

Application: 20230013

**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 Kenneth & Karren Doku
C/O Mr Nana Boateng, NG Barch Designers
Unit 2
59 Anernelly Road
Bromley
London
SE19 2AS**

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:

**50 Wrotham Road
Gravesend
Kent
DA11 0QF**

and being **Change of use from C3 to C4 HMO; with proposed extension to rear dormer and installation of roof light windows to front roof slope and a single storey rear extension.**

Your application dated 11th January 2023 is refused on the following grounds:-

Reasons for Refusal

1. The extension to the dormer would create an overly dominant feature, with a bulky flat roof at third storey level. The scale is disproportionate to the dwelling, is poor design and adds significant bulk, whilst failing to respond or reflect the character of the dwelling. As such, the extension is considered to be overdevelopment and an incongruous addition to the property contrary to Gravesham's Design Guidance SPD (2021), Policy CS19 of Gravesham's Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).
2. The proposed development would provide undersized kitchen facilities for the number of residents within the HMO, contrary to Gravesham's HMO amenity standards (2023) and to the detriment of future occupier amenity. Therefore, the proposal fails to safeguard the amenity of future occupiers contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).
3. The extension to the dormer would have a detrimental impact on the privacy of adjoining residents by virtue of introducing a window at second storey level which would directly overlook private amenity space within the minimum 26m distance set out in Gravesham's Residential Layout Guidelines (2020). Therefore, the proposal fails to safeguard the amenity of neighbouring properties contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).

INFORMATIVES:-

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

2 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 05/01/2023;
Supplementary Information - Houses in Multiple Occupation Document;
Ordnance Survey Site Location Plan (scale 1:1250);
Drawing no. WR001 - Rev. A - Existing Plans, Elevations and Sections;
Drawing no. WR002 - Rev. C - Proposed Plans, Elevations and Sections;
Drawing no. WR003 - Existing Block Plan (scale - 1:200);
Drawing no. WR003 - Rev. B - Plans, Elevations and Sections (under Construction);
Drawing no. WR004 - Rev. B - Proposed Block Plan (scale - 1:200).

Dated: 5 April 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.