



Application: 20221000

**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 Nicholas Brearley
Le Courtillet
Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TU**

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:

**Le Courtillet
Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TU**

and being **erection of a double detached garage at the front of property with office space and dormer window in roof**

Your application dated 12th September 2022 is refused on the following grounds:-

1. The proposal, by virtue of its proposed scale, massing and form, would be inappropriate development in the Green Belt, as it would result in disproportionate additions over and above the size of the original dwelling and would consolidate and extend the level of built development at the application site to an unacceptable level, harming the openness of the Green Belt. In the absence of any very special circumstances to outweigh the harm to the Green Belt, the proposal would be contrary to Policy CS02 of the Gravesham Local Plan Core Strategy September 2014, Saved Policy C13 of the Gravesham Local Plan First Review 1994 and to paragraph 149 of the National Planning Policy Framework 2021.
2. The proposal, by virtue of its size and design, would constitute a bulky addition to the application site, which would not be subservient in terms of scale and massing and would be out of character with the existing building. As such, it would be detrimental to the character and appearance of the existing building and the surrounding area and contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, the Householder Extensions/Alterations Design Guide (2021) and to paragraph 130 of the National Planning Policy Framework 2021.
3. The proposal, by virtue of its design and proximity to no. 71 Rhododendron Avenue would lead to a detrimental level of overlooking and an unacceptable loss of privacy for the neighbouring residential occupiers. As such, it would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy September 2014, to the Residential Layout

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:

Householder Planning Application form;
Drawing no. AL100 Rev. C Existing and proposed block plans and location plan; and
Drawing no. AL101 Rev. A Proposed layout and elevations.

2 STATEMENT OF POSITIVE AND PROACTIVE

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: 2 November 2022

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.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.**
- 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.