

**Application: 20230984**

**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 Lashman Dosanjh  
C/O Ms Hanan Hassan, Barron Edwards Ltd  
Barron Edwards, Whitehall Place  
47 The Terrace  
Gravesend  
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:

**The Clarence Arms  
77 Windmill Street  
Gravesend  
Kent  
DA12 1BN**

and being **Application for variation of condition 2 attached to planning permission reference number 20200680 for the conversion of existing public house to provide 4 no one bed studio flats including part first and part second floor side extensions and partial demolition of existing single storey rear extension; and construction of a two storey building to accommodate 2 no two bed flats fronting Clarence Row with associated parking and boundary treatments; to allow the installation of windows on north side elevation on converted public house, internal layout changes to new building containing 2no. flats, details for obscured windows, and external changes including; relocated bin and cycle stores, relocated staircase, additional steps to rear garden and associated level changes, altered position and extent of hard landscaping, installation of utility boxes, and details of meter box positions and provision of material details for driveway, external staircase, doors.** Your application dated 15th November 2023 is permitted subject to the following:-

1. The development hereby permitted shall be carried out in complete accordance with the following approved plans and particulars:

The following plans/documents accompanying this current application for variation of conditions:

Application Form;  
001A - Proposed Elevations;  
002A – Section;  
002B - Proposed Landscape Plan;  
001 Rev 5 - Proposed Elevations;  
001 Rev 5 - Proposed Elevations (Flats);  
Cover Letter; and  
Landscape Plan.

The following plans/documents accompanying the previous application for variation of conditions, application reference 20191136:

Drawing No CA01-BR 002 Rev A: Site Location Plans;

and with any drawing or detail approved pursuant to any condition contained hereafter and there shall be no deviation thereafter.

**Reason** For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014).

2. Within one month of this decision notice and notwithstanding the details and annotations shown in the approved plans the following additional details shall be submitted for the approval of the Local Planning Authority:

- (i) External facing materials and finishes including bricks and roof tiles for both the Clarence Arms conversion and its extension and the Clarence Row new build flatted block;
- (ii) Details of parapet walls and eaves details;
- (iii) Details and drawings of all new joinery for windows and doors;
- (iv) External rainwater goods and other services;
- (v) Surface treatments and finishes to the vehicle parking areas, pedestrian accesses, steps and stairs and other amenity areas;

The development shall be carried out in complete accordance with the approved details within 9 months of the condition being discharged.

**Reason** In the interests of visual amenity, the wider street scene and the Upper Windmill Street conservation area and pursuant to Gravesham Local Plan Core Strategy Policies CS19: Development and Design Principles and CS20: Heritage and the Historic Environment, as well as saved policy TC3 of the Gravesham Local Plan First Review 1994 and the national planning guidance in the NPPF.

3. Other than the two utility rooms as shown in approved drawing No 001 Rev 5 - Proposed Elevations, the remainder of the basement area (cellar) of the building shall only be used for storage purposes and services for the occupants of the flats hereby permitted within the converted Clarence Arms public house and for no other purposes and the basement area shall not at any time contain any other living accommodation.

**Reason** In order that the proposed occupants of the flats hereby permitted are afforded storage facilities in accordance with adopted standards and that the use of the basement for additional living accommodation would in any event result in a poor standard of environment and unacceptable living conditions contrary to policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

4. For the avoidance of doubt and notwithstanding the provisions of Article 3 of, and Classes A and G of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (as amended) or any provision equivalent to those Classes in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no window, door or other form of opening other than those shown in the approved drawings, including the high level window and obscure glazed windows shown in approved drawing No 001A - Proposed Elevations, shall be formed in the new build flatted block in Clarence Row or in the converted Clarence Arms Public House as hereby permitted, without the prior permission, in writing, of the Local Planning Authority. For the purposes of this condition openings shall include chimneys, flues and the insertion of cover holes for flue extracts.

**Reason** In the interest of residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits taking account of the impact on neighbouring amenity.

5. For the avoidance of doubt the proposed windows at ground and first floor level in the east elevation in the new build development fronting Clarence Row as hereby permitted and the additional windows at first and second floor level in the side elevation (north) of the converted and extended Clarence Arms public house building shall be fitted with glass that has been obscured in the manufacturing process to Pilkington level 3 or higher (or equivalent) and shall be non-opening. Both the obscured glazing and the non-opening design shall be an integral part of the manufacturing process and not a modification or addition made at a later time. The windows shall thereafter be retained as such.

**Reason** To protect the amenity and privacy of adjoining properties and in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

6. Within 3 months of the date of this decision, the soft landscaping as detailed in drawing no. 002 Rev B (Proposed Landscape Plan), shall be fully implemented and the site shall be cleared of rubbish and debris and thereafter maintained to the satisfaction of the Local Planning Authority for a period of five years to ensure establishment. Any trees or plants that die, are damaged, removed or become diseased within five years from the implementation of the soft landscaping scheme shall be replaced with trees or plants of a similar size and species during the next available planting season.

**Reason** In the interests of the visual amenity of the development and having regard to the location of the site within and adjacent to a conservation area and to provide satisfactory screening to neighbouring properties, in accordance with adopted Local Plan Core Strategy Policy CS19: Development and Design Principles and to ensure that the landscaping is established and maintained in the longer term.

7. Within 3 months of the date of this decision, the vehicle parking areas shall be formed, surfaced, drained and marked out in accordance with the details shown on the approved Landscape Plan (002B - Proposed Landscape Plan); thereafter, and notwithstanding the provisions of the Town and Country (General Permitted Development) (England) Order 2015 (as amended), or any provision equivalent to it in any statutory instrument replacing, revoking or re-enacting that Order, with or without modification, no development shall be carried out on the site in such a manner or in such a position as to preclude the use of or access to the reserved vehicle parking and turning areas.

**Reason** To ensure sufficient off street car parking provision is available to serve the development, in accordance with Policy CS11 of the Gravesham Local Plan: Core Strategy (September 2014) and saved Policy P3 of Gravesham Local Plan First Review (1994).

8. Within 3 months of the date of this decision, ducting to enable charging facilities to be installed for electric vehicles for the future occupants of the development shall be provided; and thereafter retained.

**Reason** To encourage the use of sustainable and more environmentally acceptable modes of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS18: Climate Change and Policy CS19: Development and Design Principles.

9. Within 3 months of the date of this decision, full details of secure and covered cycle parking facilities shall be submitted to and approved by the Local Planning Authority and

be implemented as approved. The covered cycle parking facilities shall be retained as approved, thereafter.

**Reason** To encourage the use of a sustainable and environmentally acceptable mode of transport, and in accordance with Gravesham Local Plan Core Strategy Policy CS11: Transport, Policy CS19: Development and Design Principles and the adopted vehicle parking standards.

10. Within 3 months of the date of this decision, full details of the refuse shall be submitted to and approved by the Local Planning Authority and be implemented as approved. The refuse facilities shall be retained as approved, thereafter. The refuse storage area shall include provision for two communal bins each of 1100ltr for general refuse and recycling.

**Reason** In order to ensure that the proposed refuse storage arrangements comply with the Council's requirements in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

11. Within 3 months of the date of this decision, full details of the new boundary treatments to the site including to the proposed car parking area in front of the Clarence Row new build flats, the site boundaries and the frontage to the converted Clarence Arms Public House, and staircase screening shall be submitted to and approved by the Local Planning Authority and be implemented as approved. The Boundary Treatment shall be retained as approved, thereafter.

**Reason** In the interests of visual amenity and the character and appearance of the area and in compliance with the adopted Gravesham Local Core Strategy, September 2014 and notably Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment).

12. The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

**Reason** To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to policies CS18 and CS19 of the Gravesham Local Plan Core Strategy (September 2014).

13. No gates shall be erected or placed across the access and entrance into the car parking area in front of the Clarence Row new build flats hereby permitted at any time.

**Reason** In the interests of highway and pedestrian safety and having regard to Gravesham Local Plan Core Strategy Policies CS11 and CS19.

14. For the avoidance of doubt no satellite antenna, apparatus, external pipe work or plant/services shall be erected or installed on the roof/wall of either the converted and extended Clarence Arms public house building or the Clarence Row new build flatted block as hereby permitted unless approved as required by any condition pursuant to this permission.

**Reason** In the interests of the visual amenity of the development and in accordance with Policies CS19 and CS20 of the Gravesham Local Plan: Core Strategy (September 2014).

## **INFORMATIVES:-**

### **1 EXTENT OF THE PERMISSION**

For the avoidance of doubt this permission has been granted under section 73 of the Town and Country Planning Act 1990 to vary condition 2, 5 and 10 and amend the permission relating to the notification of grant of planning permission reference 20180544 dated 17 May 2019 and the subsequent variation under reference 20191136 dated 04 February 2020 and 20200680 dated 08 September 2020.

It does not amend any other part of the permission or discharge any of the planning conditions attached to that permission subject to those conditions still subsisting or capable of taking effect.

Either the amended planning permission or the original planning permission for the development or any other amended applications that may also have been granted permission may be implemented but the conditions on the permission chosen to be implemented must be fully complied with.

### **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 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.

### **4 REFUSE**

The applicants are advised of the following waste requirements for developers:

Gravesham Borough Council operates a fortnightly collection of refuse and recycling and a weekly collection of food waste.

It is the responsibility of the developer to ensure that all the relevant bins and sufficient storage space is provided for each property.

Flats are generally serviced by communal bin stores. Bin stores should be large enough to accommodate and manoeuvre sufficient 1100 refuse and recycling Eurobins for the number of dwellings in each block.

The following provision is required:

- o Refuse - 1 x 1100ltr bin per 6 flats
- o Recycling - 1 x 1100ltr bin per 6 flats with special recycling lid
- o Food Waste - 1 x 140ltr bin per 10 flats with an individual 5ltr caddy per flat

The immediate area outside the bin store should be level with the road, should not include an incline and the installation of a drop kerb where necessary is mandatory. Car parking spaces should not be allocated immediately in front of the access to the bin store.

It is recommended that bin stores are fitted with a lock which is accessed via a key or a key code pad.

It is the developer's responsibility to provide and pay for the bins although the Gravesham Borough Council waste management team will happily assist the developer if required.

Developers are welcome to purchase their own 1100ltr bins however the bins must be metal and comply with European Standard EN840.

Collections from sites will not occur until containers are in place. It is the responsibility of the developer to collect and remove any waste at their cost until the Council is satisfied that all waste requirements have been met. All complaints in regard to non-collection due to the fault of the developer will be passed onto to the developer for response.

The Council should be informed at least two weeks prior to collections taking place.

For advice or to order bins please contact the Council's Waste Management Team at [waste.management@gravesham.gov.uk](mailto:waste.management@gravesham.gov.uk)

## **5 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION**

No works shall commence on the public highway without prior agreement of KCC's Agreements team. A Section 278 Agreement or similar will be required.

It is the responsibility of the applicant to ensure, before any development 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 <http://www.kent.gov.uk/roads-and-travel/what-we-look-after/highway-land>

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.

## **6 NAMING & NUMBERING**

As a result of the changes to this property, it appears that a change has to be made to the national property gazetteer. It is a legal requirement that a property or premises is registered.

The Naming and Numbering Certificate, when issued, will reduce location or delivery problems via Royal Mail or other carriers, and importantly for the Police, Ambulance, and Fire & Rescue services. Registration is also necessary to register to vote, for utility connections, and will avoid duplicate addresses.

The Naming and Numbering service is provided by the Borough Council. An on-line form is available at the Planning/House Numbering page of the council's web-site <http://www.local.gravesham.gov.uk/>

Please submit the application and the requisite fee in accordance with the guidance on the form.

## **7 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: 13 February 2024

Civic Centre  
Windmill Street  
Gravesend  
Kent  
DA12 1AU

*Ms Tava Walton*  
**AD Planning**

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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.