

Application: 20250079

**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 Hamada Aqlan
C/O Mr Leslie Brown, L Brown Associates Ltd
L Brown Associates Ltd
34 Fallowfield
ME5 0DX
Chatham
Kent
ME5 0DX**

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:

**5 Forge Lane
Higham
Rochester
Kent
ME3 7AS**

and being **Erection of single storey rear extension and rear dormer; Conversion of loft space into habitable rooms; Formation of frontage parking space and vehicle crossover.**

Your application dated 10th February 2025 is refused on the following grounds:-

1. The proposed roof alterations would result in a significant increase in the size and bulk of the roof at the rear of the building and would result in an extensive area of flat roofed, two storey extension on a property that has a pitched roof. As such, the proposal would be poorly designed and out of character with the existing building and would not appear subservient to it. Furthermore, the proposed single storey rear extension would not appear subservient to the existing building and would result in a significant increase in built form. The combined effect of the proposed development at the rear of the dwelling would be an overdevelopment of the application site, which would be detrimental to the character and appearance of the application property, to the visual amenities of the surrounding area and would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), to paragraph 135 of the National Planning Policy Framework 2024 and to the Householder Extensions/Alterations Design Guide (2021).
2. The formation of a frontage parking space would undermine the verdant nature of the site frontage, to the detriment of visual amenity and would result in an increased potential for traffic conflict and hazardous manoeuvres, which would impede traffic flows and cause dangers to passing pedestrians and vehicles. As such, the proposed development would be detrimental to the character and appearance of the application property, to the visual amenities of the surrounding street scene and to highway safety and would be contrary to Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014), to paragraphs 115(b) and 135 of the National Planning Policy Framework 2024, to the Householder Extensions/Alterations Design Guide (2021), to the

INFORMATIVES:-

1 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.

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 Application for Planning Permission form;
Drawing no. TAB/06/46E Existing and proposed block plans;
Drawing no. TAB/06/80 Existing elevations;
Drawing no. TAB/06/85 Existing ground floor layout, roof plan and rear elevation;
Drawing no. TAB/06/86 Location plan and driveway surfacing details;
Drawing no. TAB/06/103 Rev D Proposed elevations;
Drawing no. TAB/06/205C Proposed first floor layout and roof plan;
Drawing no. TAB/06/207C Proposed site layout;
Drawing issue register dated 01 April 2025;
Letter from the agent dated 27 January 2025 (crossover);
Letter from the agent dated 27 January 2025 (loft and annex);
Letter from the agent dated 10 February 2025;
Letter from the agent dated 07 March 2025; and
Letter from the agent dated 01 April 2025.

Dated: 10 April 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.