

Application: 20230302

**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 Trudie Mochrie
C/O Mr Simon Vinall, Meopham Architectural Design
15 Park House Gardens
Southborough
Tunbridge Wells
TN4 0NQ
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:

**39 The Street
Cobham
Gravesend
Kent
DA12 3BX**

and being **Removal of the existing detached garage and construction of an annex ancillary to the host dwelling**. Your application dated 30th March 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:

- Covering Letter;
- Application form;
- Site Location Plan;
- Existing Block Plan;
- Proposed Block Plan;
- Heritage Statement;
- Design & Access Statement; and
- Drawing no. MAD-461-07 (Existing & Proposed Floor Plans and Elevations).

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

3. Notwithstanding the details on the application form and approved plans, prior to above ground works commencing, details and samples of all materials and finishes to be used in the external faces of the annex building (walls, roof, rainwater goods, windows and doors) shall be submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details before the annex building hereby permitted is first brought into use.

Reason: To protect the visual amenities of the building and the surrounding area setting of the grade II listed host dwelling no. 39 The Street, the setting of the other nearby listed buildings in the vicinity and the character and appearance of the Cobham Conservation Area in accordance with Policies CS19 and CS20 Gravesham Local Plan: Core Strategy (September 2014) and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review 1994.

4. Notwithstanding the details on the application form and approved plans, prior to above ground works commencing, drawings to a scale of 1:10 and joinery details at a scale of 1:2 or full size of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before the annex building hereby permitted is first brought into use.

Reason: In order to protect the setting of the grade II listed host dwelling no. 39 The Street, the setting of the other nearby listed buildings in the vicinity and the character and appearance of the Cobham Conservation Area in accordance with Policies CS19 and CS20 Gravesham Local Plan: Core Strategy (September 2014) and Saved Policies TC2 and TC3 of the Gravesham Local Plan First Review 1994.

5. The outbuilding hereby permitted as an annex/ancillary living accommodation shall be occupied by persons related to a resident of the main dwellinghouse at any time, and in a manner in conjunction with the original dwellinghouse at no. 39 The Street, Cobham, as a (combined) single planning unit and shall not be used, let or sold at any time as a self-contained, separate unit of living accommodation and no business, commercial or industrial use shall be carried out.

Reason: A separate unit of accommodation would be inappropriate on this site and in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy (2014).

6. Notwithstanding the provisions of Part 2, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to those classes in any Order revoking or re-enacting that Order) no gate, fence or other means of enclosure shall be erected or constructed on the site which would have the effect of subdividing the existing residential curtilage.

Reason: To safeguard against subdivision of the existing single residential curtilage that would facilitate independent occupation of the extension, as a separate unit of accommodation would be inappropriate on this site, in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy (2014).

7. Notwithstanding the provisions of Article 3 of and Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to that Order in any statutory instrument replacing, revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the ancillary building hereby permitted shall be carried out, including any additional doors, windows or other openings, or any dormers, roof lights or other roof alterations, or any porch constructed or erected outside any external door, or any chimney, flue or soil and vent pipe nor any microwave antenna, shall be installed without the grant of further specific planning permission from the Local Planning Authority.

Reason: In order that any further enlargement, improvement or other alteration of the annex building may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits, having regard to adopted planning policy and guidance, and the amenity of nearby residents and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 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].

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 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.

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: 25 May 2023

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.