



REFULZ

Application: 20220619

**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: **Mr Musa Cicek
15 Harden Road
Northfleet
Kent
Gravesend
DA11 7HE**

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.**

Your application dated 9th June 2022 is refused on the following grounds:-

1. The scale and appearance of the proposed dwelling fails to respect the surrounding buildings. The width of the dwelling introduces a prominent and visually intrusive building into the rear garden area which will dominate the outlook from neighbouring properties and reduce their amenity. As such the proposal will not integrate well into the surrounding area, contrary to Core Strategy Policy CS19 (development and Design Principles).
2. The amount private amenity space for future occupants will be poor and lack privacy. The proposal will also adversely impact on the amenity of neighbouring properties. As such it is concluded that the proposal represents overdevelopment of the site and will harm the residential amenity of the neighbouring properties in Harden Road & Henry Gardens and the future occupants of the new bungalow, contrary to the adopted Residential Layout Guidelines and CS19 of The Local Plan Core Strategy 2014.
3. The proposed parking spaces are insufficient and do not comply with guidance and pose a danger to other road users. The proposal is therefore contrary to saved Local Plan First Review policy P3 and the Gravesham Local Plan Core Strategy 2014, policy CS11, which requires the provision of sufficient off street parking in accordance with KCC Vehicle Parking Standards and Local Plan First Review policy T5 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 14 (specifically paragraphs 180 and 181) of the National Planning Policy Framework 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:

- o Application Form
- o Drawing No: 100/02A (Existing Floor Plans and Elevations)
- o Drawing No: 100/30 (Proposed Floor Plans and Elevations and Sections)
- o Drawing No: 0100/01 (Site Location 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 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: 22 July 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.