



Application: 20220727

**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 Parminder Bains
264 Singlewell Road
Gravesend
Kent
DA117RE**

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:

**17 - 19 Perry Street
Northfleet
Gravesend
Kent
DA11 8RA**

and being **Erection of first floor rear extension incorporating an external staircase to facilitate sub-division of first floor into 1 no. one bedroom flat and 1 no. one bedroom maisonette; erection of single storey infill rear extension to provide bathroom and flat entrance; erection of detached two storey triple garage with open pedestrian access and bin storage at ground floor with storage at first floor level**

Your application dated 30th September 2022 is refused on the following grounds:-

1. The proposed first floor rear extension by virtue of its design and the two storey detached building by virtue of its scale and design would be harmful to the character and appearance of the host building and the surrounding area. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014) and section 12 of the National Planning Policy Framework (2021).
2. The proposed development by virtue of the flats being undersized, unacceptable layout and access, lack of private amenity space and overbearing impact from the detached garage and storage building would all create unacceptable living conditions for future occupiers of the flats which would be harmful to their amenity. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).
3. The proposed detached garage and storage building by virtue of its scale and proximity to neighbouring buildings would generally be an unneighbourly and overbearing form of development to several neighbouring buildings. As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014).
4. The proposed development would provide undersized car parking spaces in the detached garage and storage building, insufficient cycle parking provision and would restrict service access to the rear of the ground floor commercial unit. As such the

proposal is contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and saved Policy P3 of the Gravesham Local Plan First Review (1994).

5. The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment covering the impact of the development on the SPA/Ramsar site or offered a financial contribution towards mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 of the Gravesham Local Plan Core Strategy (September 2014) and paragraphs 180 and 181 of the National Planning Policy Framework (2021).

INFORMATIVES:-

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

- o Application form;
- o Drawing no. 0106 01 - Site Location Plan;
- o Drawing no. 0106 02 - Existing Floor Plans & Roof Plan;
- o Drawing no. 0106 03 - Existing Front & Rear Elevations;
- o Drawing no. 0106 04 - Existing Side Elevations;
- o Drawing no. 0106 10 - Proposed Floor Plans;
- o Drawing no. 0106011 - Proposed Roof Plan;
- o Drawing no. 0106 12 - Proposed Elevations;
- o Drawing no. 0106 13 - Proposed Elevations;
- o Drawing no. 0106 100 - Block Plan; and
- o Drawing no. 0106 DRAIN - Proposed Elevations.

2 STATEMENT OF POSITIVE AND PROACTIVE

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 manner. In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

Dated: 25 November 2022

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.