



REFULZ

Application: 20211118

**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 Gordon McQuade
4 The Beeches
New Barn
Longfield
DA3 7GR
United Kingdom**

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:

**Willow Tree Farm And Holly Cottage
Wrotham Road
Meopham
Gravesend
Kent
DA13 0AH**

and being **Demolition of existing Holly Cottage, creation of new shared access route, and the re-building of a replacement 4 bedroom chalet-bungalow with detached double garage on the site frontage and erection of 7no new 4 bedroom houses with integral double garages in gated development to the rear of the new Holly Cottage, and part rear garden of Willow Tree Farm.**

Your application dated 16th September 2021 is refused on the following grounds:-

1. The site is within the approved Metropolitan Green Belt. Within the Green Belt there is a strong presumption against permitting new development outside of the present defined extent of urban areas and the present extent of any village. National Planning Policy Framework 2021 Section 13 (Protecting Green Belt Land) indicates that the most important attribute of Green Belts is their openness. The development will not preserve the openness of the Green Belt through construction of 7 additional dwellings, associated hardstanding, lighting, car parking and residential paraphernalia and will conflict with the purposes of including land within the Green Belt as it will encroach into the countryside and urbanise the site. In the absence of any 'very special circumstances' that may otherwise outweigh the harm by reason of inappropriateness, and any other harm, the proposed development is considered to be contrary to the advice in Section 13 (Protecting Green Belt Land) of the National Planning Policy Framework (NPPF) 2021, and Policy CS02 (Scale and Distribution of Development) of the Borough Council's adopted Gravesham Local Plan Core Strategy (September 2014)
2. The proposed development by virtue of increase in the built form in close proximity to the adjacent The Street, Meopham Conservation Area and the Grade II Listed Building (The George Inn PH) would result in an urbanising development within close proximity to and within the setting of a listed building. This, together with the cul-de-sac pattern would result in the open setting being lost to development which would take away from the

simpler and smaller scale setting that currently exists. The proposed scheme would result in a detrimental harm to the setting of a Grade II listed building and the adjacent conservation area, contrary to Policy CS20 (LPCS), Section 16 of the National Planning Policy Framework (NPPF) 2021 and the Meopham, The Street, Conservation Area Appraisal (2017).

3. The application site lies within the locally designated Meopham Downs Landscape Character Area, where local and national planning policy and guidance expect developments to conserve, restore and enhance the natural landscape. The proposed development, if permitted, would be harmful to the landscape character when compared to the existing site. The harm from the redevelopment of the site in this instance would be derived from the bulk and massing of the dwellings, the associated hardstanding, lighting, car parking and residential paraphernalia. The application is therefore contrary to Policy CS12 and CS19 of the Borough Council's adopted Gravesham Local Plan Core Strategy (September 2014) and Section 15 of the National Planning Policy Framework (NPPF) 2021.
4. By virtue of the proposed access, road and parking layout, the proposal does not meet the requirements of a good layout to achieve a suitable environment for its residents. The proposal would result in inadequate turning space for a 12 metre lorry (Refuse Vehicle) and the garages do not have adequate visibility for emerging vehicles. The proposal is therefore contrary to Policy CS11 (LPCS, saved policies T1, T5 and P3 (LPFR) and Section 4 of the National Planning Policy Framework (NPPF) 2021.
5. The applicant has failed to provide any ecological evidence assessment covering the impact of the development on reptiles. Together with the significant loss of mature landscaping, trees, scrub land and extensive garden areas, the proposal would result in a biodiversity net loss, contrary to Policy CS12 (LPCS) and paragraphs 180 and 181 of the National Planning Policy Framework (NPPF) 2021.
6. The proposed development fails to make any provision for affordable housing. As such the proposal is contrary to Policy CS16 of the Borough Council's adopted Gravesham Local Plan Core Strategy (September 2014).

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:

Documents

Planning Application Form received 16th September 2021;
Covering Letter received 14th September 2021;
Design & Access Statement received 14th September 2021;
Planning Statement received 14th September 2021;
Heritage Statement received 14th September 2021
Tree Survey received 14th September 2021;
Preliminary Ecological Appraisal Survey received 14th September 2021;
Letter from KCC Highways dated 21st July 2021;
KCC Highways Email dated 3rd August 2021;
Sketch - Courtyard Access Sketch - Plot 1;
Landscape and Visual Impact Assessment;
Utilities Assessment/Strategy;
Energy/Sustainability Assessment;
Flood Map;
Kent and Medway Biological Records Centre Conservation Concern Species Inventory;
Kent and Medway Biological Records Centre Kent Rare & Scarce Species Inventory;

Kent and Medway Biological Records Centre Invasive Non-native Species Inventory;
Kent and Medway Biological Records Centre Kent Bird Records Summary;
Kent and Medway Biological Records Centre Ecological Survey;
Kent and Medway Biological Records Centre Bat Survey;
Kent and Medway Biological Records Centre Protected Species Inventory;
Kent and Medway Biological Records Centre Known Bat Roost Locations;
Kent and Medway Biological Records Centre Statutory and non-statutory designated sites;
Consolidated Report;
Affordable Housing Statement;
Biodiversity Surveys and Reports;
Schedule of Drawings; and
Site Planning Appraisal Dated December 2019 received 15th November 2021.

Plans

Drawing No. HCD 05 Rev A - Existing Tree Survey;
Drawing No. HCD 04 Rev A - Existing Sections and Elevations;
Drawing No. HCD 03 Rev A - Existing Site Plan Services and Levels;
Drawing No. HCD 01 Rev A - Existing Location Plan;
Drawing No. HCD 02 Rev A - Proposed Location Plan;
Drawing No. HCD 06 Rev A - Proposed Site Plan Ground;
Drawing No. HCD 07 Rev A - Proposed Site Plan First Floor;
Drawing No. HCD 08 Rev A - Proposed Site Plan Roof;
Drawing No. HCD 09 Rev A - Proposed Site Plan Services and Levels;
Drawing No. HCD 10 Rev A - Proposed Sections and Elevations;
Drawing No. HCD 11 Rev A - Proposed Sections and Elevations;
Drawing No. HCD 12 Rev A - Vehicle Tracking DB32 Fire Appliance;
Drawing No. HCD 13 Rev A - Vehicle Tracking DB32 Pantechicon;
Drawing No. HCD 14 Rev A - Vehicle Tracking London Pumping Appliance;
Drawing No. HCD 15 Rev A - Proposed Ground, First & Roof Floor Plans (plot 1);
Drawing No. HCD 16 Rev A - Proposed Ground, First & Roof Floor Plans (plot 2);
Drawing No. HCD 17 Rev A - Proposed Ground, First & Roof Floor Plans (plot 3);
Drawing No. HCD 18 Rev A - Proposed Ground, First & Roof Floor Plans (plot 4);
Drawing No. HCD 19 Rev A - Proposed Ground, First & Roof Floor Plans (plot 5);
Drawing No. HCD 20 Rev A - Proposed Ground, First & Roof Floor Plans (plot 6);
Drawing No. HCD 21 Rev A - Proposed Ground, First & Roof Floor Plans (plot 7); and
Drawing No. HCD 22 Rev A - Proposed Ground, First & Roof Floor Plans (plot 8).

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 differs from the pre-application submission and is contrary to the current local and national planning policy at the time of the submission of the current application and the planning objections could not be overcome by amendments to the scheme or through the imposition of acceptable and appropriate planning conditions.

Dated: 24 November 2021

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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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.