



REFULZ

Application: 20220480

**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 Alan Ring
23 Vicarage Lane
Gravesend
Kent
DA12 4TF**

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:

**23 Vicarage Lane
Gravesend
Kent
DA12 4TF**

and being **Creation of a vehicle crossover with associated hardstanding area.**

Your application dated 15th July 2022 is refused on the following grounds:-

1. The proposed vehicular access over grass verge would have a detrimental effect on the character and appearance of the street scene by forming a hard paved/tarmac access which would interrupt the grass verge and cause an adverse impact on the visual appearance of the surrounding area. Additionally, the proposal involves hard paving the entire frontage of the property, resulting in the loss of an attractive garden area with no provision for soft landscaping and a disproportionate hardstanding. As such, the development is contrary to Gravesham's Design Guidance SPD (2021), Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021.)
2. The proposed driveway fails to provide acceptable pedestrian visibility splays and therefore increases the risk to pedestrian safety, contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (2014), saved Policies P3 and T5 of Gravesham's Local Plan First Review (LPFR) (1994), SPG 6: Planning Policy for Vehicular Accesses to Classified Highways (2009), Manual for Streets (2007) and Kent County Council vehicle crossing guidance (2018).
3. The proposed development fails to provide any biodiversity opportunity, with the removal of all soft landscaping from the frontage contrary to Policy CS12 of the Gravesham Local Plan Core Strategy (2014) and Section 15 of the National Planning Policy Framework (2021.)

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

Application Form;
Drawing No. 22-0975 - 01 - OS Plan;
Drawing No. 22-0975 - 02 - Block Plan - Existing and Proposed;
Drawing No. 22-0975 - 03 - Front Garden Plan - Existing;
Drawing No. 22-0975 - 04 - Front Garden Plan - Proposed;
Drawing No. 22-0975 - 19 - Elevations - Existing; and
Drawing No. 22-0975 - 20 - Elevations - Existing.

2 STATEMENT OF POSITIVE AND PROACTIVE

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

3 FOR THE AVOIDANCE OF DOUBT

This application is for the creation of a vehicle crossover with associated hardstanding area only. Additional development shown on the plans has not been assessed as part of this application.

Dated: 5 September 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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:

- (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.