



Application: 20240995

**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 Lakhvir Singh
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:

**17 Milroy Avenue
Northfleet
Gravesend
Kent
DA11 7AZ**

and being **Conversion of gym/games outbuilding in rear garden into habitable annexe**. Your application dated 12th November 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 permission.

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 and particulars:

Householder Application for Planning Permission form;
Drawing no. LC/30 Site location plan;
Drawing no. LC/31 Existing and proposed block plans;
Drawing no. LC/32 Existing layout;
Drawing no. LC/33 Proposed front and side elevations;
Drawing no. LC/34 Proposed rear and side elevations;
Drawing no. LC/35 Proposed layout;
Drawing no. LC/36 Proposed front elevation; and
Planning statement October 2024 received 12 November 2024.

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

3. The development hereby permitted as an annex / ancillary living accommodation shall only be occupied by persons related to a resident of the main dwellinghouse at any time, and in a manner in conjunction with the original dwellinghouse at 17 Milroy Avenue,

Northfleet, as a (combined) single planning unit and shall not be used, let or sold at any time as a self-contained, separate unit of living accommodation.

Reason: To safeguard against subdivision of the existing single residential dwelling that would facilitate independent occupation of the outbuilding as a separate unit of accommodation, in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy 2014.

4. Notwithstanding the provisions of Part 2, Class A 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 Order revoking or re-enacting that Order) no gate, fence or other means of enclosure shall be erected or constructed on the site which would have the effect of subdividing the existing residential curtilage.

Reason: To safeguard against subdivision of the existing single residential curtilage that would facilitate independent occupation of the extension, as a separate unit of accommodation would be inappropriate on this site, in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy 2014.

5. Notwithstanding the provisions of Part 1 of Schedule 2 of Article 3 to the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (or any provision equivalent to that Order in any statutory instrument replacing, revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration of the ancillary outbuilding hereby permitted shall be carried out, including any additional doors, windows or other openings, or any dormers, roof lights or other roof alterations, or any porch constructed or erected outside any external door, without the grant of further specific planning permission from the Local Planning Authority.

Reason: In order that any further enlargement, improvement or other alteration of the annexe building may be the subject of a separate planning application which the Local Planning Authority would wish to consider on its merits, having regard to adopted planning policy and guidance, and the amenity of nearby residents and in accordance with Policies CS02 and CS19 of Gravesham Local Plan Core Strategy 2014.

6. 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 Local Plan Core Strategy 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.

Dated: 2 January 2025

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.