



REFULZ

Application: 20220783

**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: **Little Bower Ltd
C/O Mr Leslie May, DAC Architects
21 Stone Street
Gravesend
DA11 ONP**

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:

**Caxtons
49 - 50 Windmill Street
Gravesend
Kent
DA12 1BA**

and being **Conversion of part of the existing offices into 2no. 2 bed duplex flats including replacement of single storey rear outrigger and erection of new building to the rear to provide 4no. 1bed flats with associated parking**

Your application dated 14th July 2022 is refused on the following grounds:-

1. As the proposed development involves a loss of employment floorspace to residential use, insufficient evidence has been provided in relation to the viability of the existing office space, as required by planning policy, and the principle of the development is not considered to be acceptable without such evidence. The proposal is therefore contrary to the requirements of Policy CS07 of the Gravesham Local Plan Core Strategy 2014.
2. The proposal will result in an over-development of the site, and with the poor, dominant and incongruous design of the proposed rear residential block and the loss and replacement of the existing rear outrigger, it would harm the significance of the Grade II listed buildings on the site and the setting of the terrace as a whole and fail to enhance the character and appearance of the surrounding Upper Windmill Street Conservation Area. The proposal is therefore contrary to the requirements of paragraphs 124, 126, 130, 190 and 197 of the National Planning Policy Framework 2021 and Policies CS14, CS15, CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014.
3. The poor layout and lack of amenity space within the converted buildings, and the poor outlook and potential for overlooking and loss of privacy from the proposed second floor terrace in the new residential block, together with the excessive bulk and height of the proposed rear residential block resulting in a sense of visual dominance and poor outlook, would altogether fail to provide a high standard of amenity and living conditions for future occupants and neighbouring properties. The proposal is therefore contrary to the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130 of the National Planning Policy Framework 2021.

4. The proposal fails to secure a contribution towards strategic mitigation measures within the Thames Estuary and Marshes SPA/Ramsar Sites to resolve disturbance issues to wintering birds, and in the absence of this contribution or any evidence to inform an appropriate assessment, the development fails to comply with the requirements of the Habitat Regulations and paragraphs 174 and 180 of the National Planning Policy Framework 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the decision to refuse this application was taken in relation to the following plans and particulars:

Application form

Design and Access Statement (5316) (June 2022)

Heritage Statement (May 2022)

Drawing no. 1 of 7 (Topographical Survey)

Drawing no. D-01 (SLP and Block Plan as Existing)

Drawing no. D-02 (Floor Plans as Existing)

Drawing no. D-03 (West and South Elevations as Existing)

Drawing no. D-04 (East and North Elevations as Existing)

Drawing no. D-05 (Site Sections / Elevations A and B as Existing)

Drawing no. D-06 (Block Plan and OS Plan as Proposed)

Drawing no. D-07 (Floor Plans as Proposed)

Drawing no. D-08 (West and South Elevations as Proposed)

Drawing no. D-09 (East and North Elevations as Proposed)

Drawing no. D-10 (Site Sections and Elevations A and B as Proposed)

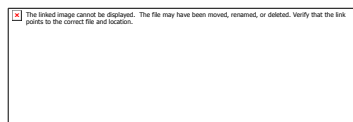
2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 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 way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

In this instance the application is not in accordance with local and national planning policy and cannot be supported.

Dated: 8 September 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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:

- 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
- 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 –

- an application for change of use;
- 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.