehicular access hereby permitted shall not be brought into use until a vehicular crossover (dropped kerb) has been constructed in accordance with the Highway Authority's specification and requirements and with the written approval of the Highway Authority having first been obtained. The vehicle crossover shall be commensurate with the width of the vehicular access as hereby permitted.

Reason: In the interests of highway and pedestrian safety and pursuant to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 (Access to the Identified Highway Network) of the Gravesham Local Plan First Review (November 1994).

7. Before the access hereby permitted is first brought into use 2.0m by 2.0m pedestrian visibility splays shall be provided at the back edge of the footway on either side of the vehicular access and thereafter no boundary wall, fence or other means of enclosure of obstruction exceeding 600mm in height shall be erected or placed within the visibility splays.

Reason: In the interests of highway and pedestrian safety and pursuant to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 (Access to the Identified Highway Network) of the Gravesham Local Plan First Review (November 1994).

8. No gates shall be installed across the vehicular access and driveway hereby permitted at any time.

Reason: In the interests of highway and pedestrian safety and pursuant to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (September 2014) and saved policy T5 (Access to the Identified Highway Network) of the Gravesham Local Plan First Review (November 1994).

INFORMATIVES:-

1 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.

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 CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

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 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a

given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

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 public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant 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.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:
<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>.

Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Dated: 29 August 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.