



Application: 20230555

**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 Anmol Kataria
C/O Mr Herjinder Channa
Picaroons
Maidstone Road
Platt
Kent
TN15 8LB**

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:

**17 Overcliffe
Gravesend
Kent
DA11 0EF**

and being **Change of use of restaurant to private dwelling together with erection of boundary wall and railings, new upvc window to rear and repainting of the exterior.** Your application dated 17th July 2023 is permitted subject to the following:-

1. The development hereby permitted shall be retained in accordance with the following approved plans:

Application form
Heritage Statement
Drawing no. 170C/A3/05 (site plan)
Drawing no. 170C/A3/04A (existing and proposed block plans)
Drawing no. 170C/A3/03 (existing and proposed elevations)
Drawing no. 170C/A3/02 (proposed ground and first floor plans)
Drawing no. 170C/A3/01 (existing ground and first floor plans)
Drawing no. 170C/A3/07 (existing and proposed side boundary elevations)
Drawing no. 170C/A3/06 (existing and proposed front boundary elevations)

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

2. Within three months of the date of this decision notice the gates fronting onto St. James's Avenue shall be painted black or near black.

Reason: To preserve the character and appearance of the Conservation Area within which the property is located in accordance with policies CS19 and CS20 of the Core Strategy 2014.

3. Notwithstanding the provisions of Article 3 and Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order, with or without modification), no erection of gates or alteration to boundary treatment to the front of the dwelling hereby approved without the prior written consent of the Local Planning Authority having first been obtained.

Reason: In order to maintain a good standard of design and amenity and to safeguard pedestrian and vehicular visibility in the interests of highway safety

4. Within three months of the date of this decision notice the boundary wall shall be painted to match the colour of the quoins on the main dwelling.

Reason: To preserve the character and appearance of the Conservation Area within which the property is located in accordance with policies CS19 and CS20 of the Core Strategy 2014.

INFORMATIVES:-

1 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.

2 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.

Dated: 10 November 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:

- (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.