

Application: 20230393

**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 Ohslon & Till
C/O Rebecca Johnston-Photis, RJP Architects
Lacton Farm House
97 The Street
Willesborough
TN24 0NA**

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:

**Boughurst Farm
Leywood Road
Meopham
Gravesend
Kent
DA13 0UD**

and being **Demolition of existing workshop and storage building and construction of a new car port, workshop and storage building with associated landscaping, turning and visitor parking areas.**

Your application dated 18th April 2023 is refused on the following grounds:-

1. The proposed replacement outbuilding, by virtue of its excessive size, is an inappropriate and harmful development in the Green Belt that would be contrary to the requirements of Policy CS02 of the Gravesham Local Plan Core Strategy 2014, saved Policy C13 of the Gravesham Local Plan 1994 and paragraphs 147, 148, 149 of the National Planning Policy Framework 2021.
2. The proposed replacement outbuilding, by virtue of its excessive size, would fail to conserve the rural landscape context of this site within the Kent Downs Area of Outstanding Natural Beauty and the Luddesdown Downs Landscape Character Area. As such, the proposal would fail to comply with the requirements of Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014, and paragraphs 130, 174 and 176 of the National Planning Policy Framework 2021.
3. The proposed outbuilding, by virtue of its excessive size, would adversely affect the setting of the original Grade II Listed Gatehouse and Farmhouse buildings on the site. As such, the proposal would fail to comply with the requirements of Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy 2014, saved Policy TC2 of the Gravesham Local Plan 1994 and paragraphs 190 and 197 of the National Planning Policy Framework 2021.

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the decision to refuse this application was taken in relation to the following plans and particulars:

Application form

Design and Access Statement including Heritage and Planning Statements

Drawing no. SP_01 (Location Plan)

Drawing no. SP_02 (Block Plan Existing)

Drawing no. SP_03 (Block Plan Proposed)

Drawing no. EX_01 (Existing Workshop and Store Building)

Drawing no. EX_05 (Existing South Facing Site Context Elevation)

Drawing no. E_11 (Proposed Ground Floor Plan, South and East Elevations)

Drawing no. E_12 (Proposed Roof Plan, North and West Elevations)

Drawing no. E_15 (Proposed South Facing Site Context Elevation)

Drawing no. P_01 (Illustrative Partial Site Plan)

Drawing no. S_01 (Illustrative Site Section)

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 application is not in accordance with local and national planning policy and cannot be supported.

Dated: 13 June 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.
- **For further information regarding Appeals and to make an application please click the relevant link:**

<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

- 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.