

Application: 20240448

**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: **Giles Farm Limited
C/O Peter Biggs, PJB Planning Ltd
1st & 2nd Floor
2 West Street
Ware
SG12 9EE**

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:

**Giles Farm
Church Street
Higham
Rochester
Kent
ME3 7LP**

and being **Conversion of existing farm office building, store and stables to a residential dwelling, ancillary home office/games room, garden storage and re-purposed stable. Erection of boundary walls, repositioned vehicular access and erection of new entrance gates, and associated works.**

Your application dated 12th June 2024 is refused on the following grounds:-

1. The proposed development, due to the introduction of domestic features including dormer windows, formal parking areas, boundary treatments, hardstandings and other residential paraphernalia, will negatively impact on the openness of the Green Belt and therefore does not meet the exceptions listed in paragraph 155 (d) of the National Planning Policy Framework 2023. The proposal results in inappropriate development in the Green Belt where very special circumstances do not exist conflicting with policy CS02 of the Gravesham Core Strategy 2014 and Section 13 of the National Planning Policy Framework 2023.
2. The proposed conversion of the three farm buildings will result in the loss of agricultural buildings with no justification for this loss, located within an unsustainable location resulting in an isolated dwelling in the countryside that will not diversify the rural economy therefore conflicting with the overall objectives of Saved Policy C11 of the Gravesham Local Plan First Review 1994 and paragraphs 84 and 88 of the National Planning Policy Framework 2023.
3. The proposed conversions, located within the Church Street Conservation Area, will dramatically alter the character and appearance of this small and sensitive Conservation Area by introducing a residential use in this location that will neither preserve or enhance the character and distinctiveness of the area contrary to Saved Policy TC3 of the

4. The proposed development is located within the Higham Arable Farmlands Landscape Character Area, close to a SSSI and Special Protection Area, and will introduce a residential use that will in turn bring residential paraphernalia such as sheds, washing lines and play equipment and light spill from additional openings as well as creating pressure for residential outbuildings to the detriment of both the landscape character and surrounding ecology contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014.
5. The proposal fails to secure a contribution towards strategic mitigation measures within Special Protection Areas, and in the absence of this contribution or adequate information to inform an Appropriate Assessment, the development fails to comply with the requirements of the Habitat Regulations and Section 15 (specifically paragraphs 186 and 187) of the National Planning Policy Framework 2023 and Policy CS12 of the Gravesham Local Plan Core Strategy 2014.

INFORMATIVES:-

1 SUBMITTED DRAWINGS

Application form
Cover letter
Structural Report by Considine Civil and Structural Engineers
Flood Risk Assessment by Herrington Consulting
BNG Metric Calculator
BNG Condition Sheet
Baseline Habitat Condition Assessment
BNG Assessment: Feasibility Stage
Planning Statement by PJB Planning
Bat Survey Report by Native Ecology
Drawing no. 38 (proposed street elevations)
Drawing no. 34 rev A (floor plans and elevations buildings 3 and 7)
Drawing no. 32 rev C (elevations building 4)
Drawing no. 31 rev A (floor plans and elevations buildings 3, 4 and 7)
Drawing no. 35 rev C (site location plan)
Drawing no. 36 rev C (floor plans and block plan buildings 4 and 3)
Drawing no. 33 rev C (site plan)

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) 2023, 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 pre-application advice service was available but not undertaken.

Dated: 22 August 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of 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.