

Application: 20230591

**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: **Alan Dennington, Haven Care Support Services Ltd
C/O Alan Penfold, Penfold Project Services
Epmarket
Wrotham Road
Meopham
Gravesend
Kent
DA13 0JH**

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:

**79 Dickens Road
Gravesend
Kent
DA12 2JX**

and being **Change of use from class C3(a) dwellinghouse to a class C2 residential institution**. Your application dated 14th June 2023 is permitted subject to the following:-

1. The development as carried out shall accord with the following approved plans:

Planning Application form;
Drawing no. 01 Existing ground and first floor layout;
Drawing no. 02A Proposed ground and first floor layout;
Drawing no. 03 Site location plan;
Drawing no. 04 Existing and proposed block plans; and
Design and Access Statement Revision A May 2022.

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

2. Within three months of the date of this permission, a written management scheme, demonstrating how the Class C2 use hereby permitted will be managed to adequately control noise/disturbance to surrounding residents and including details of 24 hour staff supervision, 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.

Reason: In order to ensure adequate management of the use, in line with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

3. Within three months of the date of this permission, details of secure, covered and accessible cycle storage facilities (comprising of a minimum of two cycle spaces) to

serve the property shall be submitted to, and approved in writing, by the Local Planning Authority. The approved storage facilities shall be provided within three months of the date of this permission and shall be retained for such purposes at all times thereafter.

Reason: In order to encourage options for sustainable travel in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

4. The maximum number of children accommodated at the premises at any time shall not exceed two, without being approved in writing by the Local Planning Authority.

Reason In the interests of residential amenity and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

5. The existing vehicle parking area on the site frontage shall be kept available at all times for such use, and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to that Order in any statutory instrument revoking and re-enacting that Order, with or without modification, shall be carried out on the site in such a manner or in such a position to preclude its use for vehicle parking.

Reason: That the development, without the retention of the existing vehicle parking area, is likely to lead to car parking inconvenient to other road users and detrimental to amenity and in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy September 2014 and Saved Policy P5 of the Gravesham Local Plan First Review 1994.

INFORMATIVES:-

1 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.

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 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].

4 INFORMATION FROM KENT POLICE DESIGNING OUT CRIME TEAM

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

Site specific issues:

1. Due to the proposed use of the site, we would recommend the applicant review current site security and boundary treatments. We advise boundary treatments to be 1.8m in height with support beams facing inwards, any gates to a rear/ side access must also be securely lockable from both sides. It is essential that there is no unauthorised access to the rear of the site either via the side access route or via neighbouring premises.
2. We recommend CCTV be installed at the main entrance doors to monitor the movements of the occupiers. In some circumstances, it can be advisable for staff carry personal attack alarms and in some instances BWV cameras for safety purposes.
3. We recommend lighting to cover entrances and the parking area to aid in natural surveillance.
4. We strongly recommend external doors and windows meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Existing rear doors and windows that are not being replaced may require limiters/ restrictors to help maintain security.

Please note, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

Contact details: 01622 653209 emily.hook@kent.police.uk.

5 SMOKE CONTROL

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed.

When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk.

Dated: 2 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:

- 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
- 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 –

- an application for change of use;
- 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.

