



REFULZ

Application: 20220479

**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: **Ms Ruta Aisthorpe
C/O Mr Alan Penfold, Penfold Project Services
Epmarket
Wrotham Road
Meopham
DA13 0JH**

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:

**5 Arnold Road
Gravesend
Kent
DA12 5PU**

and being **Erection of single storey rear extension and construction of dormer extensions in both side roof slopes incorporating a hip to gable roof alteration and conversion of the roof space into habitable rooms.**

Your application dated 4th May 2022 is refused on the following grounds:-

1. The proposed dormers are a disproportionate addition which overwhelm the roof space and result in an incongruous addition which unbalances the property. Additionally the proposed dormers are not set into the roof which constitutes poor design and in conjunction with their scale they harm the character of the surrounding street scene. The proposal is therefore contrary to CS19 of the Local Plan Core Strategy 2014, SPD4 - Householder Alterations/Extensions Guidance (2021) and Section 12 of the National Planning Policy Framework (2021), which requires new developments to be well-designed.
2. The proposal constitutes an unneighbourly form of development which may appear overbearing and results in unacceptable levels of perceived overlooking into the private amenity space of surrounding properties and would be harmful to the amenities of the existing and future occupiers of these properties, which they could reasonably expect to be able to continue to enjoy. As such, the proposed development would be contrary to Policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014), and SPG2 Residential Layout Guidelines (2020) and Section 12 of the National Planning Policy Framework (2021), which requires new development safeguard the amenity of neighbouring properties.

INFORMATIVES:-

1 DECISION PLANS

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

- o Application form;

- o Drawing No: 01 (Existing Plans/Elevations)
- o Drawing No: 03 (Site Location Map)
- o Drawing No: 04 (Existing/Proposed Block Plans)
- o Drawing No: 02 (Proposed Plans & Elevations)

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 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 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 local and national planning policy and could not be supported.

Dated: 13 June 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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.