

Application: 20230065

**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 Tony Panaser
C/O Mr Ryan Townrow, RT Drafting Solutions Ltd
277B Main Road
Sidcup
DA14 6QL**

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:

**48 Arthur Street & 53 Cutmore Street
Gravesend
Kent
DA11 0PR**

and being **Erection of a two storey rear extensions and change of use of the basement to create new commercial unit including new front access and small rear lightwell.**

Your application dated 17th April 2023 is refused on the following grounds:-

1. The proposed extensions dominates the original properties, are disproportionate additions that extends existing extensions and results in an overdeveloped appearance. Moreover, the extensions will have a terracing effect by connecting to the neighbouring property at the rear, which closes an established gap within the street scene and is poor design that is harmful to the character of the street scene. The development is therefore contrary to Gravesham's Design Guidance SPD (2021), as well as Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).
2. The proposed development fails to safeguard the amenity of future occupiers, by virtue of providing a cramped, undersized flat with substandard rooms and significant overshadowing, sense of enclosure and reduced outlook from a habitable bedroom window. As such, the proposal is considered overdevelopment of the site, which provides a poor quality living environment to the detriment of amenity of future occupiers, contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (2021).
3. The proposed development would create a poor-quality, dark and gloomy retail unit in the basement, which is detrimental to its viability and function, and is contrary to Policy CS08 (Retail, Leisure and the Hierarchy of Centres) and Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014).

4. The proposal fails to provide sufficient cycle storage to accord with Kent County Council's Vehicle Parking Standards (SPG4) (2006). Therefore the development is contrary to Policy CS11 (Transport) of the Gravesham Local Plan Core Strategy (September 2014), saved Policy P3 (Vehicle Parking Standards) of the Gravesham Local Plan First Review (1994) and the Kent County Council's adopted Vehicle Parking Standards (SPG4) (2006) which seek to ensure that adequate cycle parking is available on site.

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 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:

Application Form - dated 16/01/2023;
Drawing no. 2022-230-001 - Site Location Plan (scale 1:1250);
Drawing no. 2022-230-002 - Existing Floor Plans;
Drawing no. 2022-230-003 - Existing Elevations;
Drawing no. 2022-230-004 - Existing Sections;
Drawing no. 2022-230-005 - Proposed Floor Plans;
Drawing no. 2022-230-006 - Proposed Elevations;
Drawing no. 2022-230-007 - Proposed Sections;
Drawing no. 2022-230-008 - Existing Block Plan;
Drawing no. 2022-230-009 - Proposed Block Plan.

Dated: 8 June 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.