



**Application: 20211372**

**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: **Ms Lisa Eccleston  
C/O Mr Nigel Buller  
50 Milton Road  
Gravesend  
DA12 2PJ  
GB**

**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:

**34 Dogwood Close  
Northfleet  
Gravesend  
Kent  
DA11 8PJ**

and being **Change of use of land to side to be part of residential curtilage and erection of a two storey side extension with rear balcony and single storey rear extension.**

Your application dated 5th November 2021 is refused on the following grounds:-

- 1 The two storey side addition is considered an overdominant addition to the northern flank wall and unacceptable, in design terms. Furthermore, the side addition would result in a large side addition to the flank wall which would be overbearing, to the detriment the character and appearance of the application building and surrounding area, failing to comply with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014, paragraphs 126 and 130 of the National Planning Policy Framework (2021) and paragraphs 10.5 of the Householder Extensions/Alterations Design Guide (2021).

**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 documents:

- o Application Form (with Certificate A signed)
- o Site Location, plan no. 21-027-DW-001;
- o Site Block Plan, plan no. 21-027-DW-002 rev A;
- o Proposed Site Block Plan, plan no. 21-027-DW-003 rev B;
- o Existing Floor Plans Ground, plan no. 21-027-DW-100;
- o Proposed Floor Plans Ground, plan no. 21-027-DW-112;
- o Existing Floor Plans First, plan no. 21-027-DW-101 rev A;
- o Proposed Floor Plans First, plan. no. 21-027-DW-121;
- o Existing Floor Plans Roof, plan no. 21-027-DW-102 ev A;

- o Proposed Floor Plans Roof, plan no. 21-027-DW-122;
- o Existing Elevation West Facing, plan no. 21-027-DW-200 rev A;
- o Proposed Elevation West Facing, plan no. 21-027-DW-210 rev A;
- o Existing Elevation East Facing, plan no. 21-027-DW-202 rev A;
- o Proposed Elevation East Facing, plan no. 21-027-DW-212 rev A;
- o Existing Elevation South Facing, plan no. 21-027-DW-201 rev A;
- o Proposed Elevation South Facing, plan o. 21-027-DW-211 rev A;
- o 2x photos of side extensions in the surrounding area;
- o 1x aerial photo of garage owned by applicants;
- o Planning Statement by BW Architecture, dated November 2021;
- o Google Maps photo of no. 30 Dogwood Close;
- o 34 Dogwood Close, Appendix A (photograph selection).

## 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: 31 December 2021

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.
- **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:

- (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.

### **COMPENSATION**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.