

Application: 20231289

**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: **Peter Holm
C/O Kevin Chidwick
1 Ellistons Yard
Ballingdon Street
Sudbury
Suffolk
CO10 2BU**

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:

**Nurstead Hall
Nurstead Lane
Longfield Hill
Longfield
Gravesend
Kent
DA3 7AN**

and being **Erection of a detached double garage.**

Your application dated 24th January 2024 is refused on the following grounds:-

1. The proposed development is considered to comprise inappropriate development in the Green Belt by virtue of its disproportional appearance in terms of its scale, and causing detriment and greater harm to the openness of the Green Belt. It would therefore would not comply with paragraph 154(c) of the NPPF (2023) and, Policy C13 of the Gravesham Local Plan First Review (1994) and Policy CS02 of the Core Strategy Local Plan (2014). No very special circumstances have been submitted which would outweigh the harm to the Green Belt by reason of inappropriateness. As such, as per paragraph 152 of the NPPF (2023), this inappropriate development should not be approved.
2. The proposed development would have an incongruent appearance in this rural setting and against the backdrop of the Listed Building, as a result of its scale, design and the proposed materials. It would not comply with the requirements of Policy CS19 and CS20 of the Core Strategy 2014, Saved Policy TC2 of the Gravesham Local Plan: First Review (1994) and Section 12 and 16 of the NPPF (2023), in terms of design, character and appearance.
3. The proposed development would not be sympathetic to this Grade II Listed Building due to its massing, scale, appearance and materials and therefore would not comply with Policies CS19 and CS20 (LPCS), saved Policy TC2 of the Gravesham Local Plan: First Review (1994) and section 16 of the NPPF (2023) in terms of the character and setting of this Grade II Listed Building.

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) 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 application is not in accordance with local and national planning policy and cannot be supported.

2 DECISION PLANS/DOCUMENTS

This decision was made on the basis of the following plans and documents:

Application Form
Location Plan
002 - Block Plan
003 - Plan and Elevations
Design and Access Statement
Heritage Statement

Dated: 15 March 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

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.