

**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

To: **Mr Yavuz Darilmaz**
C/O Mr Kamil Ozcan, Besa Architectural Design Ltd
34 May Road
Rochester
ME1 2HY

TAKE NOTICE that the **GRAVESEND BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **REFUSED TO PERMIT** development of land situate at:

Ebbsfleet Grill
1 - 2 Stonebridge Road
Northfleet
Gravesend
Kent
DA11 9DR

and being **Demolition of the existing staff accommodation block and the erection of a two-storey building to provide 2 x self-contained flats with dedicated parking space, refuse and recycling facilities.**

Your application dated 25th March 2025 is refused on the following grounds:-

1. By virtue of the significant shortfall of in the provision of amenity space for the development and the fact that the proposed balconies would be overshadowed for large parts of the day, the proposed development would fail to provide a suitable level of amenity for its future occupiers. Moreover, the garden would be overlooked by a number of the neighbouring dwellings, resulting in a lack of privacy for the occupiers of the property. The proposed development is therefore contrary to Policy CS19 of the Gravesend Local Plan Core Strategy (2014), the guidance in the Council's Residential Layout Guidance Supplementary Planning Document (2020) and the National Planning Policy Framework (2024).
2. No information regarding biodiversity net gain has been submitted with the application. It has therefore not been possible to assess whether the development would result in a minimum 10% increase in the biodiversity value of the site. The proposed development is therefore contrary to the Biodiversity Net Gain Regulations (2023) and the Environment Act (2021).

INFORMATIVES:-

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

Application form

Site Location Plan
Drawing no PL01 Existing and Proposed Site Local Plans
Drawing no PL02 Existing Basement Floor Plan
Drawing no PL03 Existing Ground Floor Plan
Drawing no PL04 Existing Roof and First Floor Plan
Drawing no PL05 Existing Roof Plan
Drawing no PL06B Proposed Basement Floor Plan
Drawing no PL07A Proposed Ground Floor Plan
Drawing no PL08 Proposed First Floor Plan
Drawing no PL09 Proposed Roof Plan
Drawing no PL10A Existing and Proposed Section AA
Drawing no PL11A Existing and Proposed Section BB
Drawing no PL12A Existing and Proposed Front Elevations
Drawing no PL13A Existing and Proposed Side Elevations
Drawing no PL14A Existing and Proposed Rear Elevation
Preliminary Roost Assessment/ Ecological Impact Assessment
SAMMS Agreement

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 is contrary to the Development Plan and cannot be supported.

Dated: 14 November 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.