



Application: 20211555

**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

To: **Lisa Horsfall and Tristan Skinner
C/O Mr Sumant Doorgapershad, UKSA Architecture Limited
57 William Mundy Way
Dartford
Kent
DA1 5XQ**

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:

**Lonicera
Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TT**

and being **Erection of a single storey detached building to provide a one bedroom annexe ancillary to the main dwelling.**

Your application dated 20th December 2021 is refused on the following grounds:-

1. The proposed annexe, due to its location to front of the dwelling, self-contained nature and potential for its own access, is not considered to be for a use incidental to the main dwelling, which together with the inadequate levels of internal floor area, will have an adverse impact on the residential amenities of future occupiers. The proposal would thereby fail to comply with the requirements of Policy CS19 of the Gravesham Local Plan Core Strategy 2014 and paragraph 130(f) of the National Planning Policy Framework 2021.
2. The application site lies within the locally designated Harvel Wooded Downs Landscape Character Area, where local and national planning policy and guidance expect developments to conserve, restore and enhance the natural landscape. However, the proposed development would be harmful to the landscape character by reason of the intensification of residential development and resultant domestic paraphernalia, parking areas and associated hard and soft landscaping that would result. The application is therefore contrary to Policies CS12 and CS19 of the Borough Council's adopted Core Strategy and paras. 174 and 176 of the National Planning Policy Framework 2021.
3. The application site lies within the Metropolitan Green Belt within which inappropriate development should not be approved except in very special circumstances. The proposed annexe comprises inappropriate development that is, by definition, harmful to the openness of the Green Belt. The development will not preserve the openness of the Green Belt and will conflict with one of the purposes of including land within it. In the

absence of any 'very special circumstances' that may otherwise outweigh the harm by reason of inappropriateness, and any other harm, the proposed development is contrary to national planning guidance contained in paragraphs 148 and 150 of the National Planning Policy Framework 2021 and Policy CS02 of the Borough Council's adopted Core Strategy.

INFORMATIVES:-

1 SUBMITTED DRAWINGS

For the avoidance of doubt the submitted drawings are:

Application form received 20 December 2021.

Drawing no. 101A (existing plans) received 20 December 2021.

Drawing no. 102 (proposed site plans) received 20 December 2021.

Drawing no. 103 (proposed plans) received 20 December 2021.

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 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 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.

Dated: 2 February 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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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.

### **COMPENSATION**

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.