

**Application: 20211294**

**TOWN AND COUNTRY PLANNING ACT 1990  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015 (AS AMENDED)**

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| <b>NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND</b> |
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To: **Mr & Mrs C Oakes  
C/O Mr David Bedford, DHA Planning  
Eclipse House  
Eclipse Park  
Maidstone  
ME14 3EN**

**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:

**Eastfield Farm Stables  
Heron Hill Lane  
Meopham  
Gravesend  
Kent  
DA13 0DU**

and being **Demolition of an existing stable complex and construction of a new equestrian barn/stables.**

Your application dated 18th October 2021 is refused on the following grounds:-

1. The application site is located within the Green Belt, as identified on the Policies Map accompanying the adopted Gravesham Local Plan Core Strategy (2014). National planning policies for the Green Belt set out within the NPPF sets out a presumption against inappropriate development in the Green Belt. The proposals are considered to constitute inappropriate development with reference to national policy and would by definition be harmful to the Green Belt. The identified harm to the Green Belt is not clearly outweighed by other considerations so as to amount to the very special circumstances required to justify inappropriate development. The proposal is therefore contrary to CS02 of the adopted Gravesham Local Plan Core Strategy (2014) and chapter 13 of the National Planning Policy Framework 2021.
2. The proposed development would, by reason of its scale, height and materials of the design fails to preserve the Rural Landscape and Green Belt character of the site and wider area. The proposal is therefore contrary to the requirements of policy C17 of Gravesham Local Plan First Review and Policies CS12 and CS19 of the adopted Gravesham Local Plan Core Strategy (2014) and the National Planning Policy Framework (2021).
3. Given the nature of the rural business it is considered the proposed development would result in increased activities, resulting in increased vehicular movements to and from the site. The application does not sufficiently demonstrate how the proposals would not have

an adverse impact on highway network. The proposals are therefore contrary to Saved Policy T3 of the Gravesham Local Plan First Review (1994) and CS11 of the Gravesham Local Plan Core Strategy (2015) and paragraph 113 of the NPPF.

## **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:

- o Application Form;
- o Planning, Design & Access Statement;
- o Site Location Plan, plan no. DHA/15967/01;
- o Existing Site Plan Layout, plan no. DHA/15967/03;
- o Existing Stables Layout, plan no. DHA/15967/03;
- o Existing Stables Elevations, plan no. DHA/15967/04;
- o Proposed Site Layout, plan no. DHA/15967/05;
- o Proposed Barn Stabling Floor Plan Layout, plan no. DHA/15967/06;
- o Proposed Stables Building Elevations, plan no. DHA/15967/07.

### **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: 17 December 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:

- 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.