



Application: 20211281

**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: **Hilary Hinde
C/O Gregory Bunce, Prime Folio
129 Island Wall
Whitstable
Kent
CT5 1DY**

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:

**Old Pond Farm
Dean Lane
Harvel
Gravesend
Kent
DA13 0BS**

and being **demolition of existing garage and storage building and erection of residential annexe ancillary to the main dwelling.**

Your application dated 15th October 2021 is refused on the following grounds:-

1. The proposed annexe, by virtue of the resultant additional bulk, scale and massing, will result in a disproportionate addition that fails to complement the form of the existing Grade II Listed dwelling. The proposal represents a disproportionate addition with excessive scale, bulk and massing compared to the original outbuilding, which will harm the openness of the Green Belt. Therefore the proposal would be inappropriate development in the Green Belt is contrary to saved Policy C13 of the Gravesham Local Plan First Review (1994), Policies CS01 (Sustainable Development), CS02 (Scale and Distribution of Development) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Sections 13 and 15 of the National Planning Policy Framework (2021).
2. The proposed annexe, by virtue of the resultant additional height, bulk, scale and massing, would not protect the integrity or the setting of the Grade II Listed Building, known as Old Pond House. The proposal would be contrary to Policy CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), and Section 15 of the National Planning Policy Framework (2021).
3. By virtue of the resultant additional height bulk, scale and massing, the proposed annexe would result in a disproportionate addition that fails to preserve or enhance the Harvel, Meopham Conservation Area. Therefore the proposal would be inappropriate development in the Conservation Area contrary to Policy CS20 (Heritage and the Historic

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;
- Design and Access Statement;
- Location Plan (plan no. 21-22-11);
- Existing Site Block/Roof Plan (plan no. 21-22-12);
- Proposed Site Block/Roof Plan (plan no. 21-22-13);
- Existing Elevations (plan no. 21-22-14);
- Existing & Proposed Plans (plan no. 21-22-15); and
- Proposed Elevations (plan no. 21-22-16).

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) 2021, 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 application is not in accordance with the Development Plan for the area or national policy, as set out in the National Planning Policy Framework (2021), and neither amendments to the proposals or the imposition of planning conditions would have acceptably mitigated those concerns. The application cannot be supported and has therefore been refused.

Dated: 10 December 2021

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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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.

- 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:

- 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.

#### **COMPENSATION**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.