



Application: 20230482

**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 MUSA CICEK
15 Harden Road
Northfleet
Northfleet
Gravesend
Kent
DA11 7HE
United Kingdom**

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:

**15 Harden Road
Northfleet
Gravesend
Kent
DA11 7HE**

and being **Erection of a single storey 1 bedroom dwelling in the rear garden with associated parking**. Your application dated 22nd May 2023 is refused on the following grounds:-

1. The Local Planning Authority consider a new dwelling in the rear garden of 15 Harden Road to be inappropriate in terms of scale, siting and appearance which is at odds with the prevailing two storey dwellings along Harden Road, and the Bungalows of Henry Gardens. The dwelling would result in an incongruous, domineering addition to the rear garden environment, causing the site to become overwhelmed and overdeveloped. Furthermore, the new dwelling would disrupt the existing street pattern. In addition, the proposed crossover and hardstanding area within the frontage of the main dwelling would conflict with the established character of the area, by removing the grass verge and replacing it with a hard paved vehicular crossover. As such the development is contrary to Policies CS14, CS15 and CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014), and Section 12 of the National Planning Policy Framework (NPPF) (2021).
2. The new dwelling would detrimentally impact privacy and is likely to cause a sense of enclosure, with a cramped and compact offering of accommodation for the occupants of the new dwelling. Moreover, the proposal fails to safeguard the amenity of future occupiers and the amenity of neighbouring properties. As such the development is contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014), and Section 12 of the National Planning Policy Framework (NPPF) (2021).
3. Inadequate information has been provided to ensure the proposal complies with guidance and doesn't pose a danger to others using the highway. The proposal is therefore contrary to saved Local Plan First Review policy P3 (1994) and Policy CS11 of

Gravesham's Local Plan Core Strategy (LPCS) (2014), which requires the provision of sufficient off street parking in accordance with KCC Vehicle Parking Standards, along with Policy T5 of the Local Plan First Review (1994) which seeks to ensure that new accesses do not cause danger to other road users.

4. 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 and Section 15 (specifically paragraphs 180 and 181) of the National Planning Policy Framework (NPPF) (2021) and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;
Supplementary Information - Photos;
Supplementary Information - Data Sheet;
Supplementary Information - Design and Access Statement;
Site Location Plan (received on 22.05.2023);
Drawing No 100 02A - Elevation and Floor Plan - Existing;
Drawing No. 0100/40A - Floor Plan and Elevations to show Parking for Main House - Proposed;
Drawing No. 0100/41 - Front Elevation of 15 Harden Road - Proposed; and
Drawing No. 0100/42 - Visibility Splays - Proposed.

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: 17 July 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.