



Application: 20230312

**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: **Mr & Mrs Stephen Church
C/O Mr Jeremy Isherwood, Jeremy S Isherwood Chartered Architect
34 Chalky Bank
Gravesend
DA11 7NY**

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:

**Nutfield Farm
Priestwood Road
Meopham
Gravesend
Kent
DA13 0DA**

and being **Demolition of the existing detached 4-bedroom dwelling, together with its associated garages and outbuildings and its replacement by a detached 3-bedroom bungalow with associated detached double garage and mower store.**

Your application dated 30th March 2023 is refused on the following grounds:-

1. The proposed replacement dwelling and garage will have an adverse cumulative impact on the openness of the Green Belt and the Harvel Wooded Downs Landscape Character Area, by virtue of disproportionate scale and increase in overall external footprint, height and bulk which would be highly visible from the street scene and surrounding area. Therefore, the proposal is contrary to the Design Guidance SPD (2021), Policy CS19 of Gravesham's Local Plan Core Strategy (2014), saved Policy C13 of the Gravesham Local Plan First Review (1994), as well as Sections 12 and 13 of the National Planning Policy Framework (2021).

INFORMATIVES:-

1 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 pre-application advice was not sought and the proposal as submitted is contrary to local and national planning policy and cannot be supported.

2 DECISION PLANS

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

Planning Application Form;
Planning, Design and Access Statement;
Proposed Visuals - Front Full Elevation;
Proposed Visuals - Side;
Proposed Visuals - Frontage;
Proposed Visuals - Entrance;
Proposed Visuals - Rear Full Elevation;
Proposed Visuals - Rear/Side (South);
Proposed Visuals - Rear Partial;
Proposed Visuals - Rear/Side (North);
Proposed Visuals - Garage;
Drawing No. 539/01 - Location Plan;
Drawing No. 539/02 - Existing Site Plan;
Drawing No. 539/03 - Existing Plan;
Drawing No. 539/04 - Existing Elevations;
Drawing No. 539/05 - Existing Outbuildings;
Drawing No. 539/PL01 - Proposed Site Plan;
Drawing No. 539/PL02 - Proposed Dwelling Plan;
Drawing No. 539/PL03 - Proposed Dwelling Elevations;
Drawing No. 539/PL04 - Proposed Garage Plan & Elevations;
Drawing No. 539/PL05 - Proposed Site Section and Cross Section through Dwelling; and
Drawing No. 539/PL06 - Proposed Dwelling & Garage / Mower Store Roof Plan.

Dated: 25 May 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.