

Application: 20241114

**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: **Eleanor Smallwood
C/O Mr David Budden, ACBD
88 Bush Road
Cuxton
Rochester
Kent
ME2 1EY**

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:

**30 Astra Drive
Gravesend
Kent
DA12 4PY**

and being **Demolition of existing porch. Erection of a two storey front and side extension. Loft conversion with rear dormer and roof lights to front roof slope.**

Your application dated 9th December 2024 is refused on the following grounds:-

1. The proposed front and side extension and rear dormer, by reason of their design, massing and the prominent positioning of the dwelling, would undermine the original character of the property resulting in an unsympathetic, incongruous addition to the existing property. The proposal fails to conserve or enhance the character of the existing property and fails to integrate well with the surrounding local area. The proposed development conflicts with Policy CS19 Gravesham Local Plan Core Strategy 2014, SPD4 - Householder Extensions/Alterations Design Guide (2021), Design for Gravesham - Design Code (2024) and Section 12 National Planning Policy Framework 2024.
2. The proposed development will result in an unacceptable loss of light and overshadowing to No. 28 Astra Drive due to the reduced space between the properties and would have an unacceptable and overbearing impact that would also result in loss of privacy. The proposal constitutes an unneighbourly form of development which would therefore fail to provide a high standard of amenity for existing users, which would conflict with the requirements of the SPG2 Residential Layout Guidelines (2020), Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and Paragraph 135f of the National Planning Policy Framework 2024.
3. The front garden area of No. 30 Astra Drive is unable to provide sufficient parking provision to meet the needs of the development. The proposal is therefore contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (2014), and SPG4 - KCC Parking Standards 2006.

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

- Application Form
- Drawing No: PL-226-02 (Proposed Plans, Elevations, Sections, Block Plan and OS Map)
- Drawing No: PL-226-01 (Existing Plans, Elevations, Sections, Block Plan and OS Map).

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.

In this instance the proposal was contrary to National and Local Planning Policy and could not be supported.

Dated: 31 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.