

TOWN AND COUNTRY PLANNING ACT 1990

Notification of Refusal of Planning Permission to Develop Land

Mr Joe Bullard
C/o Mr Marc Furminger
XMARC ARCHITECTURE
The Studio
41 Roman Way
Cheriton
Folkestone
CT19 4JX

Take notice that The Shepway District Council, the Local Planning Authority under the Town and Country Planning Acts, **HAS REFUSED TO PERMIT** development of land

situate at: 1 HONEYWOOD COTTAGES ASHFORD ROAD SANDLING HYTHE

and being ERECTION OF THREE TERRACE DWELLINGHOUSES WITHIN VACANT LAND ADJACENT TO NUMBER 1 HONEYWOOD COTTAGES.

referred to in your application for permission for development received on 8th December 2016.

REASONS:

1. The site is located within the open countryside where the proposal would result in an unacceptable and unsustainable residential development in the countryside outside the confines of an existing town, village or rural settlement. As such the proposal would be contrary to Saved Local Plan Review policies SD1, CO1, CO4 and HO1 and Core Strategy Local Plan policies DSD, SS1, SS2, SS3, CSD3 and the sustainable development principles of the National Planning Policy Framework, which seek to direct new development to the built confines of identified existing rural settlements (in accordance with the adopted settlement hierarchy) resulting in harm to the character and appearance of the rural area, failing to protect or enhance the special landscape character.

2. The proposed development would result in harm to the character of the rural area and streetscene by virtue of its overall form, design and materials, which fail to respect or respond to the local surroundings. As such the development would be contrary to Saved Local Plan Review policies SD1, BE1, CO1 and CO4 and policies SS3, CSD3 of the Shepway Core Strategy which require developments to provide a high standard of design and materials appropriate to their setting.
3. In the absence of sufficient information, it has not been satisfactorily demonstrated that the proposed development would be able to achieve a safe and suitable vehicular access with the required visibility splays. The development also fails to propose sufficient off street parking in accordance with current adopted guidelines. As such the development is considered to be contrary to saved Local Plan Review policies SD1, TR11 and TR12 and the NPPF: 2012 that require development proposals to provide a safe and suitable access for vehicle traffic, cyclists and pedestrians and makes provision for off street parking on or near the site in accordance with current maximum vehicle parking standards.

INFORMATIVES

- 1 Your attention is drawn to the fact that this refusal of planning permission is on the basis of submitted drawing No(s), 16_03-201A, 16_03_203A, 16_03_204A, 16_03_205A, 16_03_206A, 16_03_207, 16_03_208.

The applicant/agent was provided with pre-application advice in accordance with the Council's Informal Advice Protocol, including advising of a likely recommendation for refusal on the grounds of being contrary to planning policy

The proposed development is unacceptable in principle for planning policy reasons and the Local Planning Authority does not consider that there are any amendments that can be made to the scheme to overcome this

It is the view of the Local Planning Authority that the development does not accord with the development plan and is unacceptable for the reasons set out in the grounds for refusal.



Dated this 1st day of February 2017

Shepway District Council,
Civic Centre, Castle Hill Avenue,
Folkestone, Kent CT20 2QY

Ben Geering
Head of Planning

APPEAL GUIDANCE NOTES

Note:

This permission is confined to permission under the Town and Country Planning Act 1990 (as amended) and does not obviate the necessity for compliance with any enactment, bye-law or other provision whatsoever or of obtaining from the appropriate authority any permission, consent, approval or authorisation which may be required.

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 the grant of 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 you want to appeal, then you must do so within six months of the date of the notice, using a form which you can get from Initial Appeals, The Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.

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 it imposed, having regard to the statutory requirements, to the provision of a development order and to any directions given under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which had been or would be permitted. In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interests in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.