



REFULZ

Application: 20211211

**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 M Peckover
C/O Mr J Rowland, DAC Architects
21 Stone Street
Gravesend
DA11 0NP**

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:

**173 Singlewell Road
Gravesend
Kent
DA11 7QA**

and being **Demolition of existing side and rear extensions, erection of a new single storey rear extension, insertion of dormer windows to rear elevation, erection of a detached garage and two storey side and rear extension to create an additional 4 bedroom dwelling.**

Your application dated 18th October 2021 is refused on the following grounds:-

1. The proposed development would result in the inappropriate subdivision of the residential garden and the creation of a new dwelling on a prominent corner location. The proposed development would severely impact on the character of the area and when combined with the scale and width of the building would result in the introduction of a prominent building that would appear as an incongruous and cramped form of development that would diminish the open character and appearance of the site, contrary to Policy CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy 2014 that requires new development to take into account the existing character of the area, and paragraphs 71 and 126 of the NPPF where plans should resist the inappropriate development of residential gardens where the development would cause harm to the local area and not result in the creation of high quality, beautiful and sustainable buildings and places.
2. The proposal results in the overdevelopment of the site in terms of private amenity space. The dwelling, if approved, would result in a substandard garden areas for 173 Singlewell Road as well as the proposed dwelling, which falls below the standards outlined in the adopted Residential Layout Guidelines (SGP2) (2020), and is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and Section 12 of the National Planning Policy Framework (2021).
3. The proposed parking arrangement is unsatisfactory due to the constrained space and complicated parking manoeuvres required to access the allocated spaces resulting in them likely to be underused and leading to unacceptable additional on street parking in

the area, contrary to Policy CS11 of the Gravesham Local Plan Core Strategy 2014 and saved Policy P5 of the Local Plan First Review 1994.

4. The proposal fails to safeguard biodiversity and fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment. Therefore, the development fails to comply with the requirements of the Habitat Regulations, Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework (2021) and Policy CS12 of Gravesham's 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:

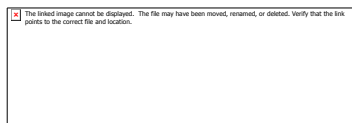
Application Form Dated 20 September 2021;
Design and Access Statement Dated 20 September 2021;
Drawing no. D-01 Revision B (Site Location Plan, Existing Floorplans, Elevations and Section);
Drawing no. D-02 Revision C (Proposed Floorplans, Elevations, Section and Block Plan); and
Drawing no. D-03 Revision A (Existing and Proposed Street 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: 13 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:

- 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.