

Application: 20220681

**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 Philip Rudd, Jackson Family Holdings
C/O Miss Kate Holland, Invicta Planning
Chart House
10 Western Road
Borough Green
TN15 8AG**

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:

**Jackson Family Holdings Ltd
Unit K6
Northfleet Industrial Estate
Lower Road
Northfleet
Gravesend
Kent
DA11 9BL**

and being **Change of use of building to a mixed warehouse and office use together with erection of first and second floor extension and construction of a multi level car park, together with associated earthworks and drainage.**

Your application dated 28th June 2022 is refused on the following grounds:-

1. The introduction of two additional floors together with a multi-storey car park, will result in an incongruous form of development out of character with this terrace of units. Due to its height and appearance, it will bear no relationship with the other units and will appear dominant in the street scene and from long ranging views. The proposal therefore conflicts with the objectives of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.

INFORMATIVES:-

1 SUBMITTED DRAWINGS

For the avoidance of doubt the submitted drawings are:

Application form
Covering letter
Design and Access Statement (parts 1 and 2)
Phase I Geo Environmental Desk Study and Preliminary Risk Assessment
Contamination Report
Flood Risk Assessment
Economic Benefits

Planning Statement
Transport Assessment
Junction Modelling Note
Drawing no. 2521.WD.01 (site location plan)
Drawing no. 2521.WD.02 (existing topographical site plan)
Drawing no. 2521.WD.09E (multi storey car park floor plans)
Drawing no. 2521.WD.10D (proposed topographical site plan)
Drawing no. 2521.WD.07F (proposed elevations)
Drawing no. 2521.WD.08B (proposed elevations)
Drawing no. 2521.WD.20 (3D visual)
Drawing no. 2521.WD.19 (3D visual)
Drawing no. 2521.WD.17 (3D visual)
Drawing no. 2521.WD.03 (existing floor plans)
Drawing no. 2521.WD.21 (existing elevations)
Drawing no. 2521.WD.14B (proposed multi storey car park elevations)
Drawing no. 2521.WD.15B (proposed multi storey car parking elevations)
Drawing no. 2521.WD.06E (proposed floor plans)
Drawing no. 2521.WD.05C (proposed floor plans)
Drawing no. 2521.WD.04E (proposed floor plans)
Drawing no. 2521.WD.16 (existing and proposed cross section)

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 contrary to local and national planning policy and cannot be supported.

Dated: 27 September 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

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**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.