

Application: 20231120

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

DETERMINATION AS TO WHETHER PRIOR APPROVAL IS REQUIRED

To: **Mr Richard Batchelor
C/O Mr Gregory Bunce, Prime Folio
129 Island Wall
Whitstable
Kent
CT5 1DY**

TAKE NOTICE that **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **DETERMINED THAT PRIOR APPROVAL** for the relevant matters for the development of land as described below **IS REQUIRED AND REFUSED**

at **Buildings North Of
Hill Farm
Taylors Lane
Higham
Rochester
Kent
ME3 7JT**

and being **Application for a determination as to whether prior approval is required for conversion of existing agricultural storage buildings north of Hill Farm House to 3no. dwellings, including the insertion of windows, glazed doors, first floors and roof lights to ensure all habitable rooms are naturally lit.**

Your application dated 3rd November 2023 is refused on the following grounds:-

1. The proposal fails to provide adequate parking and cycle storage provision, with insufficient drainage information provided to assess potential flooding of the highway and as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(a) of the Town and Country (General Permitted Development) Order 2015.
2. Insufficient information has been provided to ascertain the contamination impacts as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(c) of the Town and Country (General Permitted Development) Order 2015.
3. Insufficient information has been provided to ascertain the flooding risks as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(d) of the Town and Country (General Permitted Development) Order 2015.
4. The proposed development, by reason of its siting in close proximity to existing dwellinghouses would result in direct and significant levels of overlooking. As such, the location and siting of the building, the subject of this application, makes it impractical and

undesirable for a change from agricultural use to a use Class C3 (dwellinghouse) and as such the development proposed does not comply with Schedule 2 Part 3, Class Q.2(e) of the Town and Country (General Permitted Development) Order 2015.

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
22-36-01 - Location Plan
22-36-02 - Site Layout Plans, Existing and Proposed
22-36-03 - Building Plans as Existing
22-36-04 - Elevations as Existing
22-36-05 - Building Plans as Proposed
22-36-06 - Elevations as Proposed
Structural Reports
Access Appraisal
Planning and Design Statement
Structural Method Statement

Dated: 21 December 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of 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.
- **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.