



Application: 20240017

**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 And Mrs M Tutty-Johnson
C/O A J Scott Building Designs Ltd
Forest House
Malthouse Lane
Warehorne
Ashford
Kent
TN26 2EL**

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:

**Crabbles Cottage
Pear Tree Lane
Shorne
Gravesend
Kent
DA12 3JS**

and being **Demolition of existing detached garage; erection of a two storey side extension, first floor rear extension and erection of new attached garage.**

Your application dated 11th January 2024 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 - dated 05 January 2024
Design and Access Statement
Supplementary Information - Preliminary Ecological Appraisal
Supplementary Information - Area Calculations
Supplementary Information - Appraisal of neighbouring applications
OS Red Line Site Location Plan (unnumbered)
Drawing No 221/56-03 - Ground Floor Layout as Existing
Drawing No 221/56-04 - First Floor Layout as Existing
Drawing No 221/56-05 - Roof Layout as Existing
Drawing No 221/56-06 - Section Plan as Existing
Drawing No 221/56-07 - Elevations Front and Side (East) as Existing

Drawing No 221/56-08 - Elevations Rear and Side (West) as Existing
 Drawing No 221/56-17 - Block Plan as Existing
 Drawing No 221/56-25 - Isometric Projection as Existing
 Drawing No 221/56-27 - Site Layout/Footprint 1954
 Drawing No 221/56-29 - Site Layout/Footprint 2022 (Post PD Alterations)
 Drawing No 221/56-30 - Rev. A - Proposed Layout
 Drawing No 221/56-31 - Rev. A - Ground Floor Layout as Proposed
 Drawing No 221/56-32 - Rev. A - First Floor Layout as Proposed
 Drawing No 221/56-33 - Rev. A - Roof Layout as Proposed
 Drawing No 221/56-34 - Rev. A - Block Plan as Proposed
 Drawing No 221/56-35 - Section Plan as Proposed
 Drawing No 221/56-36 - Rev. A - Elevations Front and Side (East) as Proposed
 Drawing No 221/56-37 - Rev. A - Elevations Rear and Side (West) as Proposed
 Drawing No 221/56-38 - Section and Elevation (side) as Proposed

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

3. Prior to the commencement of the development hereby approved, a bat survey (preliminary roost assessment) shall be undertaken and submitted to and approved in writing by the Local Planning Authority.

Reason To ensure the protection of important species and those protected by legislation that could be affected by the development, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

4. Prior to the commencement of any above ground works, details of the proposed vehicular access track (shown in drawing no. 221/56-34) shall be submitted to and approved in writing by the Local Planning Authority.

Reason To preserve the landscape character and amenity of this rural location, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

5. Prior to the commencement of any above ground works, details of how the development will enhance biodiversity will be submitted to and approved in writing by the Local Planning Authority. The details will be implemented as approved and thereafter retained.

Reason To enhance the biodiversity value of the site, in accordance with Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

6. The development hereby approved shall not be occupied until a lighting design plan for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The plan will show the type and locations of external lighting, demonstrating that areas to be lit will not disturb bat activity. All external lighting will be installed in accordance with the specifications and locations set out in the plan and will be maintained thereafter.

Reason To preserve the landscape character and amenity of this rural location and to ensure the protection of important species and those protected by legislation that could be affected by the development, in accordance with Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

7. 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 extensions 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 Policy CS19 of the Gravesham Local Plan Core Strategy 2014.

8. Any window serving a bathroom/wc/ensuite must be 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.

9. Notwithstanding the provisions of Classes A, E and F of the Town and 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, or the construction of any further outbuildings, 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 preserving the openness of the Green Belt and the landscape quality of the area, in accordance with Policies CS02, CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.

10. The garage hereby permitted shall be used only for the accommodation of private motor vehicles for the occupants of Crabbles Cottage as a private dwelling house and for no other purpose and no development, whether or not permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any provision equivalent to that Order in any Statutory Instrument revoking or re-enacting that Order, with or without modification), 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 area; for the avoidance of doubt the garage shall not at any time contain any primary living accommodation and no trade or business shall be carried on therefrom.

Reason To preserve the rural character of the area in the interests of the green belt locality and in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy 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 REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of condition 3 (including the timing of compliance) are so fundamental to the development permitted that such details must be submitted prior to the works commencing on site. The reason for this is to ensure that there are no bats roosting within the main dwelling or existing garage.

Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing. The applicant has agreed in writing on 14 March 2024 to the pre-commencement condition.

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 **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.

5 **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: 15 March 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

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.