



Application: 20221020

**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 Jasvinder Gill, Hatten Wyatt Solicitors & Advocates
C/O Mr Jeremy Isherwood, Jeremy S Isherwood Chartered Architect
34 Chalky Bank
Gravesend
DA11 7NY**

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:

**51 - 54 Windmill Street
Gravesend
Kent
DA12 1BD**

and being **Widening of the existing car park access on the North Street frontage from 3.669 metres to 4.569 metres, erection of a sliding remote-controlled painted steel gate across the opening, construction of new brick piers either side of the opening.** Your application dated 20th September 2022 is permitted subject to the following:-

1. The development hereby permitted 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 and particulars:

Application form
Heritage Statement
Design Statement
Drawing no. 536/01 (Location Plan as Existing)
Drawing no. 536/02 (Site Plan as Existing)
Drawing no. 536/PL01 (Proposed Replacement Car Park Gate Site Plan)
Drawing no. 536/PL02 (Proposed Replacement Car Park Gate)
Drawing no. 536/PL03 (Cellar and Ground Floor as Existing)
Drawing no. 536/PL04 (First and Second Floor Plans as Existing)
Drawing no. 536/PL05 (Front and Rear Elevations as Existing)
Drawing no. 536/PL06 (Side Elevations as Existing)

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

3. No development shall take place above ground level until details of the remote-controlled sliding steel gate have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of preserving and enhancing the character and appearance of this Grade II Listed Building and the Upper Windmill Street Conservation Area, in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014.

4. The materials used the construction of the development hereby permitted, including bricks and mortar, shall precisely match those used in the existing structures in accordance with the details in the Application Form, Design Statement and drawing no. 536/PL02.

Reason: To ensure a satisfactory visual relationship between the existing and the new development and in the interests of preserving and enhancing the character and appearance of this Grade II Listed Building and the Upper Windmill Street Conservation Area, in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014.

5. Where the existing wall is disturbed as a result of the development hereby permitted these works shall be made good. All making good shall be carried out using good quality materials which precisely match and are sympathetic to the character and appearance of the existing structures.

Reason: In the interests of preserving and enhancing the character and appearance of this Grade II Listed Building and the Upper Windmill Street Conservation Area, in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 WIRELESS KEY FOB ENTRY

It is recommended the gates should be electronically operated by a wireless key fob to minimise the time waiting whilst the gates are open or closed.

2 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].

3 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.

4 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].

5 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: 15 November 2022

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.
- **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 or online at 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.