



Application: 20250244

**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: **Samra Property SE Ltd
C/O Tim Ltd, Mialex
Work.Life
Core
Brown Street
MANCHESTER
M2 1DH**

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:

**1 Russell Road
Gravesend
Kent
DA12 2RT**

and being **Demolition of existing dwelling and garage and erection of a two-storey building with roof accommodation, containing 1no. 3 bed dwellinghouse, 3no. studio apartments and 3no. one bed apartments with associated access, private and communal amenity space, refuse and cycle storage.**

Your application dated 28th March 2025 is refused on the following grounds:-

1. The proposed scheme would result in a large two/three storey building, encompassing almost the entirety of the plot, of a design which would wholly contradict the existing character and appearance of the area. The proposal would appear as an incongruous and cramped form of development which would constitute an overdevelopment of the plot, as well as being unduly prominent and overbearing addition to the area. As such, the proposal is contrary to Policies CS14, CS15 and CS19 of the Gravesham Local Plan Core Strategy, September 2014 and paragraphs 135 of the of the NPPF (2024) in terms of design, character and appearance.
2. The proposed development by virtue of the siting, orientation and design of the proposed building would result in existing and future occupiers of the neighbouring dwelling no. 25 Albion Terrace having a perceived high level of overbearing bulk and enclosure in such a manner which would significantly impact this neighbour's enjoyment of their existing amenity space and would be an unneighbourly form of development. As such the proposal would be contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 135(f) of the National Planning Policy Framework (2024).
3. The proposal fails to safeguard biodiversity and fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment. Therefore, the development fails to comply with the requirements of the Habitat Regulations but fails to offset biodiversity loss contrary to Section 15 (specifically paragraphs 192 and 195) of

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;
Location Plan;
23-1437-01E - Plans as Proposed;
23-1437-02B - Elevations and Sections as Proposed;
23-1437-03A - Existing and Proposed Block Plans;
LUG/9.0 - Site Survey;
LUG/9.1 - Site Survey;
Redevelopment of site;
Planning 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 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 application is not in accordance with the Development Plan for the area and cannot be supported

Dated: 11 September 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

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## **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.