

Application: 20231097

**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
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To: **Dr Mihir Shar, Quigley Dental Practice
C/O Offset Architects
Nepicar House
London Road
Wrotham Heath
Sevenoaks
Kent
TN15 7RS**

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:

**25A Hunt Road
Northfleet
Gravesend
Kent
DA11 8JT**

and being **Change of Use from Class C3(a) (Dwellinghouses) to Class E(e) (Health Services)**. Your application dated 30th October 2023 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 accordance with the following schedule of approved plans:

Application Form
8618-PD-01 Revision A - Existing and Proposed Plans and Site and Location Plans.

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

3. The use hereby permitted shall only operate and be open to the public between the times of 09:00 and 17:30 Monday to Friday. No works or ancillary operations related to this use of the premises, that are audible at the site boundary shall take place outside of the hours stated in this condition.

Reason: To safeguard the amenities of occupiers of adjoining and nearby properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

4. Prior to the approved development first commencing, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of the proposed cycle storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage facilities shall be provided prior to any part of the first floor dentist as hereby approved first being occupied and thereafter be retained for such purposes at all times.

Reason: In order to encourage options for sustainable travel in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

5. Prior to the approved development first commencing, and notwithstanding the details shown on the approved plans, submitted documents and application form, a Travel Plan, detailing the measures designed to help and thereafter maintain a modal shift in favour of reduced reliance on private car usage for travel to and from the development, shall be submitted to and approved in writing by the Local Planning Authority. It shall require that a Travel Plan Co-Ordinator be appointed, who shall be responsible for monitoring the use of staff and patient travel methods, and in the event that private vehicle usage exceeds 67% for staff members and 84% for patients, the parking co-ordinator shall forthwith notify the Council and the Owner and/or Tenant will enact additional elements, to limit impact of additional parking on local roads, as detailed in the approved Travel Plan. All elements of the Travel Plan shall continue to be implemented at all times following its approval for as long as any part of the development is occupied or used.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policy CS11 of Gravesham Local Plan Core Strategy (2014) and Section 9 of the NPPF (2023).

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) 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.

2 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].

3 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.

4 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: 30 May 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of 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.