



PEFULZ

Application: 20211212

**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: **Mr Tony Panaser**
C/O Mr Ryan Townrow, RT Drafting Solutions Ltd
277B Main Road
Sidcup
DA14 6QL

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:

Land Rear Of
2 - 3 Cobham Street
Gravesend
Kent

and being **Erection of 3 storey plus basement level building to create 8no. 1 bedroom flats.**
Your application dated 30th May 2022 is permitted subject to the following:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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 only in precise accordance with the following schedule of approved plans and details, unless alternative details are approved pursuant to the conditions imposed on this decision notice:

Application form
Contaminated Land Report
Heritage Design and Access Statement
Drawing no. 211 rev G (existing and proposed block plans)
Drawing no. 108 rev B (site location plan)
Drawing no. 206 rev B (proposed street scene)
Drawing no. 203 rev C (proposed first and second floor plans)
Drawing no. 202 rev B (proposed basement and ground floor plans)
Drawing no. 207 (details of eaves, stone coping and windows)
Drawing no. 211 rev D (existing and proposed block plans)
Drawing no. 205 rev E (proposed side and rear elevations)
Drawing no. 208 (details of front walling, railings and front door surround)
Drawing no. 204 rev C (proposed front elevation)
Drawing no. 209 (cycle enclosure)
Drawing no. 210 (refuse enclosure)

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

3. No development above ground shall commence until details or samples of the gable coping stone using reconstructed stone are submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policies CS19 and CS20 of the Gravesham local Plan Core Strategy (September 2014).

4. The facing materials of the building shall be finished in terca smeed dean weathered yellow stock brick with ibstock parham red stock quions and canadian glendyne slate roof tiles and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policies CS19 and CS20 of the Gravesham local Plan Core Strategy (September 2014).

5. The external joinery colour shall be white unless otherwise approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policies CS19 and CS20 of the Gravesham local Plan Core Strategy (September 2014).

6. Brick arches must be gauged and rubbed brick with a mortar joint of 3mm unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policies CS19 and CS20 of the Gravesham local Plan Core Strategy (September 2014).

7. Gutters and downpipes shall be cast iron effect unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policies CS19 and CS20 of the Gravesham local Plan Core Strategy (September 2014).

8. The Roseview Ultimate Rose windows shown on drawing nos. 204 and 207 shall contain no trickle vents and shall be used for all windows unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policies CS19 and CS20 of the Gravesham local Plan Core Strategy (September 2014).

9. The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the local planning authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the LPA as to the appropriate

measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason: To safeguard human health and the natural environment, in accordance with adopted Local Plan Core Strategy Policy CS19 and paragraphs 130 of the National Planning Policy Framework 2021.

10. Prior to occupation of the flats herein approved, a noise impact assessment shall be carried out and submitted to the LPA for approval demonstrating that:
- o The internal ambient noise levels in all habitable rooms of the proposed residential dwellings shall not exceed the guideline LAeq values found in Table 4 of BS8233:2014. The maximum internal noise levels in all habitable rooms should not exceed 45dB L_{Amax} more than 10 times per night in accordance with the Professional Practice Guidance on Planning & Noise and the WHO Guidelines for Community Noise.
 - o If relevant, the rating noise from fixed building services/mechanical plant/equipment associated with the development shall be at least 10dB below the existing LA90 background level at the nearest noise sensitive receptors (i.e. dwellings) when measured and assessed in accordance with BS4142:2014

Reason: To safeguard human health and the natural environment, in accordance with adopted Local Plan Core Strategy Policy CS19 and paragraphs 130 of the National Planning Policy Framework 2021.

11. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of
- i. archaeological field evaluation works in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority; and
 - ii. following on from the evaluation, any safeguarding measures to ensure preservation in situ of important archaeological remains and/or further archaeological investigation and recording in accordance with a Written Scheme of Investigation and timetable which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure appropriate assessment of the archaeological implications of any development proposals and the subsequent mitigation of adverse impacts through preservation in situ or by record.

12. The windows shown in the rear (north) elevation serving the kitchen/diners shall be fitted with obscure glass and fixed shut apart from any top hung fan light. This work shall be carried out and completed before the room is occupied and shall be retained at all times thereafter.

Reason: To ensure the development does not prejudice conditions of amenity by reason of unneighbourly overlooking in accordance with adopted Local Plan Core Strategy Policy CS19 and paragraphs 130 of the National Planning Policy Framework 2021.

13. Prior to the commencement of above ground construction, a landscaping scheme (including details of hard landscaping materials, soft landscaping planting and external lighting design and levels) shall be submitted to and approved by the Local Planning Authority. That scheme shall be carried out in full prior to the first occupation of any dwelling hereby approved, and retained thereafter.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with Policies CS19 and CS20 of the Gravesham local Plan Core Strategy (September 2014).

14. Prior to the first occupation of the building and notwithstanding the details shown on the approved plans, details of alternative refuse arrangements allowing access for cycles to the rear shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste. The approved refuse arrangements shall be provided prior to first occupation of the development and thereafter be retained for such purposes at all times.

Reason: In order to ensure the development is served by a suitable refuse storage area, to preserve the residential and visual amenities of the locality in accordance with policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014).

15. Prior to the first occupation of the building and notwithstanding the details shown on the approved plans, details of a secure, weather proof cycle store to be provided within the rear amenity area, which provides sufficient space for 8 bicycles, shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle store shall be implemented in full prior to the first occupation of the development and shall thereafter be maintained and kept available for cycle parking.

Reason: To provide for alternative modes of sustainable transport in line Core Strategy policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (2014) and the adopted Vehicle Parking Standards (SPG4).

16. No post boxes, meter boxes, vents or flues or other service outlets or piping shall be attached to or inserted into the front elevation of the building at any time.

Reason: In order to ensure special regard is paid to protecting the character and appearance of the Darnley Road Conservation Area pursuant to Policy CS20 of the Gravesham Local Plan Core Strategy (2014) and saved policy TC3 of the Gravesham Local Plan First Review (1994).

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 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

It is the responsibility of the applicant to ensure, before the development hereby approved is commenced, that all necessary highway approvals and consents where required are obtained and that the limits of highway boundary are clearly established in order to avoid any enforcement action being taken by the Highway Authority.

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 road. This is called 'highway land'. Some of this land is owned by The Kent County Council (KCC) whilst some are owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Information about how to clarify the highway boundary can be found at <https://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land/highway-boundary-enquiries>

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under such 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.

4 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

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

6 DRAINAGE/SEWERAGE

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.

7 AGREEMENT FOR IMPOSITION OF PRE-COMMENCEMENT CONDITION(S)

In accordance with The Town and Country Planning (Pre Commencement Conditions) Regulations 2018 and paragraph 36 of the Planning Practice Guidance the Local Planning Authority has agreed in writing with the applicant on 17 August 2022 to the inclusion of the following pre-commencement conditions.

Condition 3 - details and samples of the gable coping stone
Condition 11 - Archaeological Watching Brief

8 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.

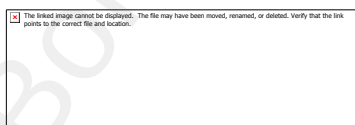
9 WORKS OF CONSTRUCTION

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: 18 August 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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.
- **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.**
- 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.