

Application: 20241164

**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 Shilling
C/O Mr Brian Woods
5 Pool House
Bancroft Road
Reigate
RH2 7RP**

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:

**Land South Of White Post Lane
Cobham
Gravesend
Kent**

and being **Change of Use of Land to form a Gypsy/Traveller site comprising the siting of 1 Mobile Home, 1 Touring Caravan, and 1 Dayroom.**

Your application dated 23rd December 2024 is refused on the following grounds:-

1. The proposed mobile home, touring caravan, dayroom and hardstanding will be located within the Metropolitan Green Belt where development is considered inappropriate. The proposal will introduce a built development, hard surfacing and mobile structures onto a previously undeveloped site which will harm the openness of the Green Belt and result in encroachment of built development into the countryside. In the absence of any very special circumstances to outweigh the degree of harm caused to the Green Belt and other identified harm the proposal is contrary to the requirements set out in Section 13 (paragraph 153 of the National Planning Policy Framework 2024, the Planning Policy for Travellers Sites 2024 and policies CS01 (Sustainable Development) and CS02 (Scale and Spatial Distribution of Development) of the Gravesham Local Plan Core Strategy (2014).
2. The site lies within the Meopham Downs Landscape Character Area. The proposal, by virtue of its location, nature, scale and spread, combined with the specific characteristics of the site and the immediate surroundings, in particular the open and locally prominent location will cause harm to the local rural landscape character and detract from the rural and visual amenities of the area, contrary to policies CS12 (Green Infrastructure) , CS17 (Traveller Sites) and CS19 (Development and Design principles) of the Gravesham Core Strategy (2014) which seek to ensure that new development conserves and enhances the natural environment and landscape character in line with the Gravesham Landscape character Assessment and integrates well into the surrounding area.
3. The proposed development results in the loss of biodiversity with no compensatory measures in terms of mitigation planting or landscaping to offset the habitat loss and will

introduce residential activity in a previously undeveloped location. The proposal will therefore fail to conserve or enhance the biodiversity value of the site in line with Core Strategy policy CS12 (Green Infrastructure).

4. The application site, due to its location off a minor rural lane away from existing settlements, is located within an unsustainable location and therefore does not limit the need to travel and is therefore contrary to Policy CS19 of the Gravesham Core Strategy 2014, paragraph 110 of the National Planning Policy Framework 2024 and paragraph 26 of the Planning Policy for Traveller Sites.
5. The site is located within 6km of the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) and the proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and therefore the development conflicts with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 193 and 194) of the National Planning Policy Framework 2024 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

Application form
Supporting Statement
Drawing no. J005012-DD-03 (proposed site plan)
Drawing no. J005012-DD-02 (site plan as pre-existing)
Drawing no. J005012-DD-01 (site location plan)
Drawing no. J005012-DD-04 (proposed day room plans)

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 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 applicant has not engaged with the Council prior to submitting the application and the proposal is deemed to be contrary to the Development Plan.

Dated: 26 February 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of 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:

- 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
- 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 –

- an application for change of use;
- 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.

