

Application: 20230448

**TOWN AND COUNTRY PLANNING, ENGLAND
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

NOTICE OF REFUSAL TO APPROVE DETAILED PLANS AND PARTICULARS
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To: **Bellway Homes Limited (Thames Gateway)
C/O Mr Gregory Evans, Savills
33 Margaret Street
London
W1G 0JD**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Act 1990, has **REFUSED TO APPROVE** detailed plans and particulars submitted on 2nd May 2023 in accordance with condition 12 of the Notification of Grant of Planning Permission reference 20220078 to Develop Land dated 24 February 2023 in respect of:-

Erection of 3 dwellings together with associated infrastructure including details relating to parking and landscaping and the reconfiguration of parking to a consented dwelling approved under permission Ref: EDC/21/0081. Former Northfleet Cement Works, The Shore, Northfleet, Gravesend, Kent, DA11 9AN

at: **Land At Former Northfleet Cement Works
The Shore
Northfleet
Gravesend
Kent**

and being **Application for approval of condition 12 attached to planning permission reference number 20220078 relating to a detailed soft landscaping scheme**

And that the grounds for such refusal are:-

- 1 The details submitted pursuant to Condition 12 of planning permission 20220078 would result in a reduction in the number of trees and species/varieties of less ecological value, together with lack of native hedging of sufficient height and an unacceptable change of the planting area to amenity grassland. The proposed planting would lead to a development that would be detrimental to visual amenity and would not sufficiently enhance biodiversity. As such, they would be contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014).

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 insufficient information has been submitted to discharge Condition 12 of 20220078 and information which has been submitted is contrary to Local and National Planning Policy.

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:

Planning Application Form;

Covering Letter;

Drawing No. 2956-PH1B-PP-10 Rev P1 - Planting Plans 1 of 2;

Drawing No. 2956-PH1B-LA-10 Rev P1 - Landscape General Arrangements Surface Finishes;

Drawing No. 2956-PH1B-PP-11 Rev P1 - Planting Plans 2 of 2; and

Drawing No. 2956-PH1B-PP-11 Rev P1 - Landscape General Arrangements Surface Finishes.

Dated: 11 August 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

Your attention is drawn to the following notes

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.