

Application: 20260347

**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

To: **Michael Osibona
9 B Spring Grove
Gravesend
Kent
DA12 1LL
United Kingdom**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 1st April 2026 under the provisions of Section 192 of the above mentioned Act and has determined the use, operation or matter set out therein being:-

Application for a Proposed Lawful Development Certificate; Installation of a dropped kerb.

at **9B Spring Grove
Gravesend
Kent
DA12 1LL**

WOULD NOT HAVE BEEN LAWFUL within the meaning of the said Act and, thus, application for planning permission in respect thereof must be made and planning permission obtained before any such proposals can be carried out.

The grounds for this determination are as follows:-

By virtue of the existing breaches of conditions 2, 7 and 8 of planning permission 20220067, the application site is part of an unlawful development, whereby the existing frontage parking area is considered unlawful. Therefore, the proposed development would fail to comply with paragraph 3 (5) of the GPDO 2015 and as such, planning permission would be required and the Lawful Development Certificate is refused. Furthermore, the proposal, if implemented would result in a breach of condition 7 of planning permission 20220067, which would be unlawful.

INFORMATIVES:-

1 DECISION PLANS

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

Application form for a Lawful Development Certificate for a proposed use or development
Drawing no. TQRQM26090102329600 Proposed layout; and
Red line site boundary plan received 01 April 2026.

2 REQUIREMENTS FOR OTHER CONSENTS

The Highways Authority (Kent County Council (KCC)) provide guidance on the provision of dropped kerbs, the Residential Dropped Kerb Guidance and Self-Assessment (April 2025). This

document sets out that, for a dropped kerb to be acceptable, various criteria must be met. Therefore, had this proposal have been permitted development, KCC may or may not have allowed the formation of the proposed dropped kerb. As such, it would be necessary for the applicant to contact KCC direct to discuss any future proposal.

In addition, any future proposal would still need to comply with other requirements such as Building Regulations. As such, it would be necessary for the applicant to ensure that all requirements are met and all legislation is complied with.

Dated: 27 May 2026

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

Your attention is drawn to the following notes

NOTES

1. Any person who wishes to appeal –

- (a) against a determination of the Council under Section 195 of the Act; or
- (b) on the failure of the Council to give notice of their decision within 8 weeks of the date of the application

shall give notice of the appeal to the Secretary of State within **six months of the decision or of the expiry of the appropriate period allowed under Article 33 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 for giving such notice (two months)**, as the case may be, or such longer period as the Secretary of State may at any time allow.

- **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>

2. Such person shall also furnish to the Secretary of State a copy of the following documents:-

- (i) the application;;
- (ii) all relevant plans, drawings, particulars and documents submitted with the application;
- (iii) the notice of the decision or determination, if any;
- (iv) all other relevant correspondence with any Local Planning Authority.