

TOWN AND COUNTRY PLANNING ACT 1990

Notification of Refusal of Planning Permission to Develop Land

Mr Mark Nieman
C/o Mr Andrew Barling
The Whitehouse
4 Seabrook Grove
Hythe
Kent
CT21 5QZ

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: UPPER PARK GATE FARM ELHAM PARK ELHAM KENT

**and being EXTENSIONS AND ALTERATIONS TO EXISTING BUILDING TO
CREATE A TWO STOREY HOLIDAY LET.**

referred to in your application for permission for development received on 26th June 2017.

REASONS:

1. The proposed conversion to provide a holiday let by reason of the substantial increase in size, scale, bulk, and massing would significantly increase the visual dominance of the building in a countryside location which forms part of the designated Kent Downs Area of Outstanding Natural Beauty and Special Landscape Area, resulting in a greater detrimental visual impact, significantly altering the simple discrete form of the existing building, giving it the appearance of a family home as opposed to a holiday let, which would result in harm to, and detract from, the natural beauty, appearance and character of the designated countryside location. The application is therefore contrary to saved policies SD1, BE1, CO1, and CO4 of The Shepway District Local Plan Review; policy CSD4 of the Shepway Core Strategy Local Plan and guidance in the National Planning Policy Framework which seek to protect designated landscapes; and, saved policy CO19 which seeks that conversions of existing buildings in the countryside would only be acceptable if they can be implemented without significant alterations and extensions. Core Strategy policy CSD4 requires that planning decisions have close regard to the need for conservation and enhancement of natural beauty in the AONB and its setting, which will take priority over other planning considerations.

INFORMATIVES

- 1 Your attention is drawn to the fact that this refusal of planning permission is on the basis of submitted drawing numbers 019/16/003, 019/16/04, 009/16/009 and the site location plan.

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 24th day of August 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.