



REFULZ

Application: 20220269

**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
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To: **Mr Donald Holden, Xenia Developments Ltd**
105 Windmill Street
Gravesend
Kent
DA12 1BW

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:

196 And 197 Parrock Street
Gravesend
Kent
DA12 1EW

and being **Conversion of five storey office building into 4no. 1 bedroom and 1no. 2 bedroom apartments.**

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

1. The proposal by virtue of the loss of original fabric and features and the design and detailing of the proposed alterations would not preserve the architectural and historic interest of this Grade II Listed Building and would not preserve the character and appearance of the King Street Conservation Area. As such, the proposal is contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy 2014, saved Policies TC2 (Listed Buildings) and TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review (1994) and Section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021).
2. As the proposed development involves a loss of employment floorspace to residential use, insufficient evidence has been provided in relation to the viability of the existing office space, as required by planning policy, and the principle of the development is not considered to be acceptable without such evidence. The proposal is therefore contrary to the requirements of Policy CS07 (Economy, Employment and Skills) of the Gravesham Local Plan Core Strategy (2014).
3. The proposed development provides cramped and undersized flats, and would create a poor quality living environment harmful to the amenity of future occupiers. As such, the proposal is contrary to Policies CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).

4. The proposal fails to safeguard biodiversity and fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment. Therefore, the development fails to comply with the requirements of the Habitat Regulations, but fails to offset biodiversity loss contrary to Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework (2021) and Policy CS12 of Gravesham's Local Plan Core Strategy (2014).

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 comprising the application:

Application Form (20220269) - dated 15/03/2022
Covering Letter - dated 18/08/2022
Supplementary Information - Response to Conservation Officer (dated 18/08/2022)
Supplementary Information - Planning, Design and Access Statement (received 22/08/2022)
Supplementary Information - Heritage Statement (received 22/08/2022)
Supplementary Information - Environmental Impact Assessment (received 14/03/2022)
Supplementary Information - Drainage and Water Plan (received 14/03/2022)
Ordnance Survey Site Location Plan (scale 1:1250)
Drawing no. PS 001 - Site Plan Existing and Proposed (scale 1:100) (dated 18/08/2022)
Drawing no. PS 002 - Front Elevation as Existing (dated 18/08/2022)
Drawing no. PS 003 - Front Elevation as Proposed (dated 18/08/2022)
Drawing no. PS 004 - Rear Elevation as Existing and Proposed (dated 18/08/2022)
Drawing no. PS 005 - South Elevation as Existing & Proposed (dated 18/08/2022)
Drawing no. PS 006 - Section A-A as Existing (dated 18/08/2022)
Drawing no. PS 007 - Section A-A as Proposed (dated 18/08/2022)
Drawing no. PS 008 - Section B-B as Existing (dated 18/08/2022)
Drawing no. PS 009 - Section B-B Proposed (dated 18/08/2022)
Drawing no. PS 010 - Basement Plan Proposed (dated 18/08/2022)
Drawing no. PS 011 - Basement Plan Existing and Proposed (dated 18/08/2022)
Drawing no. PS 012 - Ground Floor Plan Existing and Proposed (dated 18/08/2022)
Drawing no. PS 013 - First Floor Plan Existing (dated 18/08/2022)
Drawing no. PS 014 - First Floor Plan Proposed (dated 18/08/2022)
Drawing no. PS 016 - Second Floor Plan Existing and Proposed (dated 18/08/2022)
Drawing no. PS 019 - Third Floor Plan Existing and Proposed (dated 18/08/2022)
Drawing no. PS 029 - Roof Plan (dated 18/08/2022)
Drawing no. PS 030 - Front Wall and Railings (dated 18/08/2022)
Drawing no. PS 032 - Coping Stone Detail (dated 18/08/2022)

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 manner.

The submission of this application follows pre-application advice and the Local Planning Authority have provided opportunities for the incorrectly submitted applications to be amended, with additional drawing iterations submitted during the planning application process. In this instance, and notwithstanding the multiple submissions, the application is not in accordance with the Development Plan for the area and cannot be supported.

Dated: 4 October 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 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.

Gravesham Borough Council