

Application: 20241160

**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 Robert Shotton
C/O Mr Joseph Heraghty
Eclipse House
Eclipse Park
Sittingbourne Road
Maidstone
Kent
ME14 3EN**

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 At The Rear Of Flint Cottage
Northfleet Green
Northfleet
Gravesend
Kent
DA13 9PN**

and being **Demolition of an existing commercial building (and retention of rear wall), demolition of remnants of barn and conversion of roundel to create a 4-bedroom dwelling with associated parking, amenity space, landscaping and access.**

Your application dated 2nd January 2025 is refused on the following grounds:-

1. The site lies within the Metropolitan Green Belt where the construction of new buildings is inappropriate development unless it is for one of the exempted forms of development set out in paragraph 154 or 155 of the National Planning Policy Framework (2024). The proposal is for a new dwelling in an unsustainable location and the building of a dwelling, whether as conversion or otherwise would still by definition result in a form of encroachment in the countryside and harmful to the openness by reason of the nature of the development and the paraphernalia and associated development that goes with what will be a separate dwelling. The development does not, in the opinion of the Local Planning Authority, fall within the exceptions to inappropriate development in the Green Belt in the National Planning Policy Framework (2024). No very special circumstances have been put forward to outweigh the harm to the Green Belt or any other identified harm and therefore the proposal is contrary to Policy CS01 (Sustainable Development) and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (2014) and Section 13 of the National Planning Policy Framework (2024) (Protecting Green Belt Land).
2. The proposed development visually undermines the curved oast roundel, by virtue of the poor design, bulk and lack of subservience from the resultant cumulative relocated footprint of the various buildings on site, which is the key feature that should form the

focal point of the development by virtue of its rural characteristics and value within the Kent countryside and landscape. The development is therefore contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014), Gravesham's design code: Design for Gravesham (2024) and Gravesham's Householder Design Guidance SPD (2021), as well as Sections 12 and 15 of the National Planning Policy Framework (2024).

3. The applicant has failed to provide any ecological evidence to confirm protection of notable species or inform a habitat regulations assessment to address the impact of the proposed development on the Thames Estuary and Marshes Ramsar site and Special Protection Area (SPA) or offered a financial contribution towards the identified mitigation measures to address the impact of the development on the SPA/Ramsar site. The proposal is therefore contrary to Policy CS12 (Green Infrastructure) of the Gravesham Local Plan Core Strategy (2014) which seeks to ensure that detrimental effects on the integrity of SPA/Ramsar sites are avoided, and also contrary to Paragraphs 192 and 193 of the National Planning Policy Framework (2024), and the requirements of the Conservation of Habitats and Species Regulations 2017.

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 Form (19 December 2024);
Planning Statement by DHA Planning (ref. DHA/33114) (December 2024);
Supplementary Information - Preliminary Ecological Appraisal by KB Ecology (13 May 2024);
Supplementary Information - Biodiversity Gain Statement;
Supplementary Information - Biodiversity Net Gain Metric;
Supplementary Information - Preliminary Investigation Report by Soils Ltd. (ref. 21397/PIR - Rev. 1) (April 2024);
Supplementary Information - Structural Assessment Letter by MdP Design (11 February 2025);
Drawing no. DHA/31937/01 - Site Location Plan (scale - 1:1250);
Drawing no. DHA/31937/02 - Existing Site Layout Plan (scale - 1:250);
Drawing no. DHA/31937/03 - Existing Plans;
Drawing no. DHA/31937/04 - Existing Elevations;
Drawing no. DHA/31937/05 - Existing Plans and Elevations (Roundel);
Drawing no. DHA/31937/06 - Proposed Site Layout Plan (scale - 1:250);
Drawing no. DHA/31937/07 - Proposed Floor Plans;
Drawing no. DHA/31937/08 - Proposed Elevations.

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. In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

Dated: 27 February 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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

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## **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.