

Application: 20220967

**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: **Mrs Emma Davey-Brown
Priesthood
Priestwood Road
Meopham
Gravesend
Kent
DA13 0DA**

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:

**Priesthood
Priestwood Road
Meopham
Gravesend
Kent
DA13 0DA**

and being **Retrospective application to retain privacy fence over 1m to front of property, and erection of new gates, pillars and wall over 1m.**

Your application dated 8th November 2022 is refused on the following grounds:-

1. The proposed development (fencing, gates and walls) detracts from the visual quality of the site and would significantly harm the rural character of the area, thereby contrary to the objectives of the Gravesham Landscape Character Assessment (2009). The proposed development is therefore considered to be unacceptable on the grounds of the failure to conserve or enhance the rural character of the site and surroundings. The proposal would therefore fail to comply with the requirements of the Gravesham Landscape Character Assessment (2009), Policies CS12 and CS19 of the Local Plan Core Strategy 2014 and paragraphs 130 and 174 of the National Planning Policy Framework 2021.
2. The proposed development (fencing, gates and walls) is inappropriate development within the Green Belt that does not meet any of the exceptions listed in paragraph 149 of the National Planning Policy Framework 2021, is not listed under paragraph 50 as a development that is not inappropriate in the Green Belt and no special circumstances exist.
3. The proposed development (Fencing, gates, Walls) on the Western Edge represent a risk to highway safety by virtue of insufficient visibility splays and sightlines for other road users and pedestrians. Therefore, the proposed development is contrary to Policy CS11 (Transport) of Gravesham's Local Plan: Core Strategy (2014) and Section 9 of the National Planning Policy Framework (2021).

INFORMATIVES:-

1 DECISION PLANS

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

- Application Form;
- Site Location Map;
- Existing and Proposed Block Plans;
- 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 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.

The proposal is contrary to the requirements of local and national planning policy and cannot be supported.

Dated: 31 January 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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:

- (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.