



Application: 20230557

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

NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND
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To: **Mr Olusegun Oso
54 Ruffets Wood
Gravesend
Kent
DA12 5JQ**

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:

**54 Ruffets Wood
Gravesend
Kent
DA12 5JQ**

and being **Installation of a dropped kerb for vehicular access to the front of the property.**

Your application dated 11th August 2023 is refused on the following grounds:-

1. The existing works to the front garden, together with the proposed crossover has and would further result in a hardening of the streetscene, detrimental to the visual amenity of the application property, streetscene and character of the area as a whole. The development would therefore be contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (2014) and Section 12 of the National Planning Policy Framework (2023).
2. The existing works have resulted in complete removal of soft landscaping of the front and therefore has resulted in a loss of biodiversity. The proposal would therefore be contrary to Policy CS12 of Gravesham's Local Plan Core Strategy (2014) and Section 15 of the National Planning Policy Framework (2023).
3. The front garden area of No. 54 Ruffets Wood, Gravesend is unable to provide an acceptable turning area in accordance with the Council's adopted criteria and technical requirements to enable a vehicle to enter and leave in a forward direction. The development without adequate turning facilities within the site would result in vehicles reversing into and out of the site potentially requiring vehicles to stop in the highway to the detriment of the free flow of traffic. As such this would be to the detriment of highway and pedestrian safety and the free flow of traffic on this busy classified 'C' class road, contrary to Policy CS11 of the Gravesham Local Plan Core Strategy (2014), saved Policy T5 of the Gravesham Local Plan First Review (1994), paragraph 130 of the National Planning Policy Framework (2023) and the Council's Planning Guidance Note 6: Planning Policy for Vehicular Accesses to Classified Highways (2009) adopted as supplementary planning guidance.

INFORMATIVES:-

1 DECISION PLANS

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

- Application Form
- Site Location Map
- Proposed Block Plan
- Existing Elevations.

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 38 of the National Planning Policy Framework (NPPF) 2023, 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.

In this instance the proposal was contrary to local and national planning policy and could not be supported.

Dated: 18 October 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

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.