

Application: 20221311

**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 Anmol Kataria
C/O Mr James Barron, Barron Edwards Ltd
Whitehall Place
47 The Terrace
Gravesend
Kent
DA12 2DL**

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:

**The Railway Bell
Anglesea Place
Gravesend
Kent
DA11 0RR**

and being **Erection of a detached Class E (a) building.**

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

1. The proposed development by virtue of its position, encompassing scale and cramped nature would result in both significant harm to the visual appearance and character of the area and, substantial harm to the significance of the Grade II Listed building which is not outweighed by public benefits. The proposed is contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy TC2 of the Gravesham Local Plan: First Review (1994) and paragraphs 200 and 201 of the NPPF (2021).
2. Insufficient detail has been submitted to allow the full impacts of the proposed development to be accurately assessed in terms of design. The Heritage Statement supplied provides limited information of the significance of the adjacent heritage asset and the potential impact of the proposal. As such, it is not possible to make a determination as to the impacts of the proposal on the grade II listed building. The proposal is contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy September 2014 and paragraph 194 of the NPPF (2021).
3. By virtue of the large blank façade directly opposite the first floor flat would create an overbearing impact to the occupants of the flat and a loss of privacy/disturbances from the creation of a roof terrace area over the single storey element of the building. As such, the proposal would be harmful to neighbouring amenity and contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

INFORMATIVES:-

1 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;
001A - Site Layout;
002A - Block Plan
003A - Existing and Proposed Floor Plans;
004A - Proposed Elevations;
Planning Design and Access Statement;
Planning and Heritage Statement;
Heritage Statement.

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) 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.

Dated: 14 March 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.