



Application: 20220896

**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 And Mrs M Tutty-Johnson
C/O A J Scott Building Designs Ltd
Forest House
Malthouse Lane
Warehorne
Ashford
Kent
TN26 2EL**

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:

**Crabbles Cottage
Pear Tree Lane
Shorne
Gravesend
Kent
DA12 3JS**

and being **Demolition of existing detached garage; erection of first floor extension over existing attached garage at side to form bedroom with conversion of garage to dining room; erection of two storey linked side/rear extension to form garage, snug and utility area at ground floor and bedroom/ensuite/dressing room at first floor and with general alterations upgrade.**

Your application dated 26th August 2022 is refused on the following grounds:-

1. The proposed extensions are inappropriate development that will have an adverse impact on the openness of the Green Belt, by virtue of disproportionate scale, dominant appearance and perceived bulk. Therefore, the proposal is contrary to Policy CS02 of Gravesham's Local Plan Core Strategy (2014), saved Policy C13 of Gravesham's Local Plan First Review (1994) and Section 13 of the National Planning Policy Framework (2021).
2. The proposed development will add significant and disproportionate bulk to the property, by virtue of extensions that are not subordinate or subservient, introducing bulky two-storey flat roof projections and are overly dominant to the scale of the existing property. As such the proposal is considered incongruous and poor design that is contrary Policy CS19 of Gravesham's Local Plan Core Strategy (2014), Gravesham's Householder Design Guidance SPD (2021) and Section 12 of the National Planning Policy Framework (2021).

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) 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.

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 12 August 2022;
Revised Design and Access Statement - received 12 December 2022;
Revised Area Calculations - received 05 December 2022;
Applicant's appraisal of neighbouring applications - received 05 December 2022;
Applicant's agents additional supporting information - received 05 December 2022;
OS Red Line Site Location Plan (unnumbered);
Drawing No 221/56 - 03: Ground Floor Layout as Existing;
Drawing No 221/56 - 04: First Floor Plan as Existing;
Drawing No 221/56 - 05: Roof Layout as Existing;
Drawing No 221/56 - 06: Section Plan as Existing;
Drawing No 221/56 - 07: Elevations Front and Side (East) as Existing;
Drawing No 221/56 - 08: Elevations Rear and Side (West) as Existing;
Drawing No 221/56 - 17: Block Plan as Existing;
Drawing No 221/56 - 18: Ground Floor Layout Plan as Proposed;
Drawing No 221/56 - 19: First Floor Layout Plan as Proposed;
Drawing No 221/56 - 21: Roof Layout Plan as Proposed;
Drawing No 221/56 - 22: Site Layout Plan as Proposed;
Drawing No 221/56 - 22: Site Layout Plan as Proposed (with demolished garage shown by red line);
Drawing No 221/56 - 23: Elevations Front and Side (East) as Proposed;
Drawing No 221/56 - 24: Elevations Side (West) and Rear as Proposed;
Drawing No 221/56 - 25: Isometric Projection as Existing;
Drawing No 221/56 - 26: Isometric Projection as Proposed;
Drawing No 221/56 - 26: Isometric Projection as Proposed (with demolished garage shown by red line);
Drawing No 221/56 - 27: Site Layout/Footprint 1954;
Drawing No 221/56 - 28: Site Layout/Footprint 2019 (as surveyed);
Drawing No 221/56 - 29: Site Layout/Footprint 2022 (Post Permitted Development Alterations);
Drawing No 221/56 - 30: Site Layout/Footprint 1954 (Revised Proposals).

Dated: 21 February 2023

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.
- **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.