



Mr Robert & Mark Wilson
C/O Design ID Ltd
F.O.A Mrs Michelle Guida
13 Jubilee Way
Eurolink Business Centre
Faversham
ME13 8GD

16 April 2020

PLANNING DECISION NOTICE

APPLICANT:	Mr Robert & Mark Wilson
DEVELOPMENT TYPE:	Minor Dwellings
APPLICATION REFERENCE:	20/500594/FULL
PROPOSAL:	Demolition of existing dwelling and erection of two new dwellings.
ADDRESS:	2 Oak Croft Bearsted Maidstone Kent ME14 4GF

The Council hereby **REFUSES** Planning Permission for the above for the following Reason(s):

- (1) The proposal, involving the loss of the existing building that makes a positive contribution to the character of the streetscene and the conservation area, and replacement with two new buildings, would fail to maintain existing character, fail to make a positive contribution to local character and distinctiveness, and as a result would have a harmful impact on the character of the streetscene and the surrounding Bearsted Conservation Area contrary to policies SP18, DM1, DM4, and DM9 of the Maidstone Borough Local Plan (2017) and the National Planning Policy Framework (2019)

Informative(s):

- (1) You are advised that as of 1st October 2018, the Maidstone Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of

development proposed). Full details are available on the Council's website www.maidstone.gov.uk/CIL

The Council's approach to this application:

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), February 2019 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

In this instance this application did not comply with the provisions of the Development Plan and NPPF as submitted. The applicant is advised to seek pre-application advice on any resubmission.

R. L. Jarman

**Rob Jarman
Head of Planning Services
Maidstone Borough Council**

IMPORTANT: YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES

NOTIFICATION TO APPLICANT FOLLOWING REFUSAL OF PERMISSION OR GRANT OF PERMISSION SUBJECT TO CONDITIONS

This decision does not give approval or consent that may be required under any act, bylaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority (LPA) to refuse permission for the proposed development, or to grant it subject to Conditions, then you can appeal to the Secretary of State (SoS) under Section 78 of the Town and Country Planning Act 1990. **Please see “Development Type” on page 1 of the decision notice to identify which type of appeal is relevant.**

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the LPA's decision on your application, then you must do so within **28 days** of the date of service of the enforcement notice, or within **6 months [12 weeks** in the case of a **householder** or **minor commercial** application decision] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a **Householder** application or a **Minor Commercial** application and you want to appeal the LPA's decision, or any of the conditions imposed, then you must do so within **12 weeks** of the date of this notice.
- In all other cases, you will need to submit your appeal against the LPA's decision, or any of the conditions imposed, 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (planningappeals@midkent.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The SoS can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The SoS need not consider an appeal if it seems to the SoS that the LPA 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.

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