



Application: 20240033

**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: **Clare House Of Mercy, House Of Mercy
C/O Ms Clare Wright, C. B. Wright & Associates Ltd
123 Marlborough Road
Gillingham
Kent
ME7 5HD**

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:

**Mary Ann Doyle House
Seymour Road
Northfleet
Gravesend
Kent
DA11 7BW**

and being **Change of use from a hostel (sui generis) to a HMO (sui generis) with minor internal alterations**. Your application dated 23rd 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 only in accordance with the following schedule of approved plans:

Application Form

5291/PL/100 - Location Plan

5291/PL/121 R - Proposed Basement Floor Plan

5291/PL/122 R - Proposed Ground Floor Plan

5291/PL/123 - Proposed First Floor Plan

5291/PL/124 R - Proposed Second Floor Plan

5291/PL/125 - Proposed Loft Plan

5291/PL/126 - Proposed Roof Plan

5291/PL/127 R - Proposed Front Elevation

5291/PL/128 R - Proposed Right Elevation

5291/PL/129 R - Proposed Rear Elevation

5291/PL/130 R - Proposed Left Elevation

5291/PL/131 R - Proposed Section A
5291/PL/132 R - Proposed Section B
5291/PL/133 R - Proposed Section C
5291/PL/134 R - Proposed Section D

Parking Survey (Dated 24th May 2024)
Planning Statement (Dated 7th December 2023)
Management Plan

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

3. Prior to the use hereby approved first commencing, a management plan shall be submitted to and approved, in writing, by the Local Planning Authority. The management plan shall include the following components and, for the avoidance of doubt, shall confirm the provisions for regular reviews:

- Clear specification of the circumstances when residents will be asked to leave the premises.
- Mechanism for review and change of the document, on an annual basis until otherwise agreed with the Local Planning Authority.
- Regular Maintenance of premises and courtyard
- Laundry Services
- Internet Services
- Waste and Refuse Management
- Security Measures
- No smoking or vaping inside the building or any communal areas
- Damages and breakages
- Tenant obligations
- No pets with the exception of registered assistance dogs

The use of the premises shall thereafter be carried out in strict accordance with the approved plan at all times.

Reason: In order to ensure the effective and stringent management of the premises reduces the likelihood for adverse environmental effects and crime and anti-social behaviour in the area, in accordance with Policy CS19 (LPCS), Section 12 of the NPPF and the guidance on HMO amenity standards (2023).

4. Prior to the use hereby approved first commencing, a scheme detailing the provision for 12 cycle parking spaces shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall then be constructed in accordance with these approved details and completed, in its entirety, prior to first occupation of the building as approved. Thereafter the cycle parking shall be retained.

Reason: In order to ensure an acceptable levels of cycle parking provision, in accordance with adopted policies T1 and P3 of the Local Plan First Review 1994 and Policies CS11 and CS19 of the Core Strategy 2014.

5. Prior to the use hereby approved first commencing, full details of the refuse storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The details as approved pursuant to this condition shall be implemented prior to the first use of the building as approved and shall thereafter be maintained in accordance with the details approved pursuant to this condition.

Reason: To safeguard the amenities of occupiers of adjoining and nearby residential properties and in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 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 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 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.

4 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.

5 KCC HIGHWAYS

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway. Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is

owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>. Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

Dated: 14 June 2024

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>

- 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.