



Application: 20241120

**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 Harminder Dhanda
C/O Mr Raj Bhatti
25 Cloonmore Ave
Orpington
BR6 9LE
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:

**41 Cobham Street
Gravesend
Kent
DA11 0SA**

and being **Erection of a rear dormer with a hip to gable roof, conversion of the roof space into habitable rooms and skylights to the front elevation.**

Your application dated 20th January 2025 is refused on the following grounds:-

1. The proposal is considered to represent poor design, that would result in an incongruous, dominant and unsympathetic development, to the detriment of the appearance of the existing dwelling, immediate locality and the Darnley Road Conservation Area. As such, the development fails to accord with statutory test 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014), saved Policy TC3 (Development Affecting Conservation Areas) of Gravesham's Local Plan First Review (1994) as well as Sections 12 and 16 of the National Planning Policy Framework (2024).
2. The proposed dormer would impact neighbouring privacy, given the proposed dormers close and overbearing relationship with No. 40A Cobham Street, and to a lesser extent No.42 Cobham Street, which would offer direct views into the respective private garden areas. As such the proposal fails to safeguard the privacy of neighbouring properties, contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2024.)

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;
Supplementary Information - Heritage Statement;

OS Plan (received on 10.12.24);
Block Plan - Proposed (received on 12.12.24);
Block Plan - Existing (received on 10.12.24);
Drawing No. 2317 - 001 - Basement Plan - Existing;
Drawing No. 2317 - 002 - Ground Floor Plan - Existing;
Drawing No. 2317 - 003 - First Floor Plan - Existing;
Drawing No. 2317 - 004 - Roof Plan - Existing;
Drawing No. 2317 - 005 - Elevations - Existing;
Drawing No. 2317 - 010 - Basement Floor Plan - Proposed;
Drawing No. 2317 - 011 - Ground Floor Plan - Proposed;
Drawing No. 2317 - 012 - First Floor Plan - Proposed;
Drawing No. 2317 - 013 - Second Floor Plan - Proposed;
Drawing No. 2317 - 014 - Roof Plan - Proposed; and
Drawing No. 2317 - 015 - Elevations - Proposed.

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 39 of the National Planning Policy Framework (NPPF) 2024, 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: 6 March 2025

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.