

Application: 20230012

**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 & Mrs Marszalek
C/O Mr Steven Burdon, Allestree Design Services
140 Blenheim Drive,
Allestree
Derby
DE22 2GN
United Kingdom**

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:

**88 Lanes Avenue
Northfleet
Gravesend
Kent
DA11 7HS**

and being **Erection of a part single, part two storey rear/side extension, erection of a front porch, construction of a dormer in the rear roof slope and conversion of the roofspace to form habitable rooms.** Your application dated 13th February 2023 is refused on the following grounds:-

1. The proposal has an incongruous appearance of poor design, and constitutes overdevelopment of the site. The cumulative extensions as well as the large porch/front extension and rear dormer form bulky additions that overwhelm the existing dwelling and are unsympathetic to its character. Therefore the development is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2021).
2. The proposed development fails to safeguard the amenity of future occupiers with proposed room sizes and a resultant garden area that fails to comply with Gravesham's Supplementary Planning Guidance; Gravesham's Residential layout guidelines (RLG) amended June 2020, Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).
3. The size and bulk of the proposed development would have an oppressive effect and cause a sense of enclosure and loss of light to neighbouring properties. The proposal is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2021).

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;
Block Plan - Existing (received on 01.02.23);
Block Plan - Proposed (received on 06.01.23);
Site Location Plan - Existing (received on 01.02/23);
Site Location Plan - Proposed (received on 06.01.23);
Drawing No. DA117HS88 -01 - Floor Plans - Existing;
Drawing No. DA117HS88 -02 - Elevations - Existing;
Drawing No. DA117HS88 -03 - Floor Plans - Proposed; and
Drawing No. DA117HS88 -04 Rev 01 - Elevations - Proposed.

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: 27 March 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.