

Application: 20230499

**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 & Mrs Kemp
C/O Mr Michael Burden, JMD Property Services
28 Sirdar Strand
Riverview Park
Gravesend
DA12 4LP**

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:

**21 Hall Road
Northfleet
Gravesend
Kent
DA11 8AW**

and being **Erection of a single storey rear extension with part two storey extension over and rooflights to front roof slope together with conversion of existing garage into day / garden room.** Your application dated 31st May 2023 is permitted subject to the following:-

1. The development hereby approved shall be begun not later than 3 years following the date of this decision.

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 schedule of approved plans:

Application Form;
JMD-1179-B-010 P1 - Location Plan;
JMD-1179-B-020 Rev P2 - Existing and Proposed Block Plan;
JMD-1179-B-110 Rev P3 - Proposed Elevations;
JMD-1179-B-120 Rev P3 - Existing and Proposed Neighbouring Elevations;
JMD-1179-B-140 Rev P3 - Proposed Plans;
JMD-1179-B-160 Rev P3 - Existing and Proposed Roof Plan;
JMD-1179-B-150 Rev P3 - Existing and Proposed Loft Conversion;
JMD-1179-B-160 Rev P3 - Existing and Proposed Roof Plan; and
JMD-1179-B-700 Rev P3 - Existing and Proposed Plans and Elevations.

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

3. The materials used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the details shown on Drawing no. 110 Rev P3 (Proposed Elevations) and 700 Rev P3 (Garage Conversion, Existing and Proposed Plans and Elevations).
- Reason:** To ensure a satisfactory visual relationship between the existing and the new development in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).
4. Notwithstanding the provisions of Class B of Part 1, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended), no enlargements to the roof of the dwellinghouse shall occur, unless prior written consent has been obtained, in the form of full planning permission, from the Local Planning Authority.
- Reason** In the interests of providing adequate private amenity space for the future occupiers of the dwellinghouse, in accordance with Policy CS19 of Gravesham Local Plan: Core Strategy (September 2014).
5. Notwithstanding the provisions of Article 3, and Part 1 Classes A and G 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 statutory instrument revoking and re-enacting that Order, with or without modification, no window, door or other form of opening shall be formed in the flank elevations of the extension hereby permitted.
- Reason:** In order to safeguard the amenity and privacy of the occupants of the neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).
6. The garage hereby permitted to be converted to incidental 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 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:** A separate unit of accommodation would be inappropriate on this site and in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy (2014).
7. Notwithstanding the provisions of Article 3, and Part 1 Class E 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 statutory instrument revoking and re-enacting that Order, with or without modification, no window, door or other form of opening shall be formed in the flank elevation of the converted garage as hereby permitted.
- Reason:** In order to safeguard the amenity and privacy of the occupants of the neighbouring properties in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).
8. Any soft or hard landscaping treatment above footway level in the front garden, shall be maintained at a height of 850mm maximum.
- Reason** To protect pedestrian visibility splays in the interests of road safety in accordance with Policy CS11 of the Gravesham Local Plan Core Strategy (2014).

9. The proposed driveway shall be surfaced in a bound, permeable material and maintained in accordance with manufacturer guidance.

Reason: In the interests of highway safety in accordance with Policy CS11 of the Gravesham 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 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 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: 25 July 2023

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.