



REFULZ

Application: 20220186

**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: **Mrs Kulvinder Kaur
C/O Mr Haider Karim, Abdul Karim & Sons Ltd
4 Mount Pleasant Road
Romford
RM5 3YL**

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:

**172 Rochester Road
Gravesend
Kent
DA12 2JF**

and being **Erection of a first floor extension and a loft conversion.**

Your application dated 28th March 2022 is refused on the following grounds:-

1. The front and rear dormers are considered an overly dominant and unsubservient addition to the roof and unacceptable in design terms. Furthermore, the first floor rear extension in addition to the front and rear dormers would cumulatively have a dominant and overbearing impact on the host dwelling and would result in an overdevelopment of the property. The development would be detrimental to the character and appearance of the application building and surrounding area, failing to comply with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014, paragraphs 126 and 130 of the National Planning Policy Framework (2021) and paragraphs 10.9 and 10.10 of the Householder Extensions/Alterations Design Guide (2021).
2. The proposal, by virtue of the additional bedroom created, would therefore fail to provide a high standard of private amenity space for existing and future occupiers by reason of the existing garden being undersized for a 4 bedroom single family dwelling which fall below the baseline standards set out in Gravesham Residential Layout Guidelines (Amended June 2020). As such the proposal would conflict with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.
3. The proposal, by virtue of the height, scale, bulk, projection and relationship with the common boundary would result in a detrimental impact on the neighbouring amenity in terms of loss of outlook and overbearing, which would conflict with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.

INFORMATIVES:-

1 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 pre-application advice was not sought and the proposal as submitted is contrary to local and national planning policy and cannot be supported.

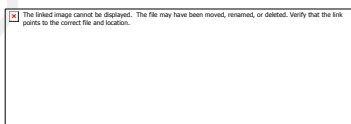
2 DECISION PLANS

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

Planning Application Form;
Site Location Plan;
Block Plan;
Drawing No. DS/01 - Existing Ground Floor Plan;
Drawing No. DS/02 - Existing First Floor Plan;
Drawing No. DS/03 - Proposed First Floor Plan;
Drawing No. DS/04 - Proposed Loft Floor Plan;
Drawing No. DS/07 - Existing and Proposed Front Elevations;
Drawing No. DS/07 - Existing and Proposed Side Elevations; and
Existing and Proposed Rear Elevations.

Dated: 19 May 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.