



Application: 20220544

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

**APPROVAL OF A NON-MATERIAL AMENDMENT FOLLOWING A GRANT OF PLANNING
PERMISSION**

To: **Vistry Group
C/O Ms Y Chung, Boyer Planning
Ubit 15
De-Grey Square
Colchester
Essex
CO4 5YQ**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, **HAS APPROVED** detailed plan and particulars submitted on 27th May 2022 as a non-material amendment to the Notification of Grant of Planning Permission reference 20141214 to Develop Land dated 10 January 2018 in respect of:-

Outline planning application for the development of up to 400 new homes and associated infrastructure including provision of open space, with access off Coldharbour Road.

at **Land At
Coldharbour Road
Northfleet
Gravesend
Kent**

and being **Application for non-material amendment to planning permission reference number 20141214 and the subsequent reserved matters approval under ref 20180041 to allow an amendment to the bin stores and collection points and associated landscaping in respect of specified plots.**

Subject to the conditions specified hereunder:-

CONDITIONS AND REASONS

- 1 The additional soft landscaping as shown in Drawing No 8092. PP.1.0 shall be implemented before the revised bin store locations and collection points as hereby permitted are first 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 type during the next available planting season.

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).

Your attention is drawn to the following informatives

INFORMATIVES:-

1 EXTENT OF THE APPROVAL

Pursuant to the procedure introduced under s.96A of the Town and Country Planning Act 1990 the Local Planning Authority has determined that the amendments to the outline planning permission reference number 20141214 and subsequent reserved matters approval under ref 20180041 would constitute a non-material amendment such that a separate planning application for the works would not be required.

This decision notice should be read in conjunction with the outline planning permission (reference 20141214) granted planning permission on 11 January 2018 and the reserved matters approval (reference 20180041), approved by the Local Planning Authority on 23 July 2018 and has the effect of altering condition 4 and informative 1 of 20141214 and informative 1 of 20180041 only insofar as it references the originally approved drawings and documents.

For the avoidance of doubt the approval does not amend any other part of those permissions or discharge any of the other planning conditions attached to those permissions, where they exist, subject to those conditions still subsisting or capable of taking effect.

2 STATUS OF SUBMITTED PLANS AND DOCUMENTS

For the avoidance of doubt the approved documents and drawings are:

Submitted Drawings/Documents

Application Form

Covering Letter from Boyer Planning (ref 20.6018) dated 23 May 2022

Drawing No GCHR-SITE-638 Revision P2

Drawing No 8092. PP.1.0: Additional/Revised Landscaping, submitted 20 October 2022

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.

In this instance, necessary revisions were identified and made to the proposal, at which point it was able to be given permission.

Dated: 24 October 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

Your attention is drawn to the following notes.

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## **NOTES:**

This permission is confined to permission under the Town and Country Planning Acts and the Town and Country Planning (Development Management Procedure) (England) Order 2015 and does not obviate the necessity of compliance with any other enactment, bye-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.

## **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**.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).**
- 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.

Gravesham Borough Council