

**Application: 20241110**

**TOWN AND COUNTRY PLANNING ACT 1990  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015 (AS AMENDED)**

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| <b>NOTIFICATION OF GRANT OF PERMISSION TO DEVELOP LAND</b> |
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To: **Mr Stanley Mushawatu  
C/O Mr Tony Angeletta  
11 Joydens Wood Road  
Bexley  
DA12 5QF**

**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:

**103 Jubilee Crescent  
Gravesend  
Kent  
DA12 4JQ**

and being **retention of boundary wall, demolition of existing storage buildings and erection of a two-storey side extension to form kitchen, family room, w/c, bedroom and ensuite with 2 car parking space to the frontage**. Your application dated 6th December 2024 is permitted subject to the following:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Application Form
  - Drawing No: SM/10A (Boundary Wall Drawing)
  - Drawing No: SM/09 B (Proposed Car parking Plan)
  - Drawing No: SM/08 A (Proposed Side Elevation)
  - Drawing No: SM/07 A (Proposed Rear Elevation)
  - Drawing No: SM/06 A (Proposed Front Elevation)
  - Drawing No: SM/05 A (Proposed First Floor Plan)
  - Drawing No: SM/04 A (Proposed Ground Floor Plan)
  - Drawing No: SM/03 (Existing Plans and Elevations)
  - Drawing No: SM/02 A (Existing & Proposed Block Plans)
  - Drawing No: SM/01 (Site Location Plan).

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

2. Within 2 months of the date of this decision notice the existing boundary walls at 103 Jubilee Crescent shall be altered to be in total accordance with Drawing No: SM/10 A (Site Plan & Boundary Wall Drawing) and retained thereafter.

**Reason:** In the interests of highway and pedestrian safety and in accordance with Policy CS11 of the adopted Gravesham Local Plan Core Strategy (September 2014) and saved Policy T5 of the Gravesham Local Plan First Review.

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.

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

4. The ensuite window within the front elevation of the development hereby approved shall be installed and retained in perpetuity as obscure glazed, to a level at least equal to Level 3 on the Pilkington Scale, and non-openable below a level of 1.7m above the adjacent internal floor level.

**Reason:** In the interest of neighbouring privacy, in accordance with Gravesham Local Plan: Core Strategy Policy CS19.

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 the flank elevation of the extension hereby permitted.

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

6. Notwithstanding the provisions of Classes A, B and C 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 (excluding the construction of a porch), 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 and preventing overdevelopment.

7. 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).

8. The extension hereby permitted shall not be let or sold at any time as a separate unit of residential accommodation.

**Reason:** The use of the extension as a separate unit of residential accommodation unrelated to the main dwelling house would create a poor standard of accommodation for any future occupants given the lack of a private garden, resulting in a development which would be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 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 39 of the National Planning Policy Framework (NPPF) 2024, 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.

In this instance, necessary revisions were identified and made to the proposal, at which point it was able to be given permission.

Dated: 31 January 2025

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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.
- **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.