

Application: 20230682

**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 N Singh
C/O Mr Shailender Nagpal, Design And Plan Consultants Ltd
93 Cotmandene Crescent
Orpington
Kent
BR5 2RA
United Kingdom**

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:

**Tawahi
Telegraph Hill
Higham
Rochester
Kent
ME3 7NW**

and being **Erection of a double storey front and rear extension, conversion of loft space, to include two dormers, conversion of garage, to include a new roof. Erection of an outbuilding for car parking, storage and office space, and changes to fenestration.**

Your application dated 3rd July 2023 is refused on the following grounds:-

1. The proposed development by reason of its scale, poor design and layout would be disproportional to the main dwellinghouse and would result in significant harm to the character of this area and would as a result fail to comply with the requirements of the Householder Alterations/Extensions Guide, Policy CS19 (Development and Design Principles) of the Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework (2021) in terms of design, character and appearance.
2. By virtue of the window which would serve a habitable family room to the proposed converted garage, the development would result in harm to the living environments of future occupants of neighbouring Angles, Telegraph Hill. The ground floor window would experience direct overlooking which would not comply with required privacy distances. The proposal would therefore fail to provide a high standard of amenity for neighbouring's sites which conflicts with the requirements of the Residential Layout Guidelines (2015), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraphs 126 and 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 the application is not in accordance with local and national planning policy and cannot be supported.

2 DECISION PLANS/DOCUMENTS

This decision was made on the basis of the following plans and documents:

Application Form;
01 - Existing Floor Plans;
02 - Existing Elevations;
03 - Proposed Ground Floor Plan;
04 - Proposed First Floor Plan;
05 - Proposed Loft Plan and Elevation;
06 - Proposed Roof Plan and Elevation;
07 - Proposed Elevations;
08 Rev A - Proposed Floor Plans and Elevations; and
Design and Access Statement.

Dated: 15 August 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.