



PEFULZ

Application: 20220398

**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: **Dr H Hundal
C/O Mr Philip Graham, The Duncan And Graham Partnership
8 Cecil Square
Margate
Kent
CT9 1BD**

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:

**The Haven
Brimstone Hill
Meopham
Gravesend
Kent
DA13 0BN**

and being **Conversion of existing summerhouse to a permanent residential dwelling**. Your application dated 21st June 2022 is permitted subject to the following:-

1. TIME LIMIT

The development hereby approved shall be implemented not later than 3 years following the date of this permission.

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. APPROVED PLANS

The development hereby permitted shall be carried out in accordance with the following approved plans:

Application form
Planning Statement
Drawing no. SH111 (proposed floor plan)
Drawing no. SH110 (existing floor plan)
Drawing no. SH112A
Drawing no. SH113A (location plan)
Drawing no. SH114 (existing elevations)

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

3. **REMOVAL OF PERMITTED DEVELOPMENT RIGHTS**

Notwithstanding the provisions of Classes A, B, D, E and F of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) or any provision equivalent to it in any statutory instrument revoking and re-enacting or replacing that Order, no enlargements to the dwellinghouse, including the roof of the dwellinghouse or the construction of any further outbuildings, shall occur.

Reason: In the interests of retaining adequate private amenity space for the future occupiers of the dwellinghouse, in accordance with Local Plan: Core Strategy Policy CS19.

4. **REFUSE STORAGE DETAILS**

Prior to the first occupation of the dwelling hereby approved, details of the refuse arrangements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall ensure adequate provision for non-recyclable waste, food waste and recyclable waste. The refuse arrangements details approved pursuant to this condition shall be provided prior to first occupation of the development and thereafter be maintained for such purposes at all times.

Reason: In order to ensure the development is served by a suitable refuse storage area in the interests of amenity and in accordance with Policy CS19 of the Core Strategy 2014.

5. **LANDSCAPING AND BOUNDARY TREATMENT**

Prior to any change to the hard or soft landscaping or the installation of any boundary treatment surrounding the curtilage of the dwelling herein approved a plan shall be submitted to the Local Planning Authority for approval showing a scheme of landscaping (hard and soft) and boundary treatment.

The plan shall show the type, height and colour of all boundary treatment to be erected incorporating pedestrian vision splays of 2.0m x 2.0m on both sides of any vehicular access points with no obstruction of sight more than 0.6m above carriageway level. The planting shall include two trees for every tree lost to the development.

All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or completion of the development, whichever is the earlier. Any trees or plants which within 5 years of planting are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Authority gives written consent to any variation.

Reason: To ensure that the development permitted does not prejudice conditions of highway safety or efficiency in accordance with Policy CS11 of the Core Strategy 2014 and in order to protect and enhance the appearance and character of the site and locality in accordance with Local Plan: Core Strategy Policy CS19 and paragraph 130 of the National Planning Policy Framework 2021.

6. **NO EXTERNAL LIGHTING**

Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and no additional lighting shall be installed without the prior permission in writing of the Local Planning Authority.

Reason: To preserve the landscape character and amenity of this rural location given the site's location within the Kent Downs Area of Outstanding Natural Beauty and to ensure the protection of important species and those protected by legislation that could be affected

by the development in accordance with Local Plan: Core Strategy policies CS12 and CS19, and paragraph 176 of the National Planning Policy Framework (2021).

INFORMATIVES:-

1 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].

2 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.

3 PUBLIC RIGHTS OF WAY

Public Rights of Way NS259 lies to the north of the site and may be affected by the application and I therefore enclose a copy of the Public Rights of Way network map showing the definitive line of this path for your information.

It is important to advise the applicants that a public right of way must not be stopped up, diverted, obstructed or the surface disturbed and there must be no encroachment on the current width, at any time now or in future. This includes any building materials or waste generated during any of the construction phases. Please note that no furniture or fixtures may be erected on or across Public Rights of Way without the express consent of the Highways Authority.

4 PLANNING OBLIGATIONS

A Section 106 agreement was signed by the owner to ensure the outbuilding/summerhouse would not be used as a separate dwelling. As five years has passed, the applicant is entitled to make an application under subsection (3) to discharge this obligation. This is a separate application that will need to be made prior to the occupation of the dwelling herein permitted.

5 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: 6 September 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](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.