



Application: 20250033

**TOWN AND COUNTRY PLANNING, ENGLAND
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

NOTICE OF REFUSAL TO APPROVE DETAILED PLANS AND PARTICULARS
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To: **Mr & Mrs Mathis
C/O Mr Rich, JRD Kent
Sandown Road
West Malling
ME19 6NS
United Kingdom**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, has **REFUSED TO APPROVE** detailed plans and particulars submitted on 17th January 2025 in respect of:-

Application for approval of condition 3, 4, 5 and 6 attached to listed building consent reference number 20240468 relating to samples and details of the slate for the roof, scaled drawings at a scale of 1:10, and 1:2 or 1:1 joinery details, of all windows and doors in the extension, full details of the location and appearance of the soil vent pipework (SVP) and mechanical extract ventilation (MEV) for the wc. in the single storey rear extension and full details of the location and appearance of the soil vent pipework (SVP) and mechanical extract ventilation (MEV) for the bathroom.

at: **Old Vicarage
Church Street
Higham
Rochester
Kent
ME3 7LR**

And that the grounds for such refusal are:-

- 1 The details submitted for condition nos. 3, 5 & 6 are not acceptable due to the proposed slate being Spanish, the proposed white plastic cover for the Mechanical Extract Ventilation (MEV) in the single storey rear extension, the proposed additional black plastic pipework to connect to the existing Soil Vent Pipe (SVP) and the proposed MEV on the west flank elevation for the new bathroom. The details would not preserve the architectural or historic interest of this listed building but would cause harm. They would also fail to preserve the character or appearance of the Church Street, Higham Conservation Area. As such, the proposed details are contrary to Policies CS19 and CS20 of the Gravesham Local Plan Core Strategy (2014), saved Policies TC2 and TC3 of the Gravesham Local Plan First Review (1994) and section 16 of the National Planning Policy Framework (2024).

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. 2331 PC 120 - Proposed Elevations;
- o Drawing no. 2331 PC 110 - Proposed Floor Plan;
- o Greenwich Joinery drawing (un-numbered) - Proposed utility and WC windows;
- o Greenwich Joinery drawing (un-numbered) - Casement Window Frame Jamb, Casement - Stile and Glazing Bar;
- o Greenwich Joinery drawing (un-numbered) - Casement Window Frame Cill and Casement Bottom Rail;
- o Greenwich Joinery drawing (un-numbered) - Casement Window Frame Mullion and Casement Stiles;
- o Greenwich Joinery drawing (un-numbered) - Proposed Pair of Doors and Frame;
- o Greenwich Joinery drawing (un-numbered) - Door Frame Upright Sections & Door Stiles;
- o Greenwich Joinery drawing (un-numbered) - Door Frame Head Section (Above Doors);
- o Greenwich Joinery drawing (un-numbered) - Door Frame Cill Section (Below Doors);
- o Greenwich Joinery drawing (un-numbered) - Door Frame Head Section (Above Fixed Glass);
- o Greenwich Joinery drawing (un-numbered) - Door Frame Cill Section (Below Fixed Glass);
- o Discharge of Conditions Application Document.

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 39 of the National Planning Policy Framework (NPPF) 2024, 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.

3 **INFORMATION FOR THE APPLICANT**

The information submitted for condition no. 4 of listed building consent reference 20240468 is acceptable but as the information submitted for condition nos. 3, 5 & 6 is not acceptable and split decisions cannot be made, the whole of the application has been refused.

Dated: 11 March 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

Your attention is drawn to the following notes

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.