



REFULZ

Application: 20220348

**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

To: **Mr & Mrs Clegg
C/O Mr Sam McNally, Mack Interiors London
20 Glenmore Road
Welling
DA16 3BE**

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:

**Long Acre
Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TT**

and being **Erection of a single storey rear extension with rooms in the roof space.**

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

1. The proposal represents a disproportionate addition and exceeds the one third limit to the original dwelling, which will harm the openness of the Green Belt. Therefore the proposal would be inappropriate development in the Green Belt, contrary to saved Policy C13 of the Gravesham Local Plan First Review (1994), Policies CS01 (Sustainable Development), CS02 (Scale and Distribution of Development) and CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (2014), and Sections 12 and 13 of the National Planning Policy Framework (2021).
2. By virtue of the size, scale and design, the proposed rear extension is considered to be unacceptable, as it is a bulky, dominant and un-subservient addition to the application property, that is considered to be detrimental to the character and appearance of the property itself. The development would fail to protect or enhance the Harvel Wooded Downs Landscape Character Area. The development is therefore contrary to the requirements of paragraphs 130, 174 and 179 of the National Planning Policy Framework 2021, Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014, the Householder Extensions/Alterations Design Guide SPD, October 2021, and the Gravesham Landscape Character Assessment 2009.

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.

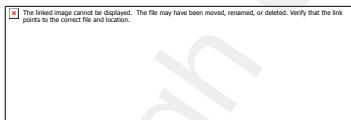
2 DECISION PLANS

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

Planning Application Form;
Drawing No. 2022-01-07-001 Rev A - Existing Plans Elevations; and
Drawing No. 2022-01-07-002 Rev A - Proposed Plans 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.