

Application: 20221241

**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 Mark Davey Brown
C/O Mrs Shanon Alexander, Barron Edwards Ltd
Barron Edwards, Whitehall Place
47 The Terrace
Gravesend
DA12 2DL**

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:

**Priesthood
Priestwood Road
Meopham
Gravesend
Kent
DA13 0DA**

and being **Conversion of existing outbuilding to a new 2 bedroom dwelling.**

Your application dated 30th November 2022 is refused on the following grounds:-

1. The application site lies within the Green Belt and constitutes 'inappropriate' development. The proposal would introduce a new dwelling within the Green Belt and would adversely impact on its openness. The applicant has failed to demonstrate the existence of 'very special circumstances' that clearly outweigh harm to the Green Belt caused by inappropriateness and therefore the proposal conflicts with Policy C11 of the Gravesham Local Plan 1994, Policy CS02 of the Gravesham Core Strategy 2014 and Section 13 of the National Planning Policy Framework 2021.
2. The proposed development would result in significant harm to the character and appearance of the area including the Landscape Character Area and therefore conflicts with the objectives of policy CS12 and CS19 of the Core Strategy 2014 that seek, amongst other things, to ensure all proposals for new development are visually attractive and locally distinctive, conserve and enhance the local natural environment and landscape character, and integrate well with the surrounding local area. Similarly, it would not accord with the aims of the National Planning Policy Framework 2021 that developments should seek to be sympathetic to the local character and landscaping setting (para. 130) and recognise the intrinsic character and beauty of the countryside (para. 174) as well as introducing an isolated dwelling in countryside within an unsustainable location contrary to para. 80 of the National Planning Policy Framework 2021.
3. Habitats and features (including mature trees) are present on and around the site, indicating ecological value and the potential for protected species presence that must be

taken account of in the planning decision. As such, an ecological impact assessment (EclA) must be undertaken by a suitably qualified, CIEEM-registered ecologist, in accordance with good practice guidelines. Without this information it is not possible to assess the impact on habitats and biodiversity and therefore the proposal conflicts with Policy CS12 of the Gravesham Core Strategy 2014 and paras. 174 and 180 of the National Planning Policy Framework 2021 which seeks to protect and secure measurable net gains for biodiversity.

INFORMATIVES:-

1 SUBMITTED DRAWINGS

For the avoidance of doubt the submitted drawings are:

Application form

Drawing no. 003 rev A (proposed plans and elevations)

Drawing no. 002 rev A (existing plans and elevations)

Drawing no. 001 rev A (location and block plan)

2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 and paragraph 38 of the National Planning Policy Framework, the Local Planning Authority has approached the assessment and determination of this application in a positive and proactive manner and, where appropriate, has worked 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 application is contrary to local and national policy and pre-application advice was not sought.

Dated: 17 January 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.
- 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.