



Application: 20240108

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

**REFUSAL OF A NON-MATERIAL AMENDMENT FOLLOWING A GRANT OF PLANNING
PERMISSION**

To: **Mr Julian Roberts
Blue Ash, Rhododendron Avenue
Culverstone Green
Kent
DA130TT
uk**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, **HAS REFUSED** detailed plans and particulars submitted on 8th February 2024 as a non-material amendment to the Notification of Grant of Planning Permission reference 20230898 to Develop Land dated 20 October 2023 in respect of:-

Change the existing roof a Dutch Barn style to allow for habitable space, introduction of dormer style windows to the rear, roof line windows to the front, single storey rear extension, front porch and changing the materials of the existing lean-to.

at **Blue Ash
86 Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TT**

and being **Application for non-material amendment to planning permission reference number 20230898 for the removal of the Dutch Barn Roof, retaining the existing roof, introduction of 2 pitched roof dormers to the front, and a flat roof dormer to the rear and removal of the front porch.**

and the grounds of refusal are:-

- 1 The Local Planning Authority is of the opinion that the proposed alterations, including the removal of the Dutch barn roof, introduction of dormer windows, removal of porch and other alterations to extensions and windows, represent a material change to the approved scheme which fundamentally change the approved description, design and character.

Your attention is drawn to the following informatives

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 - dated 05 February 2024;
Ordnance Survey Site Location Plan (scale 1:1250);

Drawing no. 1622.WD.01 - Existing Floor Plans, Block Plan and Site Location Plan;
Un-numbered Plan Drawing (Floor plans submission 4 amended) - Floor Plans Approved ref. 20230898 - dated 30 September 2023;
Un-numbered Plan Drawing (CDHip-elevations-amendments) - Elevations Approved ref. 20230898 - dated 25 January 2023;
Un-numbered Plan Drawing (Non-material change floor plans amended) - Proposed Floor Plans (Amended) - dated 01 February 2024;
Un-numbered Plan Drawing (Non-material change - elevations) - Proposed Elevations (Amended) - dated 01 February 2024;
Un-numbered Plan Drawing (Non-material change Fig 1) - Comparison and Overlaid Elevation Drawings.

2 INFORMATION FOR THE APPLICANT

For confirmation of the changes sought to the dwelling, the applicant would need to submit a minor material amendment or a revised planning application.

Dated: 7 March 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

NOTES:

This permission is confined to permission under the Town and Country Planning Acts and the Town and Country Planning (Development Management Procedure) (England) Order 2015) as amended) and does not obviate the necessity of compliance with any other enactment, bye-law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite.

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 must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: enquiries@pins.gsi.gov.uk or online at www.planningportal.gov.uk/pcs.**
- 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.