

Application: 20230072

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

To: **Mr Sukhdeep Randhawa
C/O Mr Lance Davies
13 Worrin Road
Flitch Green
Flitch Green
CM6 3FU**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 27th January 2023 under the provisions of Section 192 of the above mentioned Act and has determined the use, operation or matter set out therein being:-

Lawful Development Certificate in respect of the proposed erection of a single storey rear and side extension, erection of entrance canopy.

at **7 The Turnstones
Gravesend
Kent
DA12 5QD**

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 plans show the height of the eaves to exceed the height of the eaves of the existing dwellinghouse and therefore fails to meet part (d) of Class A.1. They also show the enlarged part of the dwellinghouse extending beyond a wall forming a side elevation of the original dwellinghouse and having a width greater than half the width of the original dwelling which fails to meet part (j) of Class A.1. The proposed porch exceeds 3sqm in ground area and exceeds 3m in height and therefore fails to meet part (b) and (c) of Class D. The proposed extensions therefore fail to meet Class A and Class D of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and require planning permission.

INFORMATIVES:-

1 DECISION PLANS

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

Application form
Drawing no. TT/303 (proposed site plan)
Drawing no. TT/302 (proposed ground floor plan, elevations and roof plan)
Drawing no. TT/301 (existing ground floor plan, elevations and roof plan)
Drawing no. TT/002 (existing site plan)

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) 2021, 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: 14 March 2023

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.

- **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.