

Application: 20230891

**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 And Mrs David And Denise McCormick
C/O Mr Kingsley Hughes, Designscape Consultancy Limited
1A The Landway
Bearsted
Maidstone
Kent
ME14 4BD**

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:

**Rear And Side Of Bridewell
Watling Street
Gravesend
Kent
DA11 7NU**

and being **Erection of 3no. dwellings comprising of a pair of semi-detached houses and a detached house to provide family homes with parking and gardens.**

Your application dated 22nd August 2023 is refused on the following grounds:-

1. The proposals are considered to constitute an overdevelopment of the rear garden which would result in a comparatively cramped form of development and would be incongruous considering the existing pattern of development and the character of the area. It is therefore harmful to the character and appearance of the site and the wider locality and would contravene Policies CS15 and CS19 of the Gravesham Local Plan Core Strategy September 2014 which ensure new development will integrate well with the surrounding local area. At a national level the proposed development would also contravene paragraph 130 of the National Planning Policy Framework (2023) which states 'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'.
2. The proposal would result in a detrimental impact on the amenities on both existing and potential new occupiers of Bridewell and the new properties in terms of loss of privacy, overbearing impact and substandard private amenity areas, contrary to the objectives of Policy CS19 (LPCS) and para. 130f of the National Planning Policy Framework (2023).
3. The proposed access, visibility and parking layout for Plots 1 and 2 and the provision for Plot 3 would not accord with the minimum parking standards and the Kent County Council's supplementary planning guidance SPG4 and as such the development would be contrary to Policy CS11 of the Local Plan Core Strategy (2014) and Saved Policy P3 Local Plan First Review (1994).

4. The proposed development would result in the removal of a substantial amount of soft landscaping resulting in a biodiversity net loss. The proposal would therefore be contrary to Policy CS12 Local Plan Core Strategy (2014) and Section 15 of the National Planning Policy Framework (2023).

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) 2023, 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;
Drawing No. 75 - Existing Block Plan;
Drawing No. 76 - Existing Site Layout Plan;
Drawing No. 100 - Proposed Block Plan;
Drawing No. 101 - Proposed Site Layout Plan;
Drawing No. 102 - Proposed Plans and Elevations - Detached House;
Drawing No 103 - Proposed Plans and Elevations - Semi-Detached Houses;
Drawing No. 300 - Proposed Street Scene Elevations;
Drawing No. 301 - Existing Street Scene Elevations; and
Design & Access Statement.

Dated: 17 October 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.