

Application: 20250481

**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 & Mrs A Gill
C/O Mr Jonathan Bolton
Synergy
The Office, The Larches
Higham
Rochester
Kent
ME3 7NQ**

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:

**Willow Platt
Hermitage Road
Higham
Rochester
Kent
ME3 7NF**

and being **Demolition of bungalow and erection of a two storey self-build dwelling on the site of the former bungalow (part retrospective)**. Your application dated 20th May 2025 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 in accordance with the following approved plans:

Drawing No.24/453.02 - Proposed Plans & Elevations; and
Drawing No.24/453.03 - Proposed Plans & Elevations.

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

3. Prior to any site clearance or engineering operations, a comprehensive Code of Construction Practice covering all environmental impacts of this development is provided by the applicant and submitted for approval to the Local Planning Authority in consultation with the Local Highway Authority. The development hereby permitted shall be carried out in accordance with the approved Code of Construction Practice.

Reason: To ensure the free flow of traffic on the highway and to protect the amenity of local residents and businesses in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

4. From commencement of works (including further site clearance), to avoid impacts to protected and priority species, the following precautionary mitigation should be implemented:
1. Any hedgerow and trees to be retained, including its roots, will be protected from damage;
 2. Any required clearance of tall/dense vegetation with potential to support reptiles or amphibians should be undertaken in two stages, with a first cut to 150mm, in the direction towards optimal habitat for shelter, followed by a second cut several days later to ground level;
 3. Grass will be maintained to a low sward of 5cm prior to and during the construction;
 4. Brush, rubble, soil and log piles to be relocated will be dismantled by hand. Where these are suitable for hibernating reptiles/amphibian/hedgehog, removal will be conducted outside of the hibernation period (November - February);
 5. Backfilling of trenches and other excavations will be undertaken before nightfall, or a ramp will be left to allow any animals to easily exit;
 6. All excavations and trenches will be checked each morning throughout the construction period and prior to infilling;
 7. All temporarily stored building materials (that might act as temporary resting places) will be isolated within hardstanding areas and raised off the ground, e.g. on pallets;
 8. Any work to vegetation/structures that may provide suitable bird nesting habitats should be carried out outside of the bird breeding season (1st March to 31st August inclusive) to avoid destroying or damaging bird nests in use or being built. If within the breeding bird season a survey by a suitably qualified person needs to be conducted to confirm absence, prior to commencing works.
 9. If at any time a protected species is discovered within the works area all works must stop while a suitably qualified ecologist and/or Natural England are consulted.

Works will not resume until any required surveys and/or mitigation are completed.

Reason: In order to protect biodiversity on site in accordance with Policy CS12 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014).

5. Prior to above ground works commencing, details and samples of all materials and finishes to be used in the external faces of the building (bricks, tiles, rainwater goods, windows and doors) have been submitted to and approved in writing by the Local Planning Authority; the development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visually attractive development in accordance Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

6. Notwithstanding the provisions of Classes A, B, C, D, E and F of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any provision equivalent to that Class in any statutory instrument

revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling or the erection of buildings incidental to the enjoyment of the dwelling hereby permitted, shall be carried out.

Reason: In order that any other proposed extensions or alterations to the property may be the subject of a planning application which the Local Planning Authority would wish to consider on its own merits having regard to the special amenity and green belt location of the area in accordance with adopted Policies CS02, CS12 and CS19 of Gravesham Local Plan Core Strategy (2014).

7. Prior to above ground works, a scheme detailing the proposed hard surface treatments and screening by walls, fences or other means shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development. Thereafter the boundary shall be retained and not subsequently altered.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with adopted Policy CS19 of Gravesham Local Plan Core strategy (2014).

8. 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).

9. 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 window, door or other form of opening shall be formed in flank elevations of the dwelling 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).

10. Prior to above ground works, and notwithstanding the details shown on the approved plans, submitted documents and application form, a scheme detailing the proposed soft landscaping shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the type and species of planting to be carried out, to include their quantity and size as well as arrangements for aftercare. Thereafter the approved soft landscaping scheme shall be carried out in full during the first available planting season following first occupation of the development. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the development is first brought into use shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaped elements of the scheme as proposed are properly designed and suitably implemented in the interests of visual amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

11. A sensitive lighting scheme will be implemented as detailed within in the Proposed plans and elevations, Synergy, Oct 24, in accordance with guidance in Bat Conservation Trust/Institute of Lighting Professional's 'Guidance Note 08/23 Bats and Artificial Lighting at Night.

Reason: To minimise light spill and to protect adjacent habitats and wildlife from impacts from lighting in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

12. Prior to any part of the permitted development being occupied, and notwithstanding the details shown on the approved plans, submitted documents and application form, details of how the vehicle parking areas formed, surfaced, drained and marked out in accordance with a scheme first to be submitted to and approved in writing by the Local Planning Authority. Thereafter, notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument revoking and re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas.

Reason: To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy P3 of the Gravesham Local Plan First Review (1994).

13. Prior to the first occupation of the dwelling hereby approved an electric vehicle charger shall be installed and maintained thereafter.

Reason: To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Policies CS11, CS18 and CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

14. Within three months of works commencement, a detailed plan(s) showing how the development will enhance biodiversity, will be submitted to, and approved in writing by, the Local Planning Authority. This will include the installation of durable bat and bird boxes, log piles, hibernacula, hedgehog homes and native species included in any planting. The approved measures will be implemented and retained thereafter.

Reason: In order to protect biodiversity on site in accordance with Policy CS12 (Development and Design Principles) 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 39 of the National Planning Policy Framework (NPPF) 2024, 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 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.

3 BUILDING REGULATIONS CONSENT

The granting of planning permission is independent from the granting of Building Regulations consent (which may, or may not, be required). In the event of a change to the scheme granted planning permission being required to satisfy the Building Regulations, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

4 SELF BUILD

IMPORTANT - Biodiversity Gain Condition

The development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain under Regulation 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 (exemption for Self-build or custom housebuilding development), and as such does not require approval of a biodiversity gain plan before development is begun.

5 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: 15 August 2025

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.