

Application: 20220183

**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 Markus Blythe
1 Southfield Shaw Park Homes
Harvel Road
Meopham
Gravesend
DA13 0RH**

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:

**1 Southfield Shaw Park Homes
Harvel Road
Meopham
Gravesend
Kent
DA13 0RH**

and being **erection of single storey side extension to form entryway/utility room.**

Your application dated 29th April 2022 is refused on the following grounds:-

1. The proposed development would be a permanent and substantial construction, which would increase the scale and mass of the structure and would alter the nature of the application property from a caravan to a building (by virtue of the cumulative impact of all the physical alterations to the property permanently attaching the caravan to the land), facilitating the creation of a permanent new dwelling in the Green Belt. Such an alteration would lead to an encroachment over the countryside and harm to the openness of the Green Belt. In the absence of any very special circumstances that clearly outweigh this harm, the proposal would be contrary to Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) and to Paragraphs 149 and 150 of the National Planning Policy Framework 2021.
2. The proposed development would set an unacceptable precedent at the Southfield Shaw Caravan Park, by facilitating the creation of a permanent new dwelling in the Green Belt. This precedent could be repeated across Southfield Shaw leading to a significant encroachment over the countryside and substantial harm to the openness of the Green Belt. In the absence of any very special circumstances that clearly outweigh this harm, the proposal would be contrary to Policy CS02 of the Gravesham Local Plan Core Strategy (September 2014) and to Paragraphs 149 and 150 of the National Planning Policy Framework 2021.

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

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

Householder Planning Application form;
Red line site boundary plan;
Existing western and eastern elevations;
Existing southern elevation;
Existing layout;
Existing Northern Elevation;
Proposed block plan;
Proposed western and eastern elevations;
Proposed southern elevation;
Proposed layout; and
Planning Statement 01 February 2022.

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 paragraphs 186 and 187 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 case however the harm to the openness of the Green Belt was considered overriding and could not be overcome by amendments to the submitted scheme.

Dated: 23 June 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.