

Application: 20220671

**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 Anthony Curtis**
C/O Mrs Shanon Alexander, Barron Edwards Ltd
Whitehall Place
47 The Terrace
Gravesend
DA12 2DL
Undefined

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:

17 Lynton Road South
Gravesend
Kent
DA11 7NF

and being **Erection of single storey and first floor rear extensions; construction of dormer extension in rear roof slope; conversion of roof space into habitable rooms; and conversion of dwelling into 1 x 2 bed flat and 1 x studio flat**

Your application dated 8th August 2022 is refused on the following grounds:-

1. The proposed flats would introduce an inappropriate form of development that is at odds with the predominate single family dwelling character of the surrounding area. The design, including a large dormer would be bulky and incongruous and result in overdevelopment, to the detriment of the character and appearance of the existing building and the surrounding area. As such, the proposal would be contrary to Policies CS14 and CS19 of the Gravesham Local Plan Core Strategy 2014, to Saved Policy H5 of the Gravesham Local Plan First Review (1994), to paragraph 130 of the National Planning Policy Framework 2021 and to the Householder Extensions/Alterations Design Guide (2021).
2. The proposed development would result in a compromised and cramped internal layout which falls below the expected minimum floor areas as stated in the Nationally Described Space Standard (2015), to the detriment of the living conditions of future occupiers and contrary to Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and to paragraph 130(f) of the National Planning Policy Framework 2021.
3. The proposal 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, the development fails to comply with the requirements of the Habitat Regulations, Section 14 (specifically paragraphs 180 and 181) of the NPPF 2021 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

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 for planning permission form;
Drawing no. 001 Rev. A Existing and proposed block plans;
Drawing no. 002 Rev. A Existing elevations and layouts;
Drawing no. 003 Rev. A Approved plans for 20220203;
Drawing no. 004 Rev. A Approved plans for 20220209;
Drawing no. 005 Rev. A Proposed layouts;
Drawing no. 006 Rev. A Proposed elevations; and
Covering letter dated 21 June 2022.

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: 14 October 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.