



**Application: 20211162**

**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 and Mrs Lawrence  
C/O Mr J Murray, Kent Design Studio Ltd  
The Workshop  
Rose Cottage Farm, North Street  
Biddenden  
Ashford  
TN27 8BA**

**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:

**10 St Katherines Cottages  
Forge Lane  
Shorne  
Gravesend  
Kent  
DA12 3DR**

and being **Erection of a single story rear extension and a two storey side extension.**

Your application dated 29th September 2021 is refused on the following grounds:-

1. The proposed development significantly alters the character and appearance of the dwelling, creates an unbalanced appearance to the terrace, introduces disproportionate features and is poor design. These additions result in increased bulk and incongruous appearance which is both inappropriate development within and harmful to the openness of the Green Belt and Higham Arable Farmlands Landscape Character Area, and fails to preserve or enhance the character and appearance of the Shorne Conservation Area. Therefore, the development hereby proposed is contrary to Policies CS02 (Scale & Distribution of Development), CS12 (Green Infrastructure), CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of Gravesham's Local Plan Core Strategy (2014), saved Policies C13 (Extensions to Dwellings in the Countryside) and TC3 (Development Affecting Conservation Areas) of Gravesham Local Plan First Review (1994) as well as Sections 12, 13, 15 and 16 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 manner. In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

## 2 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 - dated 20/09/2021;  
Heritage Statement;  
Drawing no. 3516-01 - Existing Site Location and Block Plans;  
Drawing no. 3516-02 - Proposed Block Plan;  
Drawing no. 3516-03 - Existing Elevations;  
Drawing no. 3516-04 - Existing Floor and Roof Plans;  
Drawing no. 3516-05 - Proposed Elevations;  
Drawing no. 3516-06 - Proposed Floor and Roof Plans.

Dated: 22 November 2021

Civic Centre  
Windmill Street  
Gravesend  
Kent  
DA12 1AU

Wendy Lane MRTPI  
Assistant Director (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.
- **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:

- (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.

### **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.