

Application: 20230044

**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 Micky Trew
C/O Mr Roger Ward, Roger Ward Associates Limited
The Hoo Wrotham Road
Meopham
DA13 0HP**

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 To The East Of Three Gables
Walnut Hill Road
Gravesend
Kent
DA13 9HL**

and being **Erection of new single storey stable block and yard area.**

Your application dated 20th January 2023 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 application site lies within the locally designated Meopham Downs Landscape Character Area, where local and national planning policy and guidance expect developments to conserve, restore and enhance the natural landscape. The proposed development would, by reason of its siting, scale, height, design and materials, fail to preserve the rural landscape and would have an adverse impact on the landscape character of Meopham Downs Landscape Character Area. As such, the proposal would be 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 proposed stables and how they 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 CS11 of the Gravesham Local Plan Core Strategy (2014), saved Policies T1, T3 and T4 of the Gravesham Local Plan First Review (1994) and section 9 of the National Planning Policy Framework (2021).

INFORMATIVES:-

1 DECISION PLANS

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

Planning Application Form;
Arboricultural Report;
Tree Survey Plan;
Tree Protection Plan;
Drawing No. 1119.WD/03 - Proposed Floor Plans, Section;
Drawing No. 2223.WD.01A - Existing Site and Location Plan;
Drawing No. 2224.WD.04 - Proposed Elevations - Loose Boxes; and
Drawing No. 2224.WD.06 - Proposed Site Plan - New Stable Block and Yard.

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.

Dated: 23 May 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.