



Application: 20250559

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

**APPROVAL OF A NON-MATERIAL AMENDMENT FOLLOWING A GRANT OF PLANNING
PERMISSION**

To: **BRT Properties Ltd
C/O Offset Architects
Nepicar House
London Road
Wrotham Heath
Sevenoaks
TN15 7RS
United Kingdom**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, has **APPROVED** detailed plans and particulars submitted on 5th June 2025 in respect of:-

Application for a non-material amendment to planning permission reference number 20240998 to allow adjustment of condition 11 to split into two parts to read Prior to the commencement of above ground works (i) a detailed scheme for an air handling system and noise mitigation of associated plant shall be submitted and approved, in writing, by the local planning authority and (ii), prior to the occupation of the building a written commissioning report, from a competent ventilation engineer, shall be submitted after it has been installed to demonstrate that the approved system has been fully implemented and access shall also be granted to an officer of the Council to ensure the system is in a suitable working order.

at: BRT Properties Kent
Top Yard
Hardys Corner
2 Vale Road
Northfleet
Gravesend
Kent

CONDITIONS AND REASONS

1. Condition 11 of 20240998 has been replaced with the following:

Prior to the commencement of above ground works (i) a detailed scheme for an air handling system and noise mitigation of associated plant shall be submitted and approved, in writing, by the local planning authority and (ii), prior to the occupation of the building a written commissioning report, from a competent ventilation engineer, shall be submitted after it has been installed to demonstrate that the approved system has been fully implemented and access shall also be granted to an officer of the Council to ensure the system is in a suitable working order.

The system shall be implemented as approved and full details of the reason for the installation of the air handling system and maintenance requirements needed to keep the system in full working order shall be provided to any purchaser.

Reason: To ensure a satisfactory environment for future residents in accordance with policy CS19 of the CS.

INFORMATIVES:-

1 EXTENT OF THE APPROVAL

Pursuant to the procedure introduced under s.96A of the Town and Country Planning Act 1990 the Local Planning Authority has determined that the amendment to the planning permission granted under reference 20240998 (being for the erection of a three storey building with rooms in the roof space to provide 14 x two bedroom self-contained flats, with associated access, car parking, cycle parking, refuse stores and amenity space) to allow for alterations to condition 11 to enable this condition to be discharged in phases would constitute a non-material amendment such that a separate planning application for the works would not be required.

This decision notice should be read in conjunction with the original planning permission, reference 20240998, permitted by Gravesham Borough Council on 5 March 2025 and has the effect of altering condition 11 only.

For the avoidance of doubt the approval does not amend any other part of the planning permission or discharge any of the planning conditions.

2 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: 1 July 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

Your attention is drawn to the following notes.

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**NOTES:**

This permission is confined to permission under the Town and Country Planning Acts and the Town and Country Planning (Development Management Procedure) (England) Order 2015 and does not obviate the necessity of compliance with any other enactment, bye-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.

**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**.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- 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.