



PEFULZ

Application: 20211529

**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

To: **Mr Jasbir Dosanjh
C/O Mr Herjindur Channa
Picaroons
Maidstone Road
Platt
Kent
TN15 8LB**

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:

**25 The Avenue
Gravesend
Kent
DA11 0NA**

and being **Change of use from dwelling house to a 9 bedroom house of multiple occupation**. Your application dated 14th December 2021 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 precise accordance with the following approved plans and particulars:

Heritage Statement;
Design and Access Statement;
Drawing no. 25TA/A3/01 (Site Map and No Change to Elevations);
Drawing no. 25TA/A3/02 (Proposed Ground Floor Plan);
Drawing no. 25TA/A3/03 (Proposed First Floor Plan);
Drawing no. 25TA/A3/04 (Proposed Second Floor Plan);
Drawing no. 25TA/A3/05 (No Change to Block Plan); and
Drawing no. 25TA/A3/06 (Existing Floor Plans).
(All received 10 December 2021)
Application form received 14 December 2021.

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

3. The development hereby approved shall not be occupied until a scheme of cycle storage facilities incorporating 3 cycle parking spaces within a secure and weatherproof enclosure has been submitted to and approved in writing by the Local Planning Authority. These facilities shall be made available for use prior to first occupation of the development hereby approved and retained for use by site users at all times thereafter.

Reason: In order to encourage options for sustainable travel in accordance with Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy 2014.

4. Prior to the first occupation of the development hereby permitted, details of security for the property to comply with the recommendations of Kent Police in their letter dated 29 January 2022, including access controls, lighting, alarms, and fire/security certified doors, shall be submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in strict accordance with those details.

Reason: To ensure a safe living environment in the interests of amenity, and in accordance with Policy CS19 of the Local Plan Core Strategy 2014.

5. The approved refuse storage facilities for the development hereby approved shall be provided prior to the first occupation of the development hereby permitted, and shall thereafter shall be retained for such purposes at all times.

Reason: In the interest of amenity and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

6. Notwithstanding the details submitted on the application form and in the approved plans, the number of bedrooms and occupants at the property shall at no time be more than 9.

Reason: To ensure the protection of the residential amenities of occupiers and neighbouring properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

7. No more than 2 residents' parking permits shall be sought in relation to the property at 25 The Avenue, Gravesend.

Reason: In the interests of amenity and parking pressures in the area, and in accordance with Policy CS19 of the Gravesham 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 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 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 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.

5 SMOKE CONTROL

The proposed development is situated in a smoke control area. As such, only authorised smokeless fuels as listed in the Smoke Control Areas (Authorised Fuels) Regulations 1991 shall be burnt or fireplaces/appliances exempted by Smoke Control (Exempted Fireplaces) Orders shall be utilised. Exempt appliances are appliances (ovens including pizza and tandoori ovens, wood burners and stoves) which have been exempted by Statutory Instruments (Orders) under the Clean Air Act 1993. These have passed tests to confirm that they are capable of burning an unauthorised or inherently smoky solid fuel without emitting smoke. They must be fitted and used according to manufacturer's instructions and they can only be used for the fuel for which they are designed.

When purchasing fuels and fireplaces the applicant should clarify with the vendor their suitability with respect to use in Smoke Control Areas. For further information, including confirmation that an appliance and/or fuel is suitable for use in a smoke control area, the applicant should contact the Council's Regulatory Services air.quality@gravesham.gov.uk.

6 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.

7 It is recommended that appropriate provision should be made for the secure parking of motorcycles at the property, to include at least two spaces, along with an electric charging point for battery powered motorcycles.

Dated: 4 March 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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### **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.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).**
- 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.

### **COMPENSATION**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.