



Application: 20221232

**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 Levi Friend
C/O Mr James Barron, Barron Edwards Ltd
Barron Edwards, Whitehall Place
47 The Terrace
Gravesend
Kent
DA12 2DL**

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:

**O'Dell Place
Lower Higham Road
Gravesend
Kent
DA12 2NY**

and being **Change of use of land as a further extension of the existing Gypsy and Traveller site (approved under 20190823) being a revised site layout to accommodate the approved additional 3 no. pitches including details of hardstanding areas, provision of waste treatment plant and use of part of the stable block as utility areas.** Your application dated 17th November 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;
Planning Statement (14 November 2022);
Plan 5 Existing Site Layout;
Plan 3 Approved/Proposed Stable Block Floor Plans;
Drawing no. 001 Rev. B (Site Location Plan, Previously Approved Block Plan);
Drawing no. 002 Rev. B (Site Location Plan, Proposed Block Plan) (with the exception of the additional tarmac surfacing); and
Drainage details (by Roberts Construction Drainage).

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

3. Prior to any ground works taking place, a plan shall be submitted to and approved in writing by the Local Planning Authority showing full details of hard landscaping and surface finishes for the development, including details of a non-tarmac porous access drive and car parking areas (such as grass-crete or similar) in the rear paddock, and any screening or boundary treatment by walls, fences or other means. The scheme shall be constructed in accordance with the approved details and completed, in its entirety, prior to the first occupation of the caravans hereby permitted.

Reason: In order to 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.

4. Prior to any ground works taking place, a soft landscaping scheme, including a timetable for implementation and completion, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- The retention of existing boundary planting.
- Details of additional native tree, hedgerow and shrub planting around the site boundaries to include their quantity, size and arrangements for aftercare.
- Details of biodiversity enhancements such as hedgehog, bird and bat boxes, and log piles.

Any identified trees or plants that die, are damaged, removed or become diseased within five years from the first occupation of the caravans hereby permitted shall be replaced with a species of a similar size and species during the next available planting season. The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with an agreed implementation programme. The completed scheme shall be managed and/or maintained thereafter.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of appearance upon the completion of the development and to ensure no net loss of biodiversity in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

5. Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting plan must demonstrate that the lighting has been designed in accordance with Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting' guidelines (or subsequent editions/updates) and that artificial lighting will not adversely affect local wildlife. The external lighting shall be installed in accordance with the approved details and no additional lighting shall be installed without the prior permission in writing of the Local Planning Authority.

Reason: In order to limit the impact of the lighting on wildlife and residential amenity with regard to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

6. The areas around the caravan locations as shown on the approved plan drawing no. 002 Rev. B (Site Location Plan, Proposed Block Plan) shall be retained and maintained as grass at all times.

Reason: In order to retain the rural character and appearance of this site within the Green Belt in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

7. The use hereby permitted shall be carried on only by Mr and Mrs Levi Friend and their immediate family until such time as the site is no longer required for the approved use, when the use hereby permitted shall cease and all caravans, structures, materials and

equipment brought on to the land, or works undertaken in connection with the use, shall be removed and the land restored to its condition before the development took place.

Reason: The site is in an area where the stationing of caravans/mobile homes is not normally permitted and an exception has been made to provide accommodation solely for Gypsies/Travellers. When this site is no longer required to be used as such it can be restored to protect the long-term openness of the Green Belt, in accordance with the requirements of Policy CS02 of the Gravesham Local Plan Core Strategy 2014.

8. No more than 5 static caravans/mobile homes and 3 touring caravans, as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, shall be stationed on the site as hereby approved at any one time, and no further caravans shall be placed at any time anywhere within the site.

Reason: To safeguard the visual amenity and rural character and appearance of this site in the Green Belt, in accordance with Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

9. No bonfires or incineration of rubbish or organic material or vegetation shall take place on the site.

Reason: In order to safeguard residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

10. No commercial activities shall take place on the land at any time, including the storage of materials and/or livery use, and no vehicles over 3.5 tonnes shall be stationed, stored or parked on the site at any one time.

Reason: To safeguard the visual amenity and rural character and appearance of this site in the Green Belt, and local amenity in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

11. Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and/or re-enacting that Order with or without modification), no temporary buildings or structures shall be stationed on the land without the prior permission of the Local Planning Authority other than as expressly permitted by this decision.

Reason: To safeguard the visual amenity and rural character and appearance of this site in the Green Belt in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

12. Notwithstanding the provisions of Class A, Part 2, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), there shall be no additional gates, walls or fences erected on or around the site other than those approved on the scheme of hard landscaping submitted pursuant to condition 3.

Reason: To safeguard the visual amenity and rural character and appearance of this site in the Green Belt 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.

Dated: 1 March 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.

