



Application: 20240097

**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: **Mr Harshi Sangha
C/O Mr Tony Angeletta
11 Joydens Wood Road
Bexley
DA12 5QF
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:

**Tourmalane
63 Old Watling Street
Gravesend
Kent
DA11 7NT**

and being **Demolition of existing bungalow and erection of a replacement two storey house.**
Your application dated 2nd February 2024 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
HS/01 - Site Location Plan
HS/04 B - Proposed Ground Floor and First Floor Plans
HS/05 B - Proposed Front Elevation South
HS/06 B - Proposed Side Elevation West Facing Ranmorene
HS/07 B - Proposed Rear Elevation South
HS/08 B - Proposed Site Elevation East Facing Kateshga
HS/09 B - Proposed Roof Plan
HS/10 B - Existing and Proposed Site Block Plans
HS/11 - Proposed Block Plan
Bat Survey Report

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

3. The materials used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details shown in the Application Form.

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 (2014).

4. Notwithstanding the provisions of Classes A and B of, Part 1, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended), no enlargements to the dwellinghouse, including the roof of the dwellinghouse (excluding the construction of a porch) 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 providing adequate private amenity space for the future occupiers of the dwellinghouse, in accordance with Policy CS19 of Gravesham Local Plan: Core Strategy (September 2014).

5. Before the first occupation of the dwellinghouse hereby permitted, the bathroom windows in the East and West facing elevations at first floor shall be fitted with glass that has been obscured in the manufacturing process to Pilkington level 3 or higher (or equivalent) and shall be non-opening up to a maximum height of 1.7m above internal floor level. Both the obscured glazing and the non-opening design shall be an integral part of the manufacturing process and not a modification or addition made at a later time. The windows shall thereafter be retained as such.

Reason: In order to safeguard the amenity and privacy of the occupants of the neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

6. Notwithstanding the provisions of Article 3, and Part 1 Classes A and G 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 statutory instrument revoking and re-enacting that Order, with or without modification, no window, door or other form of opening including flues, shall be formed in the flank elevation of the extension hereby permitted.

Reason: In order to safeguard the amenity and privacy of the occupants of the neighbouring

7. Prior to occupation of the dwellinghouse hereby approved, a Parking Management Plan and Cycle storage scheme shall be submitted and approved by the Local Planning Authority detailing all parking provision and cycle storage to be used by the occupiers of the dwellinghouse approved. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development. Thereafter the vehicle and cycle parking shall be retained.

Reason: In order to ensure an acceptable levels of vehicle and cycle parking provision, in accordance with adopted policies T1 and P3 of the Local Plan First Review 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

8. Prior to completion, a lighting design plan for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The plan will show how and where external lighting will be installed and will include a baseline lighting assessment for the site/site boundaries. The Plan will detail the expected vertical and horizontal light spill in Lux levels, so that it can be clearly demonstrated that areas to be lit will not increase lighting impacts on retained vegetation or impact on areas of proposed landscaping and biodiversity enhancement. The Lux contour plan should incorporate any mitigation measures proposed to reduce impacts from external and internal lighting, including

sensitive positioning / recessing of internal lighting, use of cowls, and/or tinted glazing treatments. All lighting shall be installed in accordance with the specifications and locations set out in the plan and be maintained thereafter. During occupation, no additional lighting will be installed without prior written agreement from the Local Planning Authority.

Reason: In the interests of visual and residential amenity and to protect and enhance existing species and habitat on the site in the future in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Paragraph 186 of the National Planning Policy Framework (2023).

9. All mitigation for bats will be carried out in accordance with the details contained in Section 4 of the Bat Survey Report (Crossman, June 2023), unless additional/alternative measures are required by Natural England. A granted Natural England bat mitigation licence must be in place prior to carrying out any works that could affect the bat roost(s) on-site. Should Natural England require less mitigation than that detailed within the report, then all remaining measures will be included as enhancements under the National Planning Policy Framework 2021. Bat mitigation, and any enhancements, will be implemented as above and retained thereafter.

Reason: In the interests of visual and residential amenity and to protect and enhance existing species and habitat on the site in the future in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Paragraph 186 of the National Planning Policy Framework (2023).

10. Prior to completion, a Biodiversity Enhancement Plan including details of how the development will offset biodiversity loss/enhance biodiversity will be submitted to, and approved in writing by, the Local Planning Authority. Details will include measures such as generous native species planting and habitat boxes for insects, hedgehog, bats and/or breeding birds. Boxes for breeding birds will be targeted at S41 priority species¹/ red/amber listed species². Any boxes included for wildlife will be building integrated and/or Woodstone/woodcrete boxes to ensure durability. The approved measures will be implemented and retained thereafter.

Reason: In the interests of visual and residential amenity and to protect and enhance existing species and habitat on the site in the future in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Paragraph 186 of the National Planning Policy Framework (2023).

11. Prior to occupation of the dwellinghouse hereby approved, a Landscaping Plan, detailing both hard and soft landscaping for the entire site shall be submitted and approved by the Local Planning Authority. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development. Thereafter the vehicle and cycle parking shall be retained.

Reason: In the interests of the visual amenity of the development and having regard to the location of the site within and adjacent to a conservation area and to provide satisfactory screening to neighbouring properties, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and to ensure that the landscaping is established and maintained in the longer term.

12. Notwithstanding the details shown on the approved plans, submitted documents and application form, before any above ground works commence, full details of all boundary treatments, 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 dwellings hereby permitted are first occupied 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 (2023).

13. Notwithstanding the details shown on the approved plans, submitted documents and application form, prior to occupation of the dwellinghouse hereby approved, full details of the refuse storage, including position, and scaled elevations, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development. Thereafter the refuse storage shall be maintained in accordance with the details approved pursuant to this condition.

Reason: To safeguard the amenities of occupiers of adjoining and nearby residential properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

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) 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.

5 FOUL SEWAGE

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable.

6 SOUTHERN WATER

Please see the extract from Southern Water records showing the approximate position of our existing public foul sewer within the development site. The exact position of the public asset must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

- The 150 mm public foul sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public or adoptable gravity sewers.
- All existing infrastructure should be protected during the course of construction works.

Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

Please note: There is a private water communication pipe within the development site.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

In order to protect public sewers, Southern Water requests that if consent is granted, the following condition is attached to the planning permission; The developer must agree with Southern Water, prior to commencement of the development, the measures to be taken to protect the public sewers.

Foul and Surface Water Drainage

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available on our website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

Dated: 25 March 2024

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.