

Application: 20250602

**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 & Mrs Instance
C/O Mr J Martin, MKA Architects LTD
North House
198 High Street
Tonbridge
TN9 1BE**

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:

**Mill House
Hermitage Road
Higham
Rochester
Kent
ME3 7ND**

and being **Demolition of rear sun room and erection of a single storey rear extension with roof light.**

Your application dated 17th June 2025 is refused on the following grounds:-

1. The proposed extension and previous additions to the dwelling are disproportionate to the original property and have a cumulative harmful impact and are inappropriate development within the Green Belt. Therefore, the development hereby proposed is contrary to Policies CS02 (Scale & Distribution of Development) and CS19 (Development and Design Principles) of Gravesham's Local Plan Core Strategy (2014), saved Policy C13 (Extensions to Dwellings in the Countryside) of Gravesham Local Plan First Review (1994) as well as Section 13 of the National Planning Policy Framework (2024).
2. The proposed extension would cause harm to the setting of the Listed Building and its historic character, by virtue of its scale and loss of original features which fail to ensure the preservation of its existing historic fabric. Therefore, the proposal is contrary to saved policy TC2 of the Gravesham Local Plan First Review (1994), Policy CS20 of the Gravesham Local Plan Core Strategy (2014) and Section 16 of the National Planning Policy Framework (2024).

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt, the decision to refuse this application was taken in relation to the following forms, plans and documents comprising the application:

Application Form (dated 16 June 2025);

Supplementary Information - Heritage Statement by MKA Architects (dated May 2025);
Supplementary Information - Response to Planning Department - Rev. B (dated November 2025);
Drawing no. 2513/01/A - Site Location Plan and Existing Block Plan;
Drawing no. 2513/05/A - Existing Plans;
Drawing no. 2513/06 - Existing Elevations;
Drawing no. 2513/10/B - Proposed Plans;
Drawing no. 2513/11/B - 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 case, the proposal is contrary to local and national planning policy, and cannot be supported.

Dated: 5 December 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.