



Application: 20240462

**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: **Mr & Mrs Higgins
C/O Ms Amna Khan, AK-Studios
5 Lambarde Road
Sevenoaks
TN13 3HR**

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:

**The Oaks
Ridge Lane
Meopham
Gravesend
Kent
DA13 0DP**

and being **Demolition of existing dwelling and erection of a self build 3 bedroom property.**

Your application dated 29th May 2024 is refused on the following grounds:-

1. The application site lies within the Metropolitan Green Belt where inappropriate development should not be approved except in very special circumstances. The proposed development is inappropriate development by virtue of failing to meet any of the exception criteria of paragraph 154 of the National Planning Policy Framework (2023) and would cause harm to the Green Belt. The proposed development fails to preserve the openness of the Green Belt by virtue of the construction of a materially larger dwelling than the one it would replace which conflicts with the purposes of including land within the Green Belt. 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 considered to be contrary to the advice in Section 13 (Protecting Green Belt Land) of the National Planning Policy Framework (2023) and saved Policy C12 of Gravesham's Local Plan First Review (1994).
2. The proposed dwelling is a cramped form of development that fails to provide acceptable amenity for future occupiers by virtue of substandard living accommodation and unusable internal spaces contrary to Gravesham's Residential Layout Guidelines (SPG 2) (2020) and the Nationally Described Space Standards (2015). Therefore, the development fails to safeguard the amenity of future occupiers and is contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).

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 - dated 06 June 2024
Gravesham Borough Council - Self-Build Form
Design and Access Statement by AK Studios
Drawing no. PL001 - Site Location Plan (scale - 1:1250)
Drawing no. PL003 - Existing Block Plan (scale - 1:200)
Drawing no. PL004 - Existing Plans and Elevations
Drawing no. PL005 - Proposed Block Plan (scale - 1:200)
Drawing no. PL006 - Proposed Plans and Sections (AA and BB)
Drawing no. PL007 - Proposed Elevations
Drawing no. PL008 - Proposed Section CC

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) 2023, 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: 24 July 2024

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.
- **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.