



REFULZ

Application: 20220445

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND

To: **Mr S Singh, MDK Global Limited
C/O Mr Tony Angeletta
11 Joydens Wood Road
Bexley
DA12 5QF**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **REFUSED TO PERMIT** development of land situate at:

**156 Wrotham Road
Gravesend
Kent
DA11 7LB**

and being **creation of a vehicular access and hardstanding to frontage**

Your application dated 26th April 2022 is refused on the following grounds:-

1. The proposed vehicular access and front garden hardstanding would have a detrimental impact on highway and pedestrian safety and the free flow of traffic on this busy classified 'A' class road and which is a primary distributor route. There would be insufficient width available within the parking area to enable vehicles to turn within the curtilage of 156 Wrotham Road and thereby be able to enter and leave in a forward direction which would lead to vehicles dangerously reversing to or from the site, potentially between parked vehicles into oncoming traffic. In addition, highway and pedestrian visibility splays to the proposed access have not been indicated on the submitted drawings. As such the proposal would be contrary to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy, September 2014, saved Policy T5 (New Accesses onto Highway Network) of the Gravesham Local Plan First Review 1994, the Council's Planning Guidance Note 6: Planning Policy for Vehicular Accesses to Classified Highways (February 2009) adopted as supplementary planning guidance and Paragraphs 111 and 112 of section 9 of the National Planning Policy Framework (NPPF), 2021.
2. The proposed development would detract from the character and appearance of the street scene in Wrotham Road, by reason of the loss of an existing boundary treatment and vegetated frontage. This part of Wrotham Road is characterised by low front walls and enclosed and vegetated front gardens, which softens the frontages of the dwellings and is a positive feature of the street scene and adds to the suburban character of the area on an important thoroughfare that runs into the town centre. The loss of the enclosure at this site and the appearance of parked cars to the front of the house would be at odds with the pleasing uniformity of character in the immediate area. This would be harmful to the character and appearance of the area and would detrimentally impact on visual amenity and would fail to accord with Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy, September 2014 which requires, amongst other things, development to integrate well with the surrounding area and

conserve and enhance the character of the local built environment, and the development would also not accord with paragraph 130 of Section 12 of the National Planning Policy Framework (NPPF) 2021. The loss of the existing vegetated frontage and the failure to provide any biodiversity gain would be contrary to Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy, September 2014.

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the decision to refuse this application was taken in relation to the following plans and documents:

Application Form and Certificates

Drawing No SH01: Site Location Plan

Drawing No SB02: Existing and Proposed Site Block Plans

Drawing No SH03: Existing Frontage Plan and Elevation

Drawing No SH04: Proposed Frontage Plan and Elevation.

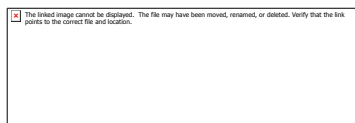
2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION TAKING

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.

In this instance, the application is contrary to local and national policy and the planning and other objections could not be overcome by amendments to the scheme or through the imposition of planning conditions.

Dated: 22 June 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 can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.**
- 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.