

Application: 20240370

**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 Christopher Thompson
C/O Mr Greg Filmer, DHA Planning Ltd
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone
Kent
ME14 3EN**

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:

**Annexe At Oak Tree Cottage
Knights Place Farm
Watling Street
Cobham
Gravesend
Kent**

and being **Change of use of detached building currently used as a residential annexe to a separate residential dwelling. Conversion of garage to habitable room with alterations to fenestration and laying of hardstanding for parking.** Your application dated 23rd April 2024 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this decision.

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 approved shall be carried out in accordance with the following schedule of approved drawings:

- Planning Statement (April 2024 - reference DHA/33352)
- Drawing no. 2370 - 01 Location Plan
- Drawing no. 2370 - 02 Block Plan
- Drawing no. 2370 - 03 Site Plan
- Drawing no. 2370 - 04 Existing Floor Plans
- Drawing no. 2370 - 05 Existing Elevations
- Drawing no. 2370 - 06 Proposed Floor Plans
- Drawing no. 2370 - 07 Proposed Elevations.

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

3. All external facing materials used in the development hereby permitted shall match those used externally on the existing dwelling.

Reason: To ensure a satisfactory standard of appearance upon the completion of the development in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

4. The areas shown on drawing no. 2370 - 03 (Site Plan) as vehicle parking spaces shall be formed, surfaced and made available for such use before the residential unit hereby permitted is first occupied and thereafter they shall be kept available at all times for parking and for no other purpose. No development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, shall be carried out on the site in such a manner or in such a position so as to preclude their use for vehicle parking.

Reason: In the interests of highway safety and visual amenity in accordance with Policy CS11 and Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

5. Prior to any part of the permitted dwelling being occupied or used, a scheme detailing the proposed soft landscaping scheme shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall then be carried out in full within the first planting season. Any trees or plants that die, are damaged, removed or become diseased within five years from implementation shall be replaced with a similar size and species during the next planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the site and biodiversity, in accordance with Policies CS12 (Green Infrastructure) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014).

6. Prior to any part of the permitted dwelling being occupied or used, a scheme detailing the proposed hard surface treatments and screening by walls, fences or other means shall be submitted to and approved, in writing, by the Local Planning Authority, and include the means for surfacing and drainage. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the development. Thereafter the boundary shall be retained and not subsequently altered.

Reason: In order to ensure an acceptable standard of development upon completion, in accordance with adopted Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014).

7. Notwithstanding the provisions of Classes A, AA, B, C and Class E 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 that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling or the erection of buildings incidental to the enjoyment of the dwelling hereby permitted, shall be carried out.

Reason: In order that any such development may be considered on its merits, in relation to development plan policies and having regard to its impact on the Green Belt, landscape, visual amenity and residential amenity in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

8. Prior to any part of the permitted dwelling being occupied or used, details of cycle storage facilities to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage facilities shall be provided in accordance with the approved details prior to occupation of the development and shall be retained for use at all times thereafter.

Reason: In order to encourage options for sustainable travel in accordance with Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

9. Prior to any part of the permitted dwelling being occupied or used, details of refuse and recycling storage to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage facilities shall be provided in accordance with the approved details prior to occupation of the development and shall be retained for use at all times thereafter.

Reason: In order to ensure the development is served by a suitable refuse and recycling storage facilities in the interests of amenity and in accordance with adopted Policy CS19 of the Gravesham Local Plan: Core Strategy (September 2014).

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) 2023, 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 DEVIATION FROM THE 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 REGULATION 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 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.

5 DEED OF VARIATION

The detached building to which this planning approval relates is subject to a restrictive S.106 Agreement as part of the original 20141209 planning approval. Please note that this planning approval cannot be implemented until a Deed of Variation of the S.106 Agreement has been submitted and formally agreed.

Dated: 19 July 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of 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:

- (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.