



Application: 20211249

**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: **Mr J Briarh, Fawkham Premier Homes
C/O Mr Andrew Scott, DAC Architects
21 Stone Street
Gravesend
Kent
DA11 0NQ**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, **HAS APPROVED** detailed plan and particulars submitted on 8th October 2021 as a non-material amendment to the Notification of Grant of Planning Permission reference 20201329 to Develop Land dated 25 March 2021 in respect of:-

Erection of three 2 bedroom terraced houses with bin and cycle storage and associated landscape works.

at **Former Site Of
2 Wilberforce Way
Gravesend
Kent
DA12 5DQ**

and being **Application for non-material amendment to planning permission reference number 20201329 to allow amendment to the site layout to accommodate existing ground conditions. It is proposed to retain existing groundlevels, with the exception of the approved parking bays and to introduce a semi-ambulant stepped access to the approved units.**

Your attention is drawn to the following informatives

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 20201329 (being for erection of three 2 bedroom terraced houses with bin and cycle storage and associated landscape works) to allow for a change the parking arrangement to the front, 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 20201329, permitted by the Local Planning Authority on 25 March 2021.

2 STATUS OF SUBMITTED PLANS AND DOCUMENTS

For the avoidance of doubt the approved documents and drawings are:

Application form received 8 October 2021.

Drawing no. D2.02 rev E (proposed block plan) received 8 October 2021.
Drawing no. D2.05 rev B (street scene as proposed).

3 HIGHWAYS ADVISORY

The EV charging points should be above vehicle height, otherwise they will shorten the bay and they should also be to the side of the bay to ease access, not central where the car will get in the way.

The material for the drives should be porous, due to limitations on the positioning of soakaways, it is possible the proposed block is suitable, but it's not defined.

3.6kW EV points, whilst acceptable, have now largely been replaced by 7.2kW chargers as it halves the charging time, which with larger cars and batteries may be important to the occupiers. Ideally the chargers should be upgraded.

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 38 of the National Planning Policy Framework (NPPF) 2021, 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: 21 October 2021

**Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU**

Wendy Lane MRTPI
Assistant Director (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](mailto:enquiries@pins.gsi.gov.uk) or online at [www.planningportal.gov.uk/pcs](http://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.

**COMPENSATION**

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

F:\plan/Development Control/Admin Support/Official Backing of Decision Notices 2010

Gravesham Borough Council