

Application: 20221315

**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 & Mrs C Oakes
C/O Mr David Bedford, DHA Planning
Eclipse House
Eclipse Park
Maidstone
ME14 3EN**

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:

**Eastfield Farm Stables
Heron Hill Lane
Meopham
Gravesend
Kent
DA13 0DU**

and being **Demolition of an existing ageing stable complex and construction of a new equestrian barn**

Your application dated 14th December 2022 is refused on the following grounds:-

1. The application site is located within the Green Belt, as identified on the Policies Map accompanying the adopted Gravesham Local Plan Core Strategy (2014). National planning policies for the Green Belt set out within the National Planning Policy Framework (2021) sets out a presumption against inappropriate development in the Green Belt. The proposals are considered to constitute inappropriate development with reference to national policy and would by definition be harmful to the Green Belt. The identified harm to the Green Belt is not clearly outweighed by other considerations so as to amount to the very special circumstances required to justify inappropriate development. The proposal is therefore contrary to Policy CS02 of the Gravesham Local Plan Core Strategy (2014) and chapter 13 of the National Planning Policy Framework (2021).
2. The proposed development would, by reason of its scale, height and materials of the design fail to preserve the rural landscape and Green Belt character of the site and wider area. The proposal is therefore contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy (2014), saved Policy C17 of the Gravesham Local Plan First Review (1994) and section 15 of the National Planning Policy Framework (2021).
3. Insufficient information is considered to have been submitted on the nature of the existing and proposed stables and how they are/would be used. The application does not therefore sufficiently demonstrate that the proposal would not have an adverse impact on the highway network. As such the proposal is considered contrary to Policy

INFORMATIVES:-

1 DECISION PLANS

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

- o Application form;
- o Drawing no. DHA/15967/01 Rev. A - Site Location Plan;
- o Drawing no. DHA/15967/02 Rev. A - Existing Site Layout Plan;
- o Drawing no. DHA/15967/03 Rev. A - Existing Stables Layout Plan;
- o Drawing no. DHA/15967/04 Rev. A - Existing Stables Elevations;
- o Drawing no. DHA/15967/05 Rev. A - Proposed Site Layout Plan;
- o Drawing no. DHA/15967/06 Rev. A - Proposed Barn Stabling Floor Plan & Roof Layout;
- o Drawing no. DHA/15967/07 Rev. A - Proposed Stables Building Elevations; and
- o Planning, Design & Access Statement.

2 STATEMENT OF POSITIVE AND PROACTIVE

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 the application is not in accordance with the Development Plan for the area and cannot be supported. Furthermore, following the refusal of planning application reference 20211294 the applicant submitted a pre-application enquiry for an amended scheme, it was considered by the Local Planning Authority however that the proposal did not address all of the grounds of refusal and advice was given on how these could be addressed. This current application was subsequently submitted however, it is deemed this still not address the grounds of refusal in particular in respect of the Green Belt, landscape character and that insufficient information has been submitted to demonstrate there would be no harm regarding parking and highway safety matters.

Dated: 6 February 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.