



REFULZ

Application: 20211358

**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 Mandeep Walia
C/O Mr Herjindur Channa
Picaroons
Maidstone Road
Platt
Kent
TN15 8LB**

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:

**6 Carton Road
Higham
Rochester
Kent
ME3 7EB**

and being **erection of a detached garage/office to the front of the property.**

Your application dated 2nd November 2021 is refused on the following grounds:-

1. The proposed garage/office building in this location set so far forward and only circa 1.3m from the frontage of the site would be an overbearing and visually dominant structure and would be out of character with the open frontages of the surrounding properties, having a detrimental impact on the visual amenity of the streetscene contrary to Gravesham Local Plan Core Strategy Policy CS19 (Development and Design Principles), September 2014, Section 12 of the National Planning Policy Framework (NPPF) 2021 and supplementary planning guidance in the Householder Extensions/Alterations Design Guide SPD, adopted 01 October 2021.
2. The proposed garage/office building in this location close to the front boundary and directly adjacent to the driveway for No. 8, would result in obscured views and lack of visibility for the occupiers of No. 8 when exiting their driveway. Due to the lack of footpath along Carton Road, this would result in a highway safety risk. Therefore the development would be contrary to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy Policy 2014, saved Policy P3 (Parking) from the Gravesham Local Plan First Review (1994) and the adopted KCC vehicle parking standards 'SPG 4' (2006).

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt, the decision to refuse this application was taken in relation to the following forms, plans and documents

Planning Application Form and Certificates;
Drawing No 6CR/A3/01: Site Map, Proposed Front & Rear Elevation and Floor Plan;
Drawing No 6CR/A3/02: Existing Front Drive Plan and Side/Front Elevations;
Drawing No 6CR/A3/03: Existing & Proposed Block Plans;
Drawing No 6CR/A3/04: Proposed Front Drive Plan and Side Elevations.

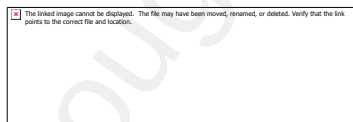
2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

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 the Development Plan for the area and cannot be supported.

Dated: 22 December 2021

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.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.