



Application: 20241044

**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 Singh
C/O Mr Ravi Rehal, Rehal Planning
69 Elm Road
Dartford
DA1 2RX**

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:

**59 St James Avenue
Gravesend
Kent
DA11 0HB**

and being **Proposed hipped gable roof with dormer window to rear and 3 roof lights to front. Erection of a single storey rear extension.**

Your application dated 2nd December 2024 is refused on the following grounds:-

1. The proposed hip to gable roof extensions, by virtue of scale, bulk and massing are still considered to cause significant harm to the character and appearance of the host dwelling and the streetscene and as such is contrary to Policy CS19 and CS20 of the Gravesham Local Plan Core Strategy (September 2014), Saved Policy TC3 of the Gravesham Local Plan First Review November 1994 and the Householder Extensions/Alterations Design Guide SPD (2023).
2. The proposal would still result in an overdevelopment of the site by virtue of a significantly undersized private amenity space in respect of rear garden depth which would be harmful to the amenity of existing and future occupiers of the dwelling and is therefore contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).
3. The proposal by virtue of bulk and massing and proximity to neighbouring dwellings would still result in overlooking, be overbearing and would generally be an unneighbourly form of development which would be harmful to the amenity and privacy of neighbouring properties and is contrary to Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF) (2024).

INFORMATIVES:-

- 1 For the avoidance of doubt, the decision to refuse this application was taken in relation to the following plans and documents:

Application Form Dated 14/11/2024;
Supplementary Information - Heritage Statement;
Drawing Number D01 (Ground Floor Plan - Existing);
Drawing Number D02 (Ground Floor and Loft Plan - Proposed);
Drawing Number D03 (Roof Plan - Existing and Proposed);
Drawing Number D04 (Elevations - Existing);
Drawing Number D05 (Elevations - Proposed);
Drawing Number D06 (Section - Proposed);
Drawing Number D07 (Block Plan - Existing and Proposed); and
Drawing Number D08 (OS Plan).

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.

Dated: 21 January 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.