

Application: 20231150

**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 M Gosal
C/O Mr Ajay Rana
2 Windsor Road
Bexleyheath
Kent
DA68JH**

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:

**Copperfield
Valley Lane
Meopham
Gravesend
Kent
DA13 0DQ**

and being **Conversion of detached garage into a residential annex with raised roof incorporating dormer window in eastern side roof slope.**

Your application dated 8th December 2023 is refused on the following grounds:-

1. The proposal, by virtue of its proposed size, scale, massing and form, would be inappropriate development in the Green Belt, as it would result in disproportionate additions over and above the size of the original building and would not preserve the openness of the Green Belt or protect the countryside from encroachment. In the absence of any very special circumstances to clearly outweigh the harm to the Green Belt, the proposal would be contrary to Policy CS02 of the Gravesham Local Plan Core Strategy September 2014 and to paragraphs 154(c) and 155(d) of the National Planning Policy Framework 2023.
2. The application building would increase significantly in terms of its size and bulk and the roof design would be out of keeping with the existing building and dwelling. As such, the proposal would be inappropriate in design and an overdevelopment of the host building, which would be detrimental to the character and appearance of the application site and contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) and paragraph 135 of the National Planning Policy Framework 2023.
3. Given the site's location adjacent to an ancient woodland and local wildlife site, the proposal has the potential to adversely impact upon protected ecological habitats/species. The proposal fails to demonstrate that it would protect the biodiversity value of these habitats/species. As such, the proposed development is contrary to Policy CS12 of the Gravesham Local Plan Core Strategy September 2014 and to paragraphs 180 and 186 of the National Planning Policy Framework 2023.

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 documents:

Application for Planning Permission form;
Drawing no. COP/01 Existing and proposed layouts, elevations and sections;
Drawing no. COP/02 Existing and proposed block plans and location plan; and
Reasons for conversion 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 38 of the National Planning Policy Framework (NPPF) 2023, 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: 2 February 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

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.