



Application: 20221259

**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 and Mrs D. Partridge
C/O Mr Steve Baker, Steve Baker Architect
78 Pound Road
East Peckham
Tonbridge
Tonbridge, Kent
TN12 5BJ**

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:

**122 Marling Way
Gravesend
Kent
DA12 4RE**

and being **Erection of a new dwelling, the consequent external alterations and incidental minor internal ground and first floor alterations to the existing property, and associated external works and car parking provision** Your application dated 28th November 2022 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:

Application Form - 24/11/2022;
Covering Letter - dated 24/11/2022;
Supplementary Information - Southern Water Letter (dated 14/07/2022);
Drawing no. 220920 - 1000 - Location Plan;
Drawing no. 220920 - 1001 - Rev. A - Existing Site Block Plan;
Drawing no. 220920 - 1001A - Existing Site Block Plan (Services);
Drawing no. 220920 - 1010 - Existing Ground Floor Plan;
Drawing no. 220920 - 1011 - Existing First Floor Plan;
Drawing no. 220920 - 1020 - Existing Section AA;
Drawing no. 220920 - 1021 - Existing Section BB;
Drawing no. 220920 - 1030 - Existing North Elevation;
Drawing no. 220920 - 1031 - Existing South Elevation;
Drawing no. 220920 - 1032 - Existing East Elevation;

Drawing no. 220920 - 1033 - Existing West Elevation;
Drawing no. 220920 - 1100 - Public Sewer Diversion;
Drawing no. 220920 - 1101 - Rev. A - Proposed Site Block Plan;
Drawing no. 220920 - 1101A - Rev. A - Proposed Site Block Plan (Services);
Drawing no. 220920 - 1110 - Rev. A - Proposed Ground Floor Plan;
Drawing no. 220920 - 1111 - Rev. A - Proposed First Floor Plan;
Drawing no. 220920 - 1120 - Rev. A - Proposed Section AA;
Drawing no. 220920 - 1121 - Proposed Section BB;
Drawing no. 220920 - 1130 - Proposed North Elevation;
Drawing no. 220920 - 1131 - Proposed South Elevation;
Drawing no. 220920 - 1132 - Proposed East Elevation;
Drawing no. 220920 - 1133 - Proposed West Elevation.

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

3. Notwithstanding the details included on the application form and approved plans the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling (no.122 Marling Way) and the wider terrace.

Reason To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (2014).

4. Any window serving a bathroom/wc/ensuite and the flank window serving the utility room must be top hung and fitted with obscure glass to a level equivalent to Pilkington Level 3 or above (or the nearest equivalent standard) only at all times.

Reason To prevent undue overlooking of the adjoining residential property in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

5. 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 any elevation of the dwelling hereby permitted.

Reason In order to protect the amenity and privacy of the occupants of the neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

6. Notwithstanding the provisions of Classes A, B and E of the Town & 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 or the construction of an outbuilding, 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 protecting the openness of the Green Belt and restricting inappropriate development in accordance with Policy CS02 of the Gravesham Local Plan Core Strategy (2014) and saved Policy C13 of the Gravesham Local Plan First Review (1994).

7. Before the access hereby permitted is first brought into use no boundary wall, fence or other means of enclosure or obstruction (including planting) exceeding 600mm in height shall be erected or placed along the frontage of the property to ensure adequate pedestrian visibility on the footway.

Reason In the interests of highway and pedestrian safety and pursuant to Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and saved policy T5 of the Gravesham Local Plan First Review (1994).

8. No gates shall be installed across the vehicular access and driveway hereby permitted at any time.

Reason In the interests of highway safety and to avoid vehicles waiting in the road while gates are opened or closed and pursuant to Policy CS11 of the Gravesham Local Plan Core Strategy (2014) and saved policy T5 of the Gravesham Local Plan First Review (1994).

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) 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.

2 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.

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 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: 20 January 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.
- **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.