

Application: 20220828

**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 Dwinder Tamna, Schuech Developments Ltd
C/O Mr James Dolan, James Dolan Architect
4 Upper Sheridan Road
Belvedere
DA17 5AP**

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 Rosalie
Meadow Lane
Culverstone
Gravesend
Kent**

and being **Erection of four bedroom house with integral garage.**

Your application dated 27th July 2022 is refused on the following grounds:-

1. The site is within the approved Metropolitan Green Belt. Within the Green Belt there is a strong presumption against permitting new development outside of the present defined extent of urban areas and the present extent of any village. National Planning Policy Framework Section 13 (Protecting Green Belt Land) indicates that the most important attribute of Green Belts is their openness. The proposed development is inappropriate development and would cause harm to the Green Belt, and to the character and appearance of the area. As such the proposal is considered to be contrary to the advice in National Planning Policy Framework Section 13 (Protecting Green Belt Land), and Policy CS02 (Scale and Distribution of Development) of the Core Strategy.
2. The site lies in the designated countryside outside the confines of the urban areas and rural settlements. The proposal comprises of residential development in the countryside, being within an unsustainable location and contrary to Policies CS01 and CS02 of Gravesham Core Strategy and paragraph 79 of the National Planning Policy Framework 2021.
3. The proposed two storey detached dwelling by virtue of its massing and bulk, together with vast areas of hard landscaping, will result in an incongruous and dominant form of development out of character with the surrounding properties contrary to policy CS19 of the Gravesham Core Strategy 2014 and para. 130 of the National Planning Policy Framework 2021.
4. The site is within the Meopham Downs designated landscape character area and the proposed dwelling would be detrimental by introducing inappropriate residential

development which will result in visual harm by suburbanising the site. The development is contrary to Policy CS12 of the Core Strategy and Section 15 of the National Planning Policy Framework 2021 which seek to give long term protection of these areas.

INFORMATIVES:-

1 SUBMITTED DRAWINGS

For the avoidance of doubt the submitted drawings are:

Application form;
Design & Access Statement;
Drawing No. RML/2022/01 Rev A - Proposed Plans, Elevations & Sections
Drawing No. RML/2022/01 Rev A - Existing & Proposed Block Plan
Drawing No. RML/2022/02 - Site Location Plan
Drawing No. RML/2022/01 - Block Plan

2 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-TAKING

In accordance with Article 35(2) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 and paragraph 38 of the National Planning Policy Framework, the Local Planning Authority has approached the assessment and determination of this application in a positive and proactive manner and, where appropriate, has worked 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 advice given at pre-application stage was not followed and subsequently the application is contrary to local and national policy.

Dated: 5 October 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

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## 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.