



Application: 20220965

**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 Ali Rana
C/O Miss Briggs, Barron Edwards Ltd
Whitehall Place
47 The Terrace
Gravesend
Kent
DA12 2DL**

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:

**Land Between 29 And 31
The Street
Shorne
Gravesend
Kent**

and being **Demolition of the existing garage and erection of a detached 3-bed dwelling with associated parking, amenity space and landscaping.**

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

1. The proposed development, by virtue of its scale, massing and siting, would provide a cramped form of development on this plot that would be out of keeping with the character of development within this locality and would be harmful to the outlook of neighbouring properties. For these reasons the development would also be harmful to the character of the Shorne Conservation Area. As such the proposed development would be contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014), Policy TC3 of the Gravesham Local Plan First Review (1994), as well as Section 12 of the National Planning Policy Framework (2021) and the Shorne Conservation Area Appraisal SDP (2017).
2. The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas. In the absence of such contributions the development fails to comply with the requirements of the Habitat Regulations and Section 15 of the National Planning Policy Framework (2021) and Policies CS10 and CS12 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

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 DRAWINGS AND DOCUMENTS

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

- Planning Application Form;
- Planning and Heritage Statement (August 2022);
- Drawing No. 001 Rev A - Site Layout;
- Drawing No. 002 Rev A - Existing and Proposed Site Layouts;
- Drawing No. 003 Rev A - Proposed Plans and Elevations; and
- Drawing No. 004 Rev A - Proposed Street View.

Dated: 5 January 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.
- **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.