



REDETZ

Application: 20211589

**TOWN AND COUNTRY PLANNING, ENGLAND
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

NOTICE OF REFUSAL TO APPROVE DETAILED PLANS AND PARTICULARS

To: **Look Ahead Care and Support
C/O D Apparicio, Faithorn Farrell Timms LLP
Central Court
1 Knoll Rise
Orpington
BR6 0JA**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, has **REFUSED TO APPROVE** detailed plans and particulars submitted on 5th January 2022 in accordance with conditions 5, 6, 7 and 8 of the Notification of Grant of Planning Permission reference 20201336 to Develop Land dated 17 May 2021 in respect of:-

Conversion to 5 x 1 bedroom flats to include erection of a rear extension, installation of new rooflights within roof slopes and extract vents through external walls, replacement and adaptation of first floor window opening to front elevation and reinstatement of external fire escape.

at: **48 Pelham Road
Gravesend
Kent
DA11 0HZ**

and being **Application for approval of conditions 5, 6, 7 and 8 attached to planning permission reference number 20201336 relating to the cycle store (5), the refuse and recycling storage area (6), cabling to enable charging facilities to be installed for electric vehicles (7) and details of the refuse arrangements (8).**

And that the grounds for such refusal are:-

- 1 Condition 5 cannot be discharged as no details have been submitted of the appearance of the cycle store and it cannot therefore be assessed against the objectives of Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.
- 2 Condition 6 cannot be discharged as no details of the appearance of the refuse and recycling storage area have been submitted. Furthermore, the proposal to remove a section of the remaining front boundary wall to allow vehicular access to the bins for collection would not preserve the character or appearance of the Pelham Road/The Avenue Conservation Area but be harmful to it. As such the proposal would be contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.
- 3 Condition 7 cannot be discharged as the proposal to remove a section of the remaining front boundary wall to allow access for charging would not preserve the character or

appearance of the Pelham Road/The Avenue Conservation Area but be harmful to it. As such the proposal would be contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.

- 4 Condition 8 cannot be discharged as no details of the appearance of the refuse and recycling storage area have been submitted. Furthermore, the proposal to remove a section of the remaining front boundary wall to allow vehicular access to the bins for collection would not preserve the character or appearance of the Pelham Road/The Avenue Conservation Area but be harmful to it. As such the proposal would be contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014 and saved Policy TC3 of the Gravesham Local Plan First Review and cannot be discharged.

INFORMATIVES:-

1 SUBMITTED DRAWINGS

For the avoidance of doubt the submitted drawings are:

- o Drawing no. 4 Rev. D - Existing & Proposed Garden Layout.

2 ADVICE FOR THE APPLICANT ON PROPOSED TARMACING OF FRONT GARDEN

The submitted plan shows a proposal to tarmac the front garden (the current surface is gravel). Planning permission would be required for this development but would be unlikely to be forthcoming due to reasons of the harm that would be caused to the character and appearance of the Pelham Road/The Avenue Conservation Area and also potential surface water and flood risk issues.

Dated: 1 March 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



Your attention is drawn to the following notes

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.

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.