



Application: 20240497

**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 Oluwaseyi Babatunde
C/O Mr Babatunde Adeniran, Double Edge Architects Ltd
20 Jedburgh Road
Plaistow
London
E13 9LG**

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:

**36B Brandon Street
Gravesend
Kent
DA11 0PL**

and being **erection of a loft development for the creation of a new 1 x 2 bed flat with box dormers to rear roof slope and roof light windows to the front roof slope.**

Your application dated 26th June 2024 is refused on the following grounds:-

1. The proposed development would result in an incongruous, bulky and disproportionate addition to the property which would be detrimental to the character of the existing building and surrounding area. As such, the proposal is considered to be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014), and Section 12 of the National Planning Policy Framework (2023).
2. The proposed development would fail to provide a satisfactory level of residential amenity for future occupiers due to insufficient levels of internal living space. The development would therefore fail to meet the tests set out in the National Planning Policy Framework (2023), Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and the Technical Housing Standards - nationally described space standard (2015).
3. The applicant has failed to provide any ecological evidence to inform a habitat regulations assessment to address the impact of the proposed development on the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) or offered a financial contribution towards the identified mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 of the Gravesham Local Plan Core Strategy (2014) which seeks to ensure that detrimental effects on the integrity of SPA/Ramsar sites are avoided, and also contrary to Paragraphs 186 and 187 of the National Planning Policy Framework (2023).

INFORMATIVES:-

- 1 **STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING**

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 and paragraph 38 of the National Planning Policy Framework, the Local Planning Authority has approached the assessment and determination of this application in a positive and proactive manner and, where appropriate, has worked 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 application is contrary to local and national policy.

2 DECISION PLANS

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

- Application Form.
- Drawing no. 000 - Site Location Plan.
- Drawing no. 001 - Existing Block Plan.
- Drawing no. 002 - Existing Ground and First Floor Plans.
- Drawing no. 003 - Existing Loft and Roof Plans.
- Drawing no. 004 - Existing Sections A-A and B-B.
- Drawing no. 005 - Existing Front and Side Elevations.
- Drawing no. 006 - Existing Rear and Side Elevations.
- Drawing no. 007 - Proposed Block Plan.
- Drawing no. 014 - Proposed Ground and First Floor Plans.
- Drawing no. 015 - Proposed Loft and Roof Plans.
- Drawing no. 016 - Proposed Sections A-A and B-B.
- Drawing no. 017 - Proposed Front and Side Elevations.
- Drawing no. 018 - Proposed Rear and Side Elevations.
- Drawing no. 019 - Loft Volume Calculation.

Dated: 16 August 2024

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>

- 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.