

**Application: 20250570**

**TOWN AND COUNTRY PLANNING ACT 1990  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015 (AS AMENDED)**

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| <b>NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND</b> |
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To: **Mr Hamada Aqlan  
C/O Mr Leslie Brown, L. Brown Associates Ltd  
34 Fallowfield  
Chatham  
Kent  
ME5 0DX**

**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 Forge Lane  
Higham  
Rochester  
Kent  
ME3 7AS**

and being **formation of frontage parking space and vehicle crossover.**

Your application dated 6th June 2025 is refused on the following grounds:-

1. By virtue of the substandard size of the proposed parking space, the lack of pedestrian and vehicle visibility splays and the increased potential for traffic conflict and hazardous manoeuvres, it has not been demonstrated that the proposed development would make safe and sufficient provision for the parking of cars within the application site. As such, the proposal would be detrimental to highway safety, impede traffic flows and cause dangers to passing pedestrians and vehicles, and be contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (September 2014), to paragraph 115(b) of the National Planning Policy Framework 2024, to Saved Policies T1, T5 and P3 of the Gravesham Local Plan First Review November 1994, to the Householder Extensions/Alterations Design Guide (2021), to the GBC Front Driveway Guidance 2023, to the Gravesham Driveway Dropped Kerb Guidance (2023) and to the Kent County Council Dropped Kerb Guidance and Self-Assessment (2025).
2. By virtue of the substandard size of the proposed parking space, the proposed development would lead to vehicles overhanging the footway and be unacceptable in terms of design. As such, the proposal would have an adverse impact on the character and appearance of the existing building and the surrounding area and would not be in line with Policy CS19 of the Gravesham Local Plan Core Strategy (September 2014), paragraph 135 of the National Planning Policy Framework (2024), the Householder Extensions/Alterations Design Guide SPD (2021) and the GBC Front Driveway Guidance (2023).

**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) 2023, 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 Application for Planning Permission form;  
Drawing no. TAB/06/46F Existing and proposed block plans;  
Drawing no. TAB/06/80 Site location plan;  
Drawing no. TAB/06/85A Existing layout;  
Drawing no. TAB/06/86A Site location plan with surrounding parking illustrated;  
Drawing no. TAB/06/102 Existing elevations;  
Drawing no. TAB/06/104 Proposed elevations;  
Drawing no. TAB/06/208A Proposed layout with vehicle tracking;  
Drawing no. TAB/06/209B Proposed layout;  
Drawing issue register no. 7 30 July 2025;  
Visibility Sight Lines Guidance for Architects and Engineers April 2023;  
House of Commons Transport Committee Pavement Parking 05 September 2019;  
Decision notice for planning application 20250079;  
Letter from the agent dated 03 June 2025;  
Letter from the agent dated 26 June 2025;  
Letter from the agent dated 04 July 2025;  
Letter from the agent dated 30 July 2025; and  
Email from the agent with three attachments received 13 August 2025.

Dated: 15 August 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.