



PEFULZ

Application: 20220020

**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 & Mrs Huffer
C/O Mr Desden Harman, Building Drawings
124A North Road
Hythe
CT21 5DY**

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:

**16 The Sandpipers
Gravesend
Kent
DA12 5QB**

and being **Erection of a ground floor rear and two storey side/rear extension**. Your application dated 12th January 2022 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 in precise accordance with the following submitted plans and particulars and pursuant to any condition hereinafter contained and there shall be no deviation therefrom without the prior permission in writing of the Local Planning Authority:-

- Application form;
- Drawing no. 22001MH-PP-E-(01)00 - Existing Plans Ground Floor;
- Drawing no. 22001MH-PP-E-(01)01 - Existing Plans First Floor;
- Drawing no. 22001MH-PP-E-(01)01 - Existing Plans Roof Plan
- Drawing no. 22001MH-PP-E-(02)01 - Existing Elevations North;
- Drawing no. 22001MH-PP-E-(02)02 - Existing Elevations East;
- Drawing no. 22001MH-PP-E-(02)03 - Existing Elevations South;
- Drawing no. 22001MH-PP-E-(02)04 - Existing Elevations West;
- Drawing no. 22001MH-PP-P-(03)00 - Proposed Plans Ground Floor;
- Drawing no. 22001MH-PP-P-(03)01 - Proposed Plans First Floor;
- Drawing no. 22001MH-PP-P-(03)03 - Proposed Plans Roof Plan;
- Drawing no. 22001MH-PP-P-(04)01 - Proposed Elevations North;
- Drawing no. 22001MH-PP-P-(04)02 - Proposed Elevations East;
- Drawing no. 22001MH-PP-P-(04)03 - Proposed Elevations South;
- Drawing no. 22001MH-PP-P-(04)04 - Proposed Elevations West;

- Drawing no. 22001MH-PP-S-(13)01 - Site Plans, Location Plan;
- Drawing no. 22001MH-PP-S-(13)02- Site Plans, Existing Block Plan;
- Drawing no. 22001MH-PP-S-(13)02- Site Plans, Existing Block Plan; and
- Drawing no. 22001MH-PP-S-(13)03- Site Plans, Proposed Block Plan.

Reason For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

3. Prior to the works commencing on site, details of a gas impermeable membrane should be submitted and approved by the Local Planning Authority. The gas impermeable membrane shall be incorporated within the structure along with a ventilated sub-floor area. Any services entering/leaving the structure should be located above the gas impermeable membrane or adequate seals will have to be provided if the membrane has to be breached. The development shall be built in accordance with the approved plans and details.

Reason In the interest of amenity in the interests of amenity in order to prevent against landfill gas in in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

4. Notwithstanding the details included on the application form and plans hereby approved the materials and colours to be used in the construction of the external surfaces of the extensions hereby permitted shall match the main dwelling and such work shall be completed prior to first occupation of the development.

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 (September 2014).

5. The applicant shall undertake a watching brief during construction in case any contamination issue is encountered. If during development any contamination is found, the Local Planning Authority should be informed as soon as practical and the work shall not continue until written agreement is provided by the Local Planning Authority as to the appropriate measures to be taken to resolve the matter and they are satisfied that those measures have been carried out.

Reason In order to protect the amenity of occupiers due to The Sandpipers forming part of the Holyoake Mount landfill development site in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).

6. 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 either flank elevation of the extensions hereby permitted without the prior permission, in writing, of the Local Planning Authority. For the purposes of this condition openings shall include chimneys, flues and the insertion of cover holes for flue extracts.

Reason In the interest of residential amenity in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and in order to ensure that any alterations to the permitted scheme may be the subject of a planning application that the Local Planning Authority would wish to determine on its merits.

INFORMATIVES:-

1 REASON FOR IMPOSITION OF PRE-COMMENCEMENT CONDITIONS

Pursuant to Articles 35 (1) and (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Local Planning Authority is satisfied that the requirements of condition 3 (including the timing of compliance) is so fundamental to the development permitted that such details must be submitted prior to the works commencing on site. The reason for this is in the interests of amenity in order to prevent against landfill gas. Due to the importance attached to these details, it is reasonable and necessary to seek full approval in advance of works commencing

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: 7 April 2022



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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.

### **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.