

Application: 20231185

**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: **Mr F Weiss, Fields Reality Ltd
C/O Mr Tony Allen, Allen Planning Ltd
The Old Fire Station EC
Salt Lane
Salisbury
SP1 1DU**

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:

**2A Christianfields Avenue
Gravesend
Kent
DA12 5NF**

and being **Change of Use from a 6 person HMO (Class C4) to a 11 person HMO (sui generis)**.

Your application dated 29th November 2023 is refused on the following grounds:-

1. The proposal is considered to be overdevelopment of the site, by virtue of the intensification of the use of the property by doubling the number of occupants within the existing HMO in an area characterised by single-family dwellings, alongside being a substantial distance from the town centre, failing to provide adequate waste storage, introducing an excessive number of occupants and activity over and above the surrounding residences, detrimentally impacting on the established character and appearance of the street and the amenity of surrounding residents through noise, disturbance and increased activity. Therefore, the proposal is contrary to Policies CS14 and CS19 of the Gravesham Local Plan Core Strategy (2014), Saved Policy H5 of the Local Plan First Review (1994) and Section 12 of the National Planning Policy Framework (2023).
2. The proposal fails to safeguard the amenity of future occupiers by virtue of providing an awkward and unconventional internal layout with shared bedrooms in a hostel arrangement, as well as siting a bedroom adjacent to a communal dining area with a lack of natural light. Therefore, the proposal is contrary to Policies CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).
3. The proposal would increase parking demand in the area a substantial distance from the town centre, without being able to provide any off-street parking to account for this demand, contrary to saved Policies H5 and P3 Saved Policy H5 of the Local Plan First Review (1994).

INFORMATIVES:-

1 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 38 of the National Planning Policy Framework (NPPF) 2023, 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.

2 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 - dated 23 November 2023;
Design and Access Statement produced by Allen Planning Ltd - dated November 2023;
Supplementary Information - Transport Statement - produced by ttp consulting dated September 2023;
Ordnance Survey Site Location Plan (scale 1:1250);
Drawing no. 01 - Existing Floor Plans;
Drawing no. 03 - Proposed Floor Plans.

Dated: 24 January 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

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.