

Application: 20230774

**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: **Allison Franks
C/O Mr Daniel Gender-Sherry, Axiom Planning
Avebury House
6 St Peter Street
Winchester
SO23 8BN**

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:

**Chestnut Green Cottage
Racefield Close
Shorne
Gravesend
Kent
DA12 3EL**

and being **Retention of detached outbuilding, log store and insertion of rooflight**. Your application dated 26th July 2023 is permitted subject to the following:-

1. The development as carried out shall accord with the following approved plans:

Householder Application for Planning Permission form;
Drawing no. DA12 LP-01 Location plan;
Drawing no. DA12 SP-01 Site plan;
Drawing no. DA12 BP-01 Existing and proposed block plans;
Drawing no. DA12 EP-01 Existing ground floor layout and existing and proposed first floor layout;
Drawing no. DA12 EE-01 Existing elevations;
Drawing no. DA12 PP-01 Proposed ground floor layout and existing and proposed first floor layout;
Drawing no. DA12 SC-01 Proposed street scene;
Drawing no. DA12 PE-01 Proposed elevations;
Drawing no. DA12 PE-02 Proposed outbuilding layout and elevations;
Planning Statement 18 July 2023; and
Design & Access Statement July 2023.

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

2. Within three months of the date of this permission, the approved floor plan shown on drawing No. DA12 PE-02 shall be implemented in full and thereafter shall be maintained permanently.

Reason: To ensure that the development is implemented in accordance with the approved plans and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

3. The outbuilding hereby permitted shall be used only for purposes ordinarily incidental to the dwellinghouse at Chestnut Green Cottage and for no other purpose. For the avoidance of doubt, the outbuilding shall not at any time contain any primary living accommodation including any living room, kitchen or bedroom or be sold, parted, let or exchanged as a separate unit of living accommodation and no trade or business shall be carried on therefrom.

Reason: In order to protect the amenity of the occupants of the neighbouring properties, in accordance Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

4. The existing hedges on the site boundaries (as shown on drawing no. DA12 BP-01) shall be retained permanently.

Reason: To safeguard the character and appearance of the conservation area and in accordance with Saved Policy TC3 of the Gravesham Local Plan First Review (1994) and Policies CS19 and CS20 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 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.

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].

Dated: 4 October 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:

- (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.