

Application: 20230955

**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: **Mr Harminder Dhanda
C/O Mr Raj Bhatti
25 Cloonmore Ave
Orpington
Kent
BR6 9LE**

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:

**305 Wrotham Road
Istead Rise
Gravesend
Kent
DA13 9JH**

and being **Erection of an outbuilding in the rear garden for the use of a games room/gym and sauna, and levelling of the rear garden with steps.** Your application dated 12th September 2023 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this permission.

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 approved plans:

- Application Form
- Site Location Map
- Drawing No: 2167-004 (Existing Elevations)
- Drawing No: 2167-002 Rev 00 (Existing Cross Section and Elevations)
- Drawing No: 2167-008 (Existing Plans and Elevations)
- Drawing No: 2167-001 Rev 01 (Existing and Proposed Site Plans)
- Drawing No: 21673-003 Rev 01 (Existing and Proposed Cross Section)
- Drawing No: 2167-004 Rev 01 (Proposed Rear Games Room Plan)
- Drawing No: 2167-006 Rev 02 (Proposed Elevations of Rear Games Room)
- Drawing No: 2167-007 Rev 01 (Proposed Elevation of Rear Games Room)

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 stated on the submitted Application Form and Drawing No: 2167-006 Rev 02 (Proposed Elevations of Rear Games Room) and Drawing No: 2167-007 Rev 01 (Proposed Elevation of Rear Games Room)

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. The outbuilding hereby permitted shall be used only for the purpose of a home gymnasium, shower/w.c and storage incidental to the enjoyment of the main dwelling at 305 Wrotham Road, Gravesend and for no other purpose and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015, (or any provision equivalent to those Classes in any statutory instrument revoking and re-enacting that Order) shall take place. For the avoidance of doubt the building shall not at any time contain any primary living accommodation or be sold, parted, let or exchanged as a separate unit of living accommodation and no trade or business shall be carried on therefrom.

Reason: In order to restrict the use/occupancy of the outbuilding and to ensure that the development is in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

5. No window, doors or other form of opening other than those permitted shall be formed in any elevation of the outbuilding hereby permitted.

Reason: In order to protect the amenity and privacy of the occupants of the neighbouring properties in accordance with Local Plan: Core Strategy Policy CS19.

INFORMATIVES:-

1 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.

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 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.

In this instance, necessary revisions were identified and made to the proposal, at which point it was able to be given permission.

Dated: 9 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.