



Application: 20240295

**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 Jasbir Singh Binning
C/O Mr David Meaney, DKM Consultants LTD
82 longdfellow road
gillingham
gillingham
Kent
ME75QQ
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:

**153 Beaumont Drive
Northfleet
Gravesend
Kent
DA11 9NY**

and being **Erection of a two storey side extension, conversion of the property into a 3 bedroom house and 2 bedroom house with associated parking and gardens and demolish the garage to the rear to increase the garden space for two dwellings.**

Your application dated 10th April 2024 is refused on the following grounds:-

1. The proposal seeks to extend and subdivide a five bedroom dwelling, which is suitable for single family occupation and important within the housing mix of the borough and is therefore contrary to the objectives of saved policy H5 of the Local Plan First Review (1994) and Policy CS14 of the Gravesham Local Plan Core Strategy (2014).
2. The proposed extensions are contrived, poorly designed and overdevelopment of the site to the detriment of the original character of the host dwelling and disrupt the pattern of development within the street scene by closing the gap between properties which would cause harm to the appearance of the street scene. Therefore, the development is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).
3. The proposed development fails to provide acceptable amenity for future occupiers, through undersized internal and external living accommodation contrary to local and national residential layout guidelines. Therefore, the extension and subdivision of the property into two separate dwellings is considered to be overdevelopment of the site, a cramped form of development and is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).

4. The proposed extension is an unneighbourly form of development which has a harmful impact on the habitable window of the adjoining property in terms of loss of outlook and sense of enclosure by virtue of proximity and being set forward of the window. Therefore, the extension fails to safeguard neighbour amenity contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).
5. The development fails to safeguard biodiversity or mitigate harm caused to the Special Protection Areas. Therefore, the development fails to comply with the requirements of the Habitat Regulations and fails to offset biodiversity loss contrary to Section 15 (specifically paragraphs 185 and 186) of the National Planning Policy Framework (2023) and Policy CS12 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

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

Application Form - dated 13 March 2024;
Design and Access Statement - dated January 2024;
Supplementary Information - Aerial Image;
Supplementary Information - Front Elevation Image;
Supplementary Information - Side Elevation Image;
Drawing no. DKM/7733/01 - Rev.0 - Site Location Plan (scale - 1:1250);
Drawing no. DKM/7733/02 - Rev.0 - Existing Block Plan;
Drawing no. DKM/7733/03 - Rev.1 - Proposed Block Plan;
Drawing no. DKM/7733/04 - Rev.2 - Existing Plans and Elevations;
Drawing no. DKM/7733/05 - Rev.3 - Proposed Plans and 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) 2023, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative manner. In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

Dated: 5 June 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:

- 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
- 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 –

- an application for change of use;
- 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.