



REFULZ

Application: 20220363

**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. & Mrs. Liam Dolan
C/O Mr Giovanni Mastromartino, GMArchitect
Innovation Centre Medway
Maidstone Road
Chatham
ME5 9FD**

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:

**7 First Avenue
Northfleet
Gravesend
Kent
DA11 8DJ**

and being **Erection of a dormer in the rear roof slope incorporating 3no. Juliet balconies, conversion of the roof space to form habitable rooms and installation of 2no roof lights in the front roof slope.**

Your application dated 1st April 2022 is refused on the following grounds:-

1. The proposed dormer is large, bulky, and overwhelms the roof slope, which along with the previous extensions cumulatively result in overdevelopment of the site. The dormer will be an incongruous addition by virtue of inappropriate aluminium cladding and introduction of excessive glazing. As such, the development is in contrary to Gravesham's Supplementary Planning Guidance; Gravesham Householder Extensions/Alterations Design Guidance SPD (2021), Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).
2. The extension increases the number of bedrooms while only providing one viable parking space, which is considerably below recommendations within Gravesham's adopted Supplementary Planning Guidance; SPG 4 - KCC Parking Standards (2006) and represents overdevelopment of the site contrary to Policies CS11 and CS19 of the Gravesham Local Plan Core Strategy (2014).
3. The proposed development fails to safeguard the amenity of neighbouring properties and is harmful to their privacy. The introduction of excessive glazing and Juliet balconies will significantly increase the levels of perceived overlooking which is harmful to the privacy neighbours should expect to enjoy. Therefore, the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2021).

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;

REVISED Block Plan - Existing - received 29.04.22;

REVISED Block Plan - Proposed - received 29.04.22;

OS Plan - received 01.04.22;

Drawing No. 7FA01/EX - Ground Floor - Existing;

Drawing No. 7FA01/PR - Ground Floor - Proposed;

Drawing No. 7FA02/EX - First Floor Plan - Existing;

Drawing No. 7FA02/PR - First Floor Plan - Proposed;

Drawing No. 7FA03/EX - Loft Plan - Existing;

Drawing No. 7FA03/PR - Loft Plan - Proposed;

Drawing No. 7FA04/EX - Roof Plan - Existing;

Drawing No. 7FA04/PR - Roof Plan - Proposed;

Drawing No. 7FA05/EX - Front Elevation - Existing;

Drawing No. 7FA05/PR - Front Elevation - Proposed;

Drawing No. 7FA06/EX - Rear Elevation - Existing;

Drawing No. 7FA06/PR - Rear Elevation - Proposed;

Drawing No. 7FA07/EX - North West Elevation - Existing;

Drawing No. 7FA07/PR - North West Elevation - Proposed;

Drawing No. 7FA08/EX - South East Elevation - Existing;

Drawing No. 7FA08/PR - South East Elevation - Proposed;

Drawing No. 7FA09/EX - Site Plan - Existing;

Drawing No. 7FA09/PR - Site Plan - Proposed;

Supplementary Information - Design and Access Statement;

Supplementary Information - Photo of Rear Elevation;

Supplementary Information - Photo of Front Elevation;

Supplementary Information - Photo of the Side Elevation;

Supplementary Information - Rear Elevation Photo 2; and

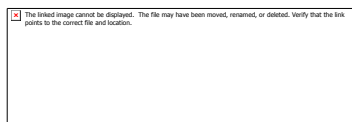
Supplementary Information - Photo of the Side Elevation 2.

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: 20 May 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.