



Application: 20211575

**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

To: **Mr Sarbjit Singh Sandhu
C/O Mr Raymond Wong, Watershed Chartered Architect
Causeway House
13 The Causeway
Teddington
TW11 0JR**

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:

**Gailes
Dillywood Lane
Higham
Rochester
Kent
ME3 7NT**

and being **Erection of a single storey rear extension with solar panels to roof, conversion of garage to living space, conversion of loft to habitable rooms with rear dormers, erection of an outbuilding with indoor swimming pool, enlarged vehicle access and hardstanding, installation of skylight windows to front and associated works.** Your application dated 23rd December 2021 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 precise accordance with the following schedule of approved plans and details, unless alternative details are approved pursuant to the conditions imposed on this decision notice:

Application form received 23 December 2021.

Drawing no. 1790-0-01 (site location plan) received 23 December 2021.

Drawing no. 1790-P-21 (proposed garden room) received 23 December 2021.

Drawing no. 1790-0-03 (existing block plan) received 23 December 2021.

Drawing no. 1790-0-02A (proposed block plan) received 23 December 2021.

Drawing no. 1790-P-20C (proposed external area) received 23 December 2021.

Drawing no. 1790-P-18A (proposed section) received 23 December 2021.

Drawing no. 1790-P-17C (proposed north-east elevation) received 23 December 2021.

Drawing no. 1790-P-16C (proposed south-west elevation) received 23 December 2021.

Drawing no. 1790-P-15C (proposed rear elevation) received 23 December 2021.

Drawing no. 1790-P-14D (proposed front elevation) received 23 December 2021.
Drawing no. 1790-P-13B (proposed roof plan) received 23 December 2021.
Drawing no. 1790-P-12C (proposed second floor plan) received 23 December 2021.
Drawing no. 1790-P-11C (proposed first floor plan) received 23 December 2021.
Drawing no. 1790-P-10E (proposed ground floor plan) received 23 December 2021.
Drawing no. 1790-P-09 (existing external area) received 23 December 2021.
Drawing no. 1790-P-07 (existing section) received 23 December 2021.
Drawing no. 1790-P-06 (existing side elevations) received 23 December 2021.
Drawing no. 1790-P-05 (existing rear elevation) received 23 December 2021.
Drawing no. 1790-P-04 (existing front elevation) received 23 December 2021.
Drawing no. 1790-P-03 (existing roof plan) received 23 December 2021.
Drawing no. 1790-P-02 (existing first floor plan) received 23 December 2021.
Drawing no. 1790-P-01 (existing ground floor) received 23 December 2021.

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

3. All materials used externally shall match those of the existing building.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy CS19 of the Core Strategy 2014.

4. The soft landscaping to the front of the property shall be carried out in full during the first available planting season following first occupation of the dwelling hereby approved. In addition to this the hedging to the side boundaries of the front garden shall be retained. Any trees or plants that die, are damaged, removed or become diseased within five years from the date that the soft landscaping scheme is implemented shall be replaced with a species of a similar size and species during the next available planting season.

Reason: To ensure that the landscaping is maintained in the long term in the interests of the visual amenity of the development and the wider area, in accordance with Policy CS19 of the Gravesham local Plan Core Strategy (September 2014).

5. The front driveway shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

Reason: To safeguard amenity and prevent flooding.

6. The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

Reason: To regulate and control the permitted development in the interests of amenity in accordance with Policy CS19 of the Core Strategy 2014.

7. The proposed gates shall open inwards or slide parallel to the front boundary and should not open outwards.

Reason: To safeguard highway safety.

8. The outbuilding hereby permitted as a swimming pool shall be used for purposes incidental to the use of the dwellinghouse only and for no other purpose, whether or not permitted by 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, including no business or commercial use.

Reason: In order to restrict the use of the outbuilding in the green belt setting and to ensure that the development is in accordance with Policies CS02 and CS19 of the Gravesham Local Plan Core Strategy September 2014, saved policy C13 of the Gravesham Local Plan First Review 1994 and Section 13 of the National Planning Policy Framework 2021.

INFORMATIVES:-

1 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 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

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.

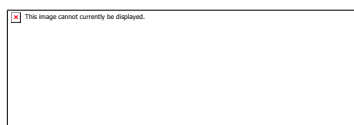
5 WORKS OF CONSTRUCTION

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.

Dated: 8 February 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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#### **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.
- **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](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:

- 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
- 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 –

- an application for change of use;
- 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.