



Application: 20230765

**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 Linas Simkevicius
C/O Mr Povilas Jurevicius, ARCHITEKTAS
5 Windsor Road
London
NW2 5DT**

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:

**97 Vale Road
Northfleet
Gravesend
Kent
DA11 8DB**

and being **Erection of a single side and front extension with engineering works to create a front driveway with vehicular access.**

Your application dated 27th July 2023 is refused on the following grounds:-

1. There is insufficient depth in the front garden for a vehicle to park at right angles to the kerb line. Kent Design Guide recommends a minimum depth of 4.8 metres between the back of footway and the front of the property / wall while the Council's Planning Policy for vehicular accesses to classified highways (Planning Guidance Note No 6) and adopted KCC Parking Standards indicates that there should be a minimum depth of 5.0 metres available from the rear edge of the highway or path, to ensure a car can be parked wholly off the road (increased to 5.5 metres where the driveway leads to a garage door).

It is therefore considered that the proposed vehicular access would disrupt free-flowing traffic on Vale Road which is a classified highway and would be detrimental to the safety of all road users. As such, it is not considered that the proposal would be in keeping with Policy CS11 of the Gravesham Local Plan Core Strategy September 2014, Saved Policies P3 and T5 of the Gravesham Local Plan First Review November 1994, and the guidance set out in SPG 4: Kent Vehicle Parking Standards (July 2006), Kent Design Guide and the Council's Planning Policy for vehicular accesses to classified highways (Planning Guidance Note No 6).

2. The development would result in a highly incongruous dwelling that lacks character and would result in overdevelopment of the property. In addition, the proposal is unsympathetic to the original dwelling and would be contrary to the character and appearance of the area. As such the development would be contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2023).

INFORMATIVES:-

1 DECISION PLANS

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

- o Application form;
- o Drawing No: 97-02.200P (Proposed Front Elevation);
- o Drawing No: 97-01.1002 Rev 2 (Proposed site Plan);
- o Drawing No: 97-03.303P (Proposed Section View);
- o Drawing No: 97-01.1001 Rev 2 (Site Location Map);
- o Drawing No: 97-01.1002 (Existing site Plan);
- o Drawing No: 97-01.100 (Existing Ground Floor Plan);
- o Drawing No: 97-02.200 (Existing Front Elevation);
- o Drawing No: 97-02.201 (Existing Rear Elevation);
- o Drawing No: 97-02.203 (Existing Side Elevation);
- o Drawing No: 97-01.100P (Proposed Ground Floor Plan);
- o Drawing No: 97-02.200P (Proposed Front Elevation);
- o Drawing No: 97-02.201P (Proposed Rear Elevation);
- o Drawing No: 97-02.203P (Proposed Side Elevation); and
- o Drawing No: 97-01.1002P (Proposed Site Plan).

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) 2023, 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.

The proposal was contrary to planning policy and could not be supported

Dated: 20 September 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.