

Application: 20230484

**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 Paul Gubb
C/O Mr Tony Angeletta
11 JOYDENS WOOD ROAD
BEXLEY
DA12 5QF
United Kingdom**

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:

**Stavesacre Cottage
Longfield Avenue
Gravesend
Kent
DA13 9HP**

and being **Erection of first floor rear extension; new raised roof incorporating two front dormers and one rear dormer to create habitable accommodation within the new roof space; and upward extension of chimney on eastern side.**

Your application dated 23rd May 2023 is refused on the following grounds:-

1. The proposal, by virtue of its proposed size, scale, massing and form, would be inappropriate development in the Green Belt, as it would result in disproportionate additions over and above the size of the original dwelling and harm the openness of the Green Belt. In the absence of any very special circumstances to clearly outweigh the harm to the Green Belt, the proposal would be contrary to Policy CS02 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy C13 of the Gravesham Local Plan First Review 1994 and to Section 13 of the National Planning Policy Framework 2021.
2. The proposed roof would be a substantial, dominating feature of the building, the impact of which would be highlighted by the inclusion of front and rear dormers. Cumulatively the proposed alterations would be an overdevelopment of the host building, undermining its character and be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014 and paragraph 130 of the National Planning Policy Framework 2021.
3. Given the site's location adjacent to an ancient woodland, the proposal has the potential to adversely impact upon protected ecological habitats/species. In the absence of any ecological assessment, it is not possible to determine whether the proposal would protect the biodiversity value of these habitats/species. As such, the proposal is contrary to Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 and to the paragraphs 174 and 180 of the National Planning Policy Framework 2021.

INFORMATIVES:-

1 STATEMENT OF POSITIVE AND PROACTIVE

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 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 Planning Application form;
Drawing no. PG/01 Existing front and eastern side elevation and ground floor layout plans;
Drawing no. PG/02 Existing rear and western side elevation and first floor layout plans;
Drawing no. PG/03 Proposed ground floor layout plan;
Drawing no. PG/04 Proposed first floor layout plan;
Drawing no. PG/05 Proposed loft floor layout plan;
Drawing no. PG/06 Proposed front elevation;
Drawing no. PG/07 Proposed eastern side elevation;
Drawing no. PG/08 Proposed rear elevation;
Drawing no. PG/09 Proposed western side elevation;
Drawing no. PG/10 Proposed section A-A;
Drawing no. PG/11 Site location and existing and proposed block plans;
Location plan; and
Planning Statement.

Dated: 6 July 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.