



Application: 20240666

**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 Peter Chopra
C/O Mr Gary Mcdonald
39 Langdale Close
RAINHAM
Kent
ME8 7AE**

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:

**258 Singlewell Road
Gravesend
Kent
DA11 7RE**

and being **Conversion of existing dwellinghouse into two separate dwellinghouses. Erection of two storey rear extension, alteration of roof including increase in height, rooflights in each side roof slope and dormer extension in each rear roof slope, single storey front extension and construction of vehicle access and hard paving of front garden.**

Your application dated 5th August 2024 is refused on the following grounds:-

1. The height and design of the proposed boundary wall, gates and railings would result in the development having a harmful impact on the character and appearance of the locality. The proposal would therefore be contrary to section 12 of the National Planning Policy Framework (2023) and Policy CS19 of the Gravesham Local Plan Core Strategy (2014).
2. The proposed development would make insufficient provision for safe access to, and egress from, the application site, leading to vehicles obstructing the free flow of traffic on Singlewell Road and drivers having poor visibility and presenting dangers to passing pedestrians. As such, the proposal would be detrimental to highway safety and contrary to section 9 of the National Planning Policy Framework (2023), Policy CS11 of the Gravesham Local Plan Core Strategy (2014), Saved Policy T5 of the Gravesham Local Plan First Review (1994), the KCC Dropped Kerb Guidance and Self-Assessment (2023), the Gravesham Borough Council Front Driveway Design Guidance (2023), Design for Gravesham (2024) and the Householder Extensions/Alterations Design Guide (2021).
3. Circular 06/2005 states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. Given that the proposal involves extensive works to the existing roof, there is a reasonable likelihood that European Protected Species (Bats) or other species are present on site and likely to

be impacted by the proposals. The application has failed to provide adequate survey information to demonstrate whether these protected species are present on site and whether the proposal would be likely to harm the habitat of a protected species and if so what mitigation might be considered to address any harm. As such, the application is contrary to section 15 of the National Planning Policy Framework (2023) and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 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 and paragraph 38 of the National Planning Policy Framework, the Local Planning Authority has approached the assessment and determination of this application in a positive and proactive manner and, where appropriate, has worked 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.

2 DECISION PLANS

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

- Application form.
- Planning Statement.
- Drawing no. SR/PD/24/01 Rev G - Planning Drawing Proposed Details.
- Drawing no. SR/PD/24/02 Rev E - Planning Drawing Existing Details.
- SAMMS Contribution Agreement.

Dated: 11 October 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

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.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

- 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.