



Application: 20230380

**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: **Ms Martine Fante
C/O Mr Steven Bogle, HP Design Studio
146 Essex Road
Lyttonstone
E10 6BS**

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:

**40 Springhead Road
Northfleet
Gravesend
Kent
DA11 9QY**

and being **Demolition of existing conservatory and single storey rear extension and erection of a single storey side/rear extension and a two storey rear extension. Roof alterations to facilitate a gable style roof, erection of a dormer in the rear roof slope, installation of rooflights in front roofslope and conversion of the roofspace to form habitable rooms. Erection of an outbuilding in the rear garden and extension of the front light well.**

Your application dated 24th April 2023 is refused on the following grounds:-

1. The proposed alterations to the dwelling are disproportionate and bulky additions which overwhelms the original dwelling and is harmful to the wider streetscene. Therefore, the application is considered to be contrary to Gravesham's Design Guidance SPD (2021), Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).
2. The proposal would result in an undersized garden area remaining which detrimentally limits the available usable area, subsequently providing unacceptable living conditions for existing and future occupiers. As such the proposal would therefore be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014) and Section 12 (Achieving well designed places) of the National Planning Policy Framework 2021.
3. The proposed first floor bedroom window on the flank elevation of the dwelling would adversely affect the private amenity space of the adjacent dwelling. As such, it would be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014), which amongst other criteria requires new development safeguard the amenity of neighbouring properties and to integrate well with the surrounding area.

INFORMATIVES:-

1 DECISION PLANS

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

Application Form Dated 13/04/2023;
Drawing Number SH-03 (Floor Plans - Existing);
Drawing Number SH-10A (Elevations - Proposed);
Drawing Number SH-12A (Side Elevations - Proposed);
Drawing Number SH-01 (Site Location Plan);
Drawing Number SH-05 (Elevations - Existing);
Drawing Number SH-04 (Roof & Loft Plan - Existing);
Drawing Number SH-06 (Side Elevation with Section AA - Existing);
Drawing Number SH-02 (Block Plan - Existing);
Drawing Number SH-08 (Floor Plans - Proposed);
Drawing Number BR-09 (Roof & Loft Plans - Proposed);
Drawing Number SH-13 (Out Building - Proposed); and
Drawing Number SH-07 (Block Plan - Proposed).

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.

The application has been determined in accordance with the above submitted documents/plans and Paragraph 38 of the National Planning Policy Framework (NPPF) (2021) sets out adopting a positive and proactive approach to development proposals. In this case, whilst there is extensive planning history for this site, prior to this application being submitted, the agent did not engage with the Local Planning Authority with a formal pre-application enquiry on the proposed development that is before the committee.

Dated: 19 June 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.
- **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:

- (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.