



Application: 20250100

**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 Ian Watson
C/O Mr Tony Angeletta
11 Joynens Wood Road
Bexley
DA12 5QF**

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 Ashmore Gardens
Northfleet
Gravesend
Kent
DA11 8NE**

and being **Retention of conservatory in rear garden and the re-positioning of the boundary fence to a height of 1.8m along the side boundary of the property, to enlarge the rear garden area.**

Your application dated 12th February 2025 is refused on the following grounds:-

1. The conservatory has resulted in a cramped over-development of the site and due to its prominent location and high visibility it is out of keeping with the character and appearance of the layout of the terrace in which it is situated. The proposed relocation of the boundary fence will result in the loss of soft landscaping which will further harden and harm the existing character and appearance of the streetscene. The proposal is therefore considered to be contrary to the requirements of CS19 Local Plan Core Strategy 2014 and SPD4 - Householder Alterations and Extensions Guidance 2021.
2. The conservatory has resulted in an unacceptable and cramped amenity space for future occupiers. The proposal would therefore fail to provide a high standard of amenity for future users, which would conflict with the requirements of SPD4 - Householder Alterations and Extensions Guidance 2021, SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 135f of the National Planning Policy Framework 2024.
3. It is considered that the relocation of the fencing would result in a loss of visibility on a junction and result in harm to highway safety contrary to the requirements of CS11 Gravesham Local Plan Core Strategy and SPD4 - Householder Alterations and Extensions Guidance 2021.

INFORMATIVES:-

1 DECISION PLANS

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

- o Application Form
- o Drawing No: IW/01 (Site Location Map)
- o Drawing No: IW/02 (Pre Existing/Existing Block Plan)
- o Drawing No: IW/03 (Pre Existing Plans and Elevations)
- o Drawing No: IW/04 (Existing Ground Floor Plan)
- o Drawing No: IW/05 (Existing Rear Elevation)
- o Drawing No: IW/06 (Existing Side Elevation)
- o Drawing No: IW/07 (Existing Side Elevation)
- o Drawing No: IW/08 (Existing Front Elevation)

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 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 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 was contrary to local and national planning policy and could not be supported.

Dated: 3 July 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

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### 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.