



Application: 20220920

**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 Jasbir Dosanjh
C/O Mr Herjindur Channa
Picaroons
Maidstone Road
Platt
Kent
TN15 8LB**

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:

**1 Sirdar Strand
Gravesend
Kent
DA12 4LP**

and being **Demolition of garage in the rear garden, erection of a two storey side extension and part two storey and part single storey rear extension. Erection of a porch, installation of solar panels in the roof slope fronting Vigilant Way and erection of an outbuilding in the rear garden with electric charging point.**

Your application dated 24th August 2022 is refused on the following grounds:-

1. The development is considered to be poor design with an excessive footprint and would result in a bulky, disproportionate, incongruous addition to the site that is not subordinate or sympathetic to the existing dwelling. In addition the development fails to respond to the context of the area and would disrupt surrounding building lines and street pattern. Furthermore, the proposal is considered to be excessive overdevelopment of the site that would be highly visible from the public vantage point, especially given the prominent corner location of the site. As such, the proposal is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
2. The size and bulk of the proposed development would have an oppressive effect and cause a sense of enclosure and loss of outlook for neighbouring properties. The proposal is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
3. In a pre-planned residential development consisting of two storey semi-detached dwellings, what is essentially a single storey flat roofed bungalow would not be considered in keeping with the surrounding area and would therefore be an incongruous addition to the street scene that does not respond to the context of the area. As such, the

new dwelling is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).

4. The new dwelling would fail to safeguard the amenity of future occupiers. In addition to the inadequate floor space provision, the occupants of the new dwelling would be subject to a sense of enclosure due to the size and proximity of surrounding buildings. The 10.50m distance between the existing dwelling and new dwelling is not sufficient and would result in a loss of privacy for the occupiers of both properties. Furthermore, neighbouring properties would overlook the new dwelling. Moreover, (although inappropriate in design terms), the size of the site is insufficient to accommodate separate private garden areas for both properties. Therefore the development is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Gravesham's SPG 2 - Residential layout guidelines (RLG) (2020), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
5. The new dwelling would fail to safeguard the amenity of neighbouring properties and would result in a loss of privacy due to insufficient privacy distances between windows contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).
6. The proposal fails to provide adequate off-street parking provision for a 4 bedroomed dwelling plus a new one bedroom dwelling which is considerably below recommendations within Gravesham's adopted Supplementary Planning Guidance; SPG 4 - KCC Parking Standards (2006) and represents overdevelopment of the site contrary to Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014) and Saved Policy P3 of Gravesham Local Plan First Review (1994).
7. The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework (NPPF) (2021) and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;

Drawing No. ISS/AS/01 - Block Plan - Existing and Proposed with OS Plan;

Drawing No. ISS/AS/02 - Floor Plans as Existing;

Drawing No. ISS/AS/03 - Ground Floor Plan as Proposed;

Drawing No. ISS/AS/04 - First Floor Plan as Proposed;

Drawing No. ISS/AS/05 - Side Elevations - Existing and Proposed;

Drawing No. ISS/AS/06 - Front and Rear Elevations - Existing and Proposed;

Drawing No. ISS/AS/07 - Side Sections - Existing and Proposed; and

Drawing No. ISS/AS/08 - Outbuilding Floor Plans and Elevations - 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) 2019, 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 proposal is contrary to Local and National Planning Policy and cannot be supported. Furthermore the application has not addressed the extensive concerns raised during the pre-application stage, for a similar proposal.

Dated: 19 October 2022

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.