

Application: 20230518

**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 Winstone
C/O Mr David Bellamy, David Bellamy Consulting Ltd
9 Recreation Way
Kemsley
SITTINGBOURNE
ME10 2RD
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:

**Graveney Lodge
Wrotham Road
Meopham
Gravesend
Kent
DA13 0AQ**

and being **Application for a minor material amendment for variation of condition 2 attached to planning permission reference 20220265 for the erection of a single storey dwelling house; to allow the replacement of drawings numbered 21/0529/14A (Proposed Ground Floor Plan - Option 2); 21/0529/15 (Proposed Elevations - Sheet 1); 21/0529/16 (Proposed Elevations - Sheet 2) and 2160:03B (Proposed Block Plan) with drawings numbered 21/0529/14C (Proposed Ground Floor Plan); 21/0529/15A (Proposed Elevations - Sheet 1); 21/0529/16A (Proposed Elevations - Sheet 2) and 21/0529/17 (Block Plan - As Proposed); and removal of drawing number 21/0529/13A (Proposed Basement Plan - Option 2), to allow the omission of the basement, alterations to the roof and elevations, and erection of a single storey extension for plant/store room.** Your application dated 22nd May 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 the original permission 20201100 was granted (25 August 2021).

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 approved shall be carried out in accordance with the following schedule of approved plans and particulars:

(Plans submitted under 20201100);
Application Form dated 21/10/2020;
Planning Statement dated October 2020;

Drawing no. 2160.01 (Site Location Plan);
Drawing no. 2160.02 (Existing Block Plan);
Supplementary Information - Delegated Report for 1 Bonnyacre, Sevenoaks;
Supplementary Information - Appeal Decision for 20170632;

(Plans submitted under 20220265);
Application form received 11 March 2022;
Covering letter dated 7 March 2022 received 11 March 2022;
Drawing no. 21/0529/13 Rev. A (Proposed Basement Plan. Option 2) received 11 March 2022;

(Plans submitted under 20220808);
Application form received 21 July 2022;

(Plans submitted under 20230518);
Application form received 16 May 2023;
Covering letter dated 14 May 2023 received 16 May 2023;
Drawing no. 21/0529/14 Rev. C (Proposed Ground Floor Plan) received 16 May 2023;
Drawing no. 21/0529/15 Rev. A (Proposed Elevations - Sheet 1) received 16 May 2023;
Drawing no. 21/0529/16 Rev. A (Proposed Elevations - Sheet 2) received 16 May 2023;
Drawing no. 21/0529/17 (Block Plan as Proposed) received 16 May 2023; and
Arboricultural Impact Assessment and Method Statement (Amended June 2023) (Ref. CAS/2021/127) received 28 June 2023.

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

3. Prior to the commencement of any above ground works, details and/or samples of all external facing materials to be used on the buildings hereby approved shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

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

4. Notwithstanding the details submitted and approved under condition 4 of condition discharge application 20220522, prior to the first occupation of the development hereby permitted, a plan incorporating the amendments approved under this application shall be submitted to the Local Planning Authority for approval showing a scheme of landscaping (hard and soft) and boundary treatment. The details shall include:

(i) the type and species of planting to be carried out to include their quantity and size.

The planting shall include two trees for every tree lost to the development;

(ii) measures to promote biodiversity enhancement to include planting of native and wildlife attracting species and installation of bat and bird nesting boxes;

(iii) a timetable for implementation;

(iv) details of initial aftercare, long term maintenance and details for monitoring and remedial measures;

(v) the extent of, and materials for all areas of hardstanding; and

(vi) the type, materials, height and extent of any fences, gates, walls or other means of enclosure.

The approved landscaping scheme shall be implemented in accordance with the approved timetable and maintained in accordance with the approved details. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Authority gives written consent to any variation.

Reason: To ensure that the development permitted will protect and enhance the appearance and character of the site and locality in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.

5. The tree protection measures as detailed in the Arboricultural Impact Assessment and Arboricultural Method Statement Reference CAS/2021/127 prepared by Cantia Arboricultural Services (dated June 2023) shall be implemented in full and in accordance with the approved timetable and maintained and supervised until completion of the development.

Reason: To ensure that trees and other vegetation to be retained are not damaged during construction works, in accordance with Policy CS19 of the Local Plan Core Strategy 2014.

6. In this condition 'retained trees and hedges' means any existing tree and hedge which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the occupation of the building for its permitted use.

(a) No retained tree or hedge shall be cut down, uprooted or destroyed, nor shall any retained tree or hedge be topped or lopped other than in accordance with the approved plans, particulars and arboricultural statement, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard Recommendations for Tree Work. 3998:1989.

(b) If any retained tree or hedge is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such a size and species, and shall be planted at such a time as may be specified in writing by the Local Planning Authority.

Reason: To ensure the long-term retention and management of existing trees and in the interest of neighbour amenity in accordance with Policy CS19 of the Local Plan Core Strategy 2014.

7. 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 in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 122 and 123 of the National Planning Policy Framework 2021.

8. Within 3 months of the date of this decision, details of any extract ventilation and/or odour control equipment to be installed within the plant room, including odour elimination abilities and likely noise emissions, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter remain in use and be maintained in accordance with the manufacturer's instructions.

Reason: In the interests of the amenities of neighbouring properties, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

9. Notwithstanding the provisions of Classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any provision equivalent to it in any statutory instrument revoking and re-enacting or replacing that

Order, no enlargements to the dwellinghouse, including the roof of the dwellinghouse (excluding the construction of a porch) or the construction or any further outbuildings, shall occur, unless prior written consent has been obtained, in the form of full planning permission, from the Local Planning Authority.

Reason: In the interests of retaining adequate private amenity space for the future occupiers of the dwellinghouse and protecting neighbour amenity, in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

10. Any window serving a bathroom/wc 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: In order to safeguard the amenity of future occupiers and neighbouring dwellings in accordance with Policy CS19 of the Local Plan Core Strategy 2014.

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 MAINS DRAINAGE

The foul sewage shall be removed by means of the mains drainage system and not by the use of non-mains sewerage systems, unless connection to the drainage system is not reasonably practicable. If foul sewage is to be removed using non-mains sewerage systems, a sewage treatment plant or septic tank system will be considered in preference to a cesspool. Such a system may require the prior consent of the Environment Agency under the terms of the Water Resources Act 1991. Applicants are therefore advised to discuss their requirements with the Environment Agency at the earliest opportunity. It should be ensured that the septic tank or cesspool is of adequate capacity to serve the proposed development and suitable access and hardstanding area shall be maintained to it on site.

DOMESTIC REFUSE ARRANGEMENTS: SINGLE DWELLINGS

The dwelling should have sufficient storage capacity to cope with the waste generated in between collections (1 week).

DOMESTIC REFUSE ARRANGEMENTS: ADVISORY NOTES

Plastic sacks are issues for solid waste storage and collection will be from the front entrance to the property adjacent to the road or footpath.

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 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].

5 PARTY WALL ACT 1996

Applicants are reminded of their responsibilities under the Party Wall Act 1996. This legislation is not taken into account when determining a planning application and independent advice should be taken in this regard. In the event of application of this legislation requiring change to the permitted scheme, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

6 NAMING & NUMBERING

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. The on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.gravesham.gov.uk/street-naming>. Please submit the application and the requisite fee in accordance with the guidance on the form.

7 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.

Dated: 19 July 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.