



Application: 20230943

**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: **T Russell
C/O Mr Paul Nicholls, Graham Simpkin Planning Ltd
2 The Parade
Ash Road
Hartley
Longfield
DA3 8BG**

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:

**Starwood
Pear Tree Lane
Shorne
Gravesend
Kent
DA12 3JU**

and being **Application for variation of condition 2 attached to planning permission reference number 20050912 for the erection of a detached garage, to allow the store in the roof space above the garage to be used as a hobby room and construction of a dormer extension in both side roof slopes of garage to provide enlarged roof space for the hobby room/store to allow use of detached garage as an annexe in connection with main dwelling house.** Your application dated 15th September 2023 is permitted subject to the following:-

1. The development to which this permission relates must be begun no later than the 9 November 2026.
- 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 precise accordance with the following approved details, plans and specifications:

Application Form - dated 7 September 2023;
Planning Statement (ref. 3926.PN) - dated September 2023;
Drawing no. 1273/1 - Site Location Plan (scale 1:1250);
Drawing no. 1273/8A - Proposed Elevations;
Drawing no. 01 - Proposed Garage/Annexe Floor Plans.

and those approved pursuant to any conditions contained herein after and there shall be no deviation therefrom.

Reason In order to ensure the development is implemented on the basis of the scheme as submitted and assessed in the interests of proper planning and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

3. The building hereby permitted shall be used as an incidental annexe for the occupants of Starwood House containing a bedroom and bathroom at first floor, with the garage retained at ground floor for vehicular parking, and the building shall not, at any time, be let or sold and no trade or business shall be carried out therefrom.

Reason To safeguard against subdivision of the existing single residential dwelling that would facilitate independent occupation of the extension, as a separate unit of accommodation would be inappropriate on this site, in accordance with Policies CS02 and 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) 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.

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:

- 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
- 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 –

- an application for change of use;
- 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.