

Application: 20211112

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

To: **Phillip Worton
C/O Mr Tony Oyenuga, Teem Consult
59 Edward Tyler Road
Grove Park
London
SE12 9QE**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 28th October 2021 under the provisions of Section 192 of the above mentioned Act and has determined the use, operation or matter set out therein being

for proposed construction of a dormer extension in the rear roof slope, installation of a roof windows to the front roof slope, conversion of the roof space into habitable rooms

at **Barn Cottage
Old Watling Street
Higham
Rochester
Kent
ME2 3UG**

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:

1. The proposed facing material for the dormer would be render, which would not match with the main roof of the dwelling and the proposed Juliet balconies would disrupt the original eaves line of the dwelling, such that it would not be maintained or reinstated. Therefore the proposed development would be contrary to paragraphs B.2(a) and B.2(b) of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and planning permission would be required. As such, a lawful development certificate is refused.

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;
Red line site boundary plan;
Drawing no. 594-HPP-01 Existing layout, elevations and block plan; and
Drawing no. 594-HPP-02 Proposed layout, elevations, block plan and 3D view.

2 INFORMATION FOR THE APPLICANT

Please note that the proposed roof lights would be in line with paragraphs C.1 and C.2 of Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and as such, planning permission would not be required for their installation.

Dated: 21 December 2021

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.

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.

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.