

Application: 20211328

**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: **K Clarke
C/O Mr Michael Tamsett, Architectural Designs
76 Ufton Lane
Sittingbourne
Kent
ME10 1EX**

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:

**Taralee
Wrotham Road
Meopham
Gravesend
Kent
DA13 0HP**

and being **erection of a single storey rear extension, balcony to front elevation and conversion of the single dwelling to 3 self-contained flats (2 x 1-bed and 1 x 2 bed).**

Your application dated 25th October 2021 is refused on the following grounds:-

1. The proposed flats will introduce a form of development that is at odds with the predominately single-family dwelling character of the surrounding area and the application dwelling is essentially is of a size appropriate for continued single family accommodation. The application relies on the proposed extension to increase the available floorspace to achieve the subdivision into smaller separate units. The proposal is therefore an over development of the site contrary to Policy CS14 of the Gravesham Local Plan Core Strategy 2014 and saved Policy H5 of the Gravesham Local Plan First Review 1994 and the development would not accord with the character and appearance of the area.
2. The proposed layout and floor space of the ground floor one bedroom flats would be cramped offering a low level of amenity for the future occupants of the flats and not fully meeting the minimum standards as set in SPG2: Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 - amended June 2020. As such, the proposal is considered to be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 (f) of the NPPF.
3. Insufficient information has been submitted to demonstrate that the more intensive use of the property and additional separate vehicular access/usage of the front forecourt of the dwelling exiting on to what is an A Class classified highway and primary distributor and where the visibility to it is poor due to high hedges either side, would be acceptable in highway and pedestrian safety terms or that there is sufficient parking space and turning

space to serve the needs of the development. As such as it stands the proposal is contrary to Gravesham Local Plan Core Strategy Policy CS11 (Transport), saved Policy T5 (New Accesses onto the Highway Network) and saved Policy P3 (Policy for Vehicle Parking Standards) of the Gravesham Local Plan First Review 1994 and supplementary guidance in the adopted KCC vehicle parking standards (SPG4) and Planning Policy for vehicular accesses to classified highways (SPG 6, November 1992).

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

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

Application Form;
Design and Access Statement, Amended October 2021;
Un-numbered OS Red Line Location Plan
Drawing No 21/2721 A: Existing Block Plan;
Drawing No 21/2725 A: Proposed Block Plan;
Drawing No 21/2726: Plans and Elevations - Existing and Proposed.

2 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.

In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

Dated: 5 January 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

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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.

### **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.