



Application: 20221247

**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 Davinder Chhatwal
C/O Mr Paul Emmerson, Ensen Design
Ensen Design
52 Minster Road
Royston
SG8 5EW
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:

**124 Darnley Road
Gravesend
Kent
DA11 0SN**

and being **Erection of a single storey wrap-around rear/side extension, construction of no.2 dormers in the rear roofslope, conversion of the roofspace to form habitable rooms and extension of the existing vehicular crossover.** Your application dated 19th December 2022 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;
Supplementary Information - Design and Access Statement with Heritage Statement (received on 23.11.22);
Supplementary Information - Materials - Proposed (received on 23.11.22);
Supplementary Information - Covering Letter (received on 23.11.22);
Drawing No. 1237RS-0001-03 - OS Plan;
Drawing No. 1237RS-0002-03 - Site Plan - Existing;
Drawing No. 1237RS-0003-02 - Site Plan - Proposed;
Drawing No. 1237RS-0102-04 - Ground and First Floor Plan - Existing;
Drawing No. 1237RS/PA/0127 REV 5 - REVISED Ground Floor and First Floor Plan – Proposed;
Drawing No. 1237RS-0128-04 - Second Floor Plan - Proposed;
Drawing No. 1237RS-0403-02 - Sun Path Studies and Light Diagrams;

Drawing No. 1237RS-PA/0103 - Second Floor Plan - Existing;
Drawing No. 1237RS/PA/0250 - Elevations - Existing;
Drawing No. 1237RS/PA/0275 REV 4 - REVISED Elevations - Proposed;
Drawing No. 1237RS/PA/0401 - 3D images - Existing;
Drawing No. 1237RS/PA/0402 - 3D Images - Proposed;
Drawing No. 1237RS/PA/0404 - Revised Proposed View;
Drawing No. 1237RS/PA/0276 - Contextual Elevations - Proposed; and
Drawing No. 1237RS/PA/0004 REV 01 - Hard and Soft Landscaping Details - Proposed.

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 on the application form and revised plans.

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. Any window serving a bathroom/wc/ensuite must be fitted with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) only at all times.

Reason: To prevent undue overlooking of the adjoining residential property in accordance with Policy CS19 of the Local Plan Core Strategy 2014.

5. 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 additional window, door or other form of opening shall be formed any elevation of the extension hereby permitted.

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. 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 Local Planning Authority 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 prevent harm to human health and pollution of the environment and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

7. The proposed hedging/soft landscaping scheme shown on approved drawing no. 1237RS/PA/0004 REV 1 shall be carried out in full within the first planting season. Any trees or plants that die, are damaged, removed or become diseased within five years from implementation shall be replaced with a similar size and species during the next planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the site and biodiversity, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

8. Prior to first use of the additional parking space, the vehicle crossover should be extended to accommodate two vehicles to the requirements of Kent County Council Highways and Transportation.

Reason: In the interests of highway safety and pursuant to Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and saved Policy T5 of the Gravesham local Plan First Review (1994).

9. There shall be no planting, landscaping or boundary treatment installed within 2 metres of the highway that exceeds 600mm in height at any time.

Reason In order to protect pedestrian visibility splays in the interests of highway safety in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

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 FOR THE AVOIDANCE OF DOUBT

For the avoidance of doubt the proposed timber picket fence boundary treatment in the frontage has been superseded by the revised plans received on 21.02.23. The boundary treatment is to consist of a 600mm dwarf wall with black railings and the bricks will match the existing dwelling.

5 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION

The applicants are advised that a separate application will need to be made to KCC Vehicle Crossing Team for a vehicle crossover/dropped kerb

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>

6 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: 1 March 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.