



Application: 20231049

**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: **Mrs Poh Ean Ng
C/O Mr Sam Conway, Architek Design & Planning
12 Clifton Gardens
Goole
DN14 6AS**

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:

**Cherry Dene
Norwood Lane
Meopham
Gravesend
Kent
DA13 0YE**

and being **erection of two detached houses with associated car parking, cart lodge car port and new entrance drive.**

Your application dated 16th October 2023 is refused on the following grounds:-

1. The proposed dwellings, due to their size, height and location to the rear of a plot that tapers to a point, result in an incongruous and cramped form of development out of character with the surrounding area and therefore conflict with the objectives of Policy CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2023.
2. The proposed development, due to the distances between the front windows of dwelling CD02 and the private rear garden of CD01, will result in significant overlooking to the detriment of the occupiers of this dwelling. In addition to this both lounges of the dwellings will suffer insufficient outlook and daylight due to the position and height of the proposed carports resulting in poor living accommodation contrary to Policy CS19 of the Gravesham Core Strategy 2014 and para. 130f of the National Planning Policy Framework 2023.
3. The proposed new access to the development, due to insufficient sight lines being provided and the likelihood of larger vehicles, particularly fire appliances, not being able to turn on site, will negatively impact the transport system in terms of highway safety and therefore conflicts with Saved Policies T1 and T5 of the Gravesham Local Plan 1994.

INFORMATIVES:-

1 SUBMITTED DRAWINGS

For the avoidance of doubt the submitted drawings are:

Application form

Drawing no. ADP23/P102/07 (proposed cartlodge and boundary treatment plans and elevations)

Drawing no. ADP23/P102/06 (proposed CD02 elevations)

Drawing no. ADP23/P1-2/05 (proposed CD02 floor plans)

Drawing no. ADP23/P102/04 (proposed CD01 elevations)

Drawing no. ADP23/P102/03 (proposed CD01 floor plans)

Drawing no. ADP23/P102/01 (site location plan)

Drawing no. ADP23/P102/08 (proposed 3D visuals - approach)

Drawing no. ADP23/P102/11 (proposed 3D visuals - CD01 and CD02 views)

Drawing no. ADP23/P102/09 (proposed 3D visuals - CD01)

Drawing no. ADP23/P102/12 (proposed 3D visuals - internal views)

Drawing no. ADP23/P102/10 (proposed 3D visuals - CD02)

Drawing no. ADP23/P102/14 (existing block plan)

Drawing no. ADP23/P102/02A (proposed block plan)

Drawing no. ADP23/P102/13A (ground plan layout)

Design and Access Statement

Ecological Impact Assessment

Arboricultural Impact Assessment and Method Statement

Arboricultural Constraints Plan

Root Protection Plan

Soft Landscaping Proposals.

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 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.

Dated: 11 December 2023

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:

- (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.