

**Application: 20241055**

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

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| <b>NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND</b> |
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To: **First4Drains  
C/O Mr P Nicholls, Graham Simpkin Planning Ltd  
2 The Parade  
Ash Road  
Hartley  
Longfield  
DA3 8BG**

**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:

**Walnut Hill Nursery  
Walnut Hill Road  
Gravesend  
Kent  
DA13 9HL**

and being **Retrospective erection of a detached outbuilding.**

Your application dated 27th November 2024 is refused on the following grounds:-

1. Whilst the application site is considered to form grey belt land, the proposal for the retrospective outbuilding does not meet any of the exception criteria for development in the Green Belt and would therefore be an inappropriate and harmful development in the Green Belt. There are no very special circumstances that exist that would outweigh the harm resulting from the proposal by reason of inappropriateness, or any other harm. The development is therefore contrary to the requirements of paragraphs 11, 153, 154 and 155 of the National Planning Policy Framework 2024, and Policy CS02 of the Gravesham Local Plan Core Strategy 2014.

**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 particulars:

Application form  
Planning, Design and Access Statement  
Drawing no. 301 (Site Location Plan)  
Drawing no. 302 (Pre Existing Block Plan)  
Drawing no. 303 (Existing Block Plan)  
Drawing no. 304 (Pre Existing Outbuildings)  
Drawing no. 305 (Existing Outbuildings Floor Plans)  
Drawing no. 306 (Existing Outbuildings Elevations 1 of 2)  
Drawing no. 307 (Existing Outbuildings Elevations 2 of 2)

## 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 39 of the National Planning Policy Framework (NPPF) 2024, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

Dated: 24 January 2025

Civic Centre  
Windmill Street  
Gravesend  
Kent  
DA12 1AU

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

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### 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.