



REFULZ

Application: 20220860

**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 Davinder Chhatwal, DCJS Property Limited
C/O Mr Paul Emmerson, Ensen Design
52 Minster Road
Royston
SG8 5EW**

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:

**124 Darnley Road
Gravesend
Kent
DA11 0SN**

and being **Demolition of lean-to conservatory and erection of single storey wrap-around rear/side extension together with second floor dormer extension to rear.**

Your application dated 5th August 2022 is refused on the following grounds:-

1. The proposed single storey rear/side extension is not subservient to the existing dwelling by virtue of its size, footprint, fenestration design and appearance resulting in an incongruous addition that does not integrate well or is sympathetic to the existing property. As such the development is contrary to Gravesham's Householder Extensions/Alterations Design Guide (Design SPG) (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).
2. The proposed dormer is large, bulky, overwhelms the roof slope, and interrupts the eaves of the property. This, along with the proposed wraparound extension, would result in overdevelopment of the site. The dormer would be an incongruous addition by virtue of inappropriate material (profiled metal) and lack of set back which results in the property having a three storey appearance from the rear. As such, the development is in contrary to Gravesham's Design Guidance SPD (2021), Policy CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 of the National Planning Policy Framework (NPPF) (2021).
3. The proposal increases the number of bedrooms whilst indicating only one viable parking space, which is considerably below recommendations within SPG 4 - KCC Parking Standards (2006) and represents overdevelopment of the site contrary to Policies CS11 (Transport) of Gravesham's Local Plan Core Strategy (LPCS) (2014) and CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (LPCS) (2014).

4. The proposed development fails to safeguard the amenity of a neighbouring property by virtue of the depth and positioning of the extension which would cause a sense of enclosure, loss of outlook and detrimental loss of light. Therefore, the proposal is contrary to Policy CS19 (LPCS) and Section 12 (NPPF).

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 and Design and Access Statement;

Drawing No. 1237/PA/0001 01 - OS Plan;

Drawing No. 1237/PA/0102 03 - Ground and First Floor Plans - Existing;

Drawing No. 1237/PA/0103 03 - Second Floor Plan - Existing;

Drawing No. 1237/PA/0127 03 - Ground and First Floor Plan - Proposed;

Drawing No. 1237/PA/0003 01 - Block Plan - Proposed;

Drawing No. 1237/PA/0002 01 - Block Plan - Existing;

Drawing No. 1237/PA/0402 01 - Visuals - Proposed;

Drawing No. 1237/PA/0401 01 - Visuals - Existing;

Drawing No. 1237/PA/0128 03 - Second Floor Plan - Proposed;

Drawing No. 1237/PA/0250 03 - Elevations - Existing; and

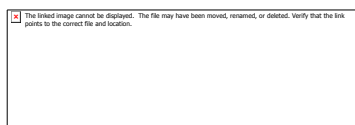
Drawing No. 1237/PA/0275 03 - Elevations - Proposed.

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 manner. In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

Dated: 3 October 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:

- 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
- 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 –

- an application for change of use;
- 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.