



Application: 20240910

**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 Tye
C/O Mr Rich, JRD Kent
Sandown Road
West Malling
ME19 6NS
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:

**Land At Stoney Wood
Wrotham Road
South Street
Meopham
Kent
DA13 0QG**

and being **Application for the change of use of land from agricultural to C3 dwellinghouse, proposal to convert the existing agricultural barn into a single self build dwelling with associated hard and soft landscaping.**

Your application dated 30th January 2025 is refused on the following grounds:-

1. The site lies within the Green Belt where the construction of new buildings is inappropriate development unless it is for one of the exempted forms of development set out in paragraph 154 or 155 of the National Planning Policy Framework (2024). The proposal is for a dwelling in an unsustainable location and the building of a dwelling, whether as conversion or otherwise would still by definition result in a form of encroachment in the countryside and harmful to the openness by reason of the nature of the development and the paraphernalia and associated development that goes with it. The development does not, in the opinion of the Local Planning Authority, fall within the exceptions to inappropriate development in the Green Belt in the National Planning Policy Framework (2024). No very special circumstances have been put forward to outweigh the harm to the Green Belt or any other identified harm and therefore the proposal is contrary to Policy CS01 (Sustainable Development) and Policy CS02 (Scale and Distribution of Development) of the Gravesham Local Plan Core Strategy (2014) and Section 13 of the National Planning Policy Framework (2024) (Protecting Green Belt Land).
2. The proposal would result in an unsympathetic development and inappropriate use of the land which is considered to be harmful to the open, rural character of the site and the wider designated Landscape Character Area. As such, the proposal would be contrary to Gravesham's Householder Design Guide (2021), Gravesham's design code: Design for Gravesham (2024) and Policies CS12 and CS19 of Gravesham's Local Plan Core

Strategy (LPCS) (2014), and Sections 12 and 15 of the National Planning Policy Framework (2024).

3. The proposed development fails to include provision of a garden area for future occupants of the dwelling. As such, the proposal fails to safeguard the amenity of future occupiers contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (2014) (LPCS) (2014) and Section 12 of the National Planning Policy Framework (2024).
4. The application has failed to provide sufficient information in relation to biodiversity, specifically in regard to the ecology of the site and potential impact on protected species. As such, the application fails to demonstrate how the proposal would comply with Policy CS12 of the Gravesham Local Plan Core Strategy (2014) (LPCS) (2014) and Section 15 of the National Planning Policy Framework (NPPF) (2024).

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

Application Form;
Supplementary Documents - Design and Access Statement;
Drawing No. 2421 E-001B - OS Plan;
Drawing No. 2421 E-002B - Block Plan - Existing;
Drawing No. 2421 E-005A - Site Layout Plan - Existing;
Drawing No. 2421 E-010 - Floor Plans and Elevations - Existing;
Drawing No. 2421 P-100B - Change of Use Block Plan - Proposed;
Drawing No. 2421 P-105C - Block Plan - Proposed;
Drawing No. 2421 P-110B - Site Layout Plan - Proposed;
Drawing No. 2421 P-120 - Floor Plans and Elevations - Proposed;
Drawing No. 2421 P-130A - Section AA and BB - Proposed; and
Drawing No. 2421 P-140 - Bin Storage 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 39 of the National Planning Policy Framework (NPPF) 2024, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative manner. In this instance the application is not in accordance with the Development Plan for the area and cannot be supported.

Dated: 19 March 2025

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.