



Application: 20230047

**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 A Sandhu
C/O Mr Saroop Hanspal
75 Stapleton Raod
Bexleyheath
DA7 5QF**

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:

**82 Snelling Avenue
Northfleet
Gravesend
Kent
DA11 7ER**

and being **Demolition of two out houses and building two storey side extension.
Enlargement of first floor landing at the top of the stairs.**

Your application dated 23rd January 2023 is refused on the following grounds:-

1. The proposal, by virtue of its siting, bulk, massing and poor design, would result in an incongruous and disproportionate addition, which would not respect the character or appearance of the existing building, would be an overdevelopment of the application site and have an unbalancing impact on the pair of semi-detached properties, of which the application property is a part. As such, the proposal would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, the Householder Extensions/Alterations Design Guide (2021) and Paragraph 130 of the National Planning Policy Framework 2021.
2. The proposal, by virtue of its height and proximity to the boundary with no. 80 Snelling Avenue, would be likely to be severely oppressive and overbearing, causing overshadowing and curtailing outlook for the occupants of that dwelling. The proposal is therefore contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 and Paragraph 130(f) of the National Planning Policy Framework (2021).
3. The proposal would make insufficient provision for the parking of cars within the site in accordance with the Borough Council's adopted Vehicle Parking Standards and would be likely to lead to cars parking on the public highway, inconvenient to other road users and detrimental to highway safety. As such, the proposal would be contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014) and Saved Policies T1 and P3 of the Gravesham Local Plan First Review November 1994.

INFORMATIVES:-

1 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.

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:

Householder Planning Application form;
Drawing no. SAP.01 Existing and proposed ground floor layouts;
Drawing no. SAP.02 Existing and proposed first floor layouts;
Drawing no. SAP.03 Existing and proposed roof plans;
Drawing no. SAP.04 Existing and proposed front and rear elevations;
Drawing no. SAP.05 Existing and proposed side elevations;
Drawing no. SAP.06 Location plan;
Drawing no. SAP.07 Existing block plan; and
Drawing no. SAP.08 Proposed block plan.

Dated: 16 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.