

Application: 20250533

**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 Wareing
C/O Mr James Clague, James Clague Architects
Latchmere House
26 Watling Street
Canterbury
CT1 2UD**

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:

**50 Lewis Road
Istead Rise
Gravesend
Kent
DA13 9JG**

and being **Demolition of existing bungalow and erection of a self build detached two storey house with canopy to rear elevation and rear deck.**

Your application dated 9th June 2025 is refused on the following grounds:-

1. The proposed replacement dwelling and associated works, by virtue of its size, bulk, massing and design would be an overly dominant and incongruous form of development which would not be in keeping with the immediate street scene it is situated in and would cause harm to the character and appearance of the street scene and surrounding area. As such, the proposal is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014), along with Section 12 of the National Planning Policy Framework (NPPF) (2024).
2. The development would have a detrimental impact on neighbouring amenity in terms of loss of privacy and overbearing impact due to the design, siting and scale of the proposal. As such, the proposal fails to safeguard the amenity of surrounding properties contrary to Policy CS19 (LPCS) (2014) and Section 12 of the NPPF (2024).

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;
Supplementary Information - BNG Self Build Form;
Supplementary Information - Design and Access Statement;
Drawing No. 28180 EX 01 Rev. A - Site Location Plan;
Drawing No. 28180 EX 02 Rev. A - Block Plan - Existing;
Drawing No. 28180 EX 03 Rev. A - Site Plan - Existing;

Drawing No. 28180 EX 04 Rev. A - North East Elevation - Existing;
 Drawing No. 28180 EX 05 Rev. A - North West Elevation - Existing;
 Drawing No. 28180 EX 06 Rev. A - South West Elevation - Existing;
 Drawing No. 28180 EX 07 Rev. A - South East Elevation - Existing;
 Drawing No. 28180 EX 08 Rev. B - Ground Floor Plan - Existing;
 Drawing No. 28180 EX 09 Rev. A - Roof Plan - Existing;
 Drawing No. 28180 EX 10 Rev. A - Street Elevations showing Boundary Wall - Existing;
 Drawing No. 28180 EX 11 Rev. A - Section AA - Existing;
 Drawing No. 28180 PL 01 Rev. B - Block Plan - Proposed;
 Drawing No. 28180 PL 02 Rev. B - Site Plan - Proposed;
 Drawing No. 28180 PL 03 Rev. B - Ground Floor Plan - Proposed;
 Drawing No. 28180 PL 04 Rev. A - First Floor Plan - Proposed;
 Drawing No. 28180 PL 05 Rev. A - Roof Plan - Proposed;
 Drawing No. 28180 PL 06 Rev. A - North East Elevation - Proposed;
 Drawing No. 28180 PL 07 Rev. A - North West Elevation - Proposed;
 Drawing No. 28180 PL 08 Rev. A - South West Elevation - Proposed;
 Drawing No. 28180 PL 09 Rev. B - South East Elevation - Proposed;
 Drawing No. 28180 PL 10 Rev. A - Street Elevation showing Boundary Wall - Proposed; and
 Drawing No. 28180 PL 11 Rev. A - Section AA - Proposed.

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 manner. In this instance, the application is not in accordance with the Development Plan for the area and cannot be supported.

3 BNG EXEMPT - SELF/CUSTOM BUILD

Based on the information submitted in the planning application, the Planning Authority considers that this permission is exempt from biodiversity net gain under Regulation 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 (exemption for Self-build or custom housebuilding development), and as such does not require approval of a biodiversity gain plan.

Dated: 1 August 2025

Civic Centre
 Windmill Street
 Gravesend
 Kent
 DA12 1AU

Shazad Ghani
 MPhil, MA, BA (Hons)
 Head of 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.