

Application: 20230356

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

NOTICE OF REFUSAL TO APPROVE DETAILED PLANS AND PARTICULARS
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To: **Mr Dean Fuller, Ash Construction Ltd.
C/O Mr J Martin, MKA Architects Ltd.
Rosewood House
High Street
Hadlow
Kent
TN11 0EF**

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 3rd May 2023 in accordance with conditions 3 and 4 of the Notification of Grant of Planning Permission reference 20211215 to Develop Land dated 2 August 2022 in respect of:-

Single storey 'wing' extensions to north, east, south and west elevations to provide 21 new ground floor ensuite bedrooms, increasing the total number of ground floor bedrooms by 23 (including converting 2 existing staff rooms to bedrooms) from 11 to 34 (and from 41 bedrooms in total to 64), plus additional care home facilities, together with internal and external alterations including a new entrance and entrance canopy to the south elevation, external courtyards, a new compound area, 7 additional car parking spaces and landscaping

at: **Hevercourt Residential Home
Goodwood Crescent
Gravesend
Kent
DA12 5EY**

and being **details of all trees to be retained and removed in the form of an arboricultural impact and method statement and detailed drawings (3) and Code of Construction Practice covering all environmental impacts of this development (4).**

And that the grounds for such refusal are:-

1. The details submitted under condition 3 of planning permission 20211215 fail to address the concerns raised under the planning application with particular regard to the unjustified removal of existing healthy trees and lack of any replacement trees, contrary to Policies CS12 and CS19 of the Gravesham Local Plan Core Strategy 2014. The submitted details are therefore considered to be unsatisfactory in terms of the arboricultural impact and condition 3 cannot be discharged.

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the decision to refuse this application was taken in relation to the following plans and documents:

Application form;
Cover letter dated 4 April 2023;
Drawing no. Arbtech AIA 01 (Arboricultural Impact Assessment);
Drawing no. Arbtech TPP 01 (Tree Protection Plan);
Arboricultural Method Statement and Tree Survey by Arbtech dated 28 January 2022.

Dated: 6 September 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.