

Application: 20211207

**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 Halil Ersunger
C/O Gregory Bunce, Prime Folio
35 Albion Place
Maidstone
ME14 5DZ**

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:

**Fashion Scene
4 - 5 The Parade
Wrotham Road
Meopham
Gravesend
Kent**

and being **Change of use and conversion of first floor from commercial (Class E) to residential (Class C3), and erection of a two storey rear extension and loft conversion with front and rear dormers to create enlarged commercial unit on ground floor together with bin and cycle storage, and 2 x studio and 2 x 2 bedroom self-contained flats on first and second floors.**

Your application dated 30th September 2021 is refused on the following grounds:-

1. The rear of property is incongruous and unacceptable, in design terms, in particular, staggered roof lengths, with gable pitch roof design and external staircase would harm the character and appearance of the application building and surrounding area, and would fail to comply with the requirements of Policies CS14 and CS19 of the Gravesham Local Plan Core Strategy 2014, and paragraphs 119, 124, 126, and 130 of the National Planning Policy Framework 2021.
2. The creation of the roof terrace to the rear, at first floor, would contribute to a poor layout of the site and harms the living environments/privacy of future occupants of studio flats 4A and 5A to the rear and also the privacy of the residents living in the accommodation above no. 6 The Parade. The proposal would therefore fail to provide a high standard of amenity for future users, which would conflict with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.
3. The proposed development would, by virtue of the quantum of residential accommodation proposed, the overall congruous design to the rear, the harms to amenity, overall lack of adequate off street parking provision and cycle storage provision amounts to the overdevelopment of the site which would be harmful to the character and

appearance of the immediate locality. The proposal would consequently be contrary to Policies CS14 and CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.

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:

- Location Plan, plan no. 21-29-01 A;
- Block Plan Existing & Proposed, plan no 21-29-02;
- Existing Floor Plans, plan no. 21-29-03;
- Existing Elevations, plan no. 21-29-04;
- Existing Elevations & Sections, plan no. 21-29-05;
- Proposed Floor Plans, plan no 21-29-06A;
- Proposed Elevations, plan no 21-29-07; and
- Proposed Elevations & Section, plan no. 21-29-08A.

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 local and national planning policy and cannot be supported.

Dated: 10 December 2021

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.

- 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:

- 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.

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.