Gravesham Borough Council

REFULZ

**Application: 20221028**

**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 Connor Cutts**
**C/O Mr Tim Grant, G And C Designs**
**135 Rainham Road**
**Gillingham**
**Kent**
**ME7 5NQ**

**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:

**Badgers Wood**
**Valley Lane**
**Meopham**
**Gravesend**
**Kent**

and being **Demolition of existing derelict chalet accommodation and construction of new dwelling.**

Your application dated 3rd October 2022 is refused on the following grounds:-

1. The application site lies within the Metropolitan Green Belt where inappropriate development should not be approved except in very special circumstances. Whilst forms of development are permissible in the Green Belt, including partial or complete redevelopment of previously developed sites, the proposed development should not amount to inappropriate development by virtue of having a greater impact on the openness of the Green Belt than the existing development on site. The site is not considered previously developed land and as such the proposed development fails to preserve the openness of the Green Belt by virtue of the construction of a dwelling, garage, associated hardstanding, lighting, car parking and residential paraphernalia which conflicts with the purposes of including land within the Green Belt. In the absence of any 'very special circumstances' that may otherwise outweigh the harm by reason of inappropriateness, and any other harm, the proposed development is considered to be contrary to the advice in Section 9 (Protecting Green Belt Land) of the National Planning Policy Framework (2021).

2. The proposed dwelling and garage are imbalanced and disproportionate to the plot, which result in an incongruous appearance and poor design within the designated Havel Wooded Downs landscape character area. The poorly designed development is therefore inappropriate development which will result in significant harm by suburbanising and blurring the boundary between the built-up village and Culverstone Valley and introducing dominant and disproportionate built form on a previously undeveloped parcel of land within the Green Belt. The development is contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014), Gravesham's Design Guidance SPD (2021), as well as Sections 9 and 12 of the National Planning Policy Framework (2021).

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3. The application site is not considered to be within a sustainable location for the dwellings due to its distance from retail, educational and community facilities, and being within an area with poor public transport provision. Therefore, the proposed development is considered to be contrary to Paragraph 80 of the National Planning Policy Framework (2021) and Policy CS01 of the Gravesham Local Plan Core Strategy (2014).

**INFORMATIVES:-**

1 **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.

2 **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 Form - dated 20/09/2022;
Design and Access Statement - dated 18/07/2022;
Drawing no. BWVL001 - Detached Garage Elevations;
Drawing no. BWVL002 - Detached Garage Floor Plans and Dimensions;
Drawing no. BWVL003 - New Dwelling Floor Plans and Elevations;
Drawing no. BWVL004 - Dimensions, Site Location Plan, Block Plans and Site Levels;
Drawing no. BWVL005 - Site Landscaping Plan;
Drawing no. BWVL006 - Existing Floor Plans and Elevations.

Dated: 14 December 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
**Planning Service**

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- 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.

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