

Application: 20250801

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

DETERMINATION AS TO WHETHER PRIOR APPROVAL IS REQUIRED

To: **Mr Andrew West
C/O Mr Leslie May, DAC Architects
21 Stone Street
Gravesend
Kent
DA11 0NP**

TAKE NOTICE that **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **DETERMINED THAT PRIOR APPROVAL** for the relevant matters for the development of land as described below **IS REFUSED**

at **Cape Cottage
Manor Field
Shorne
Gravesend
Kent
DA12 3DX**

and being a **single storey rear extension with a depth of 7.243 metres, maximum height of 3.587 metres and eaves height of 2.418 metres.**

Your application dated 11th August 2025 is refused on the following grounds:-

1. The proposal fails to accord with A.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended) as the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.

Notwithstanding the above, the proposal amounts to an engineering operation that requires Planning Permission. Section 55 of the Town and Country Planning Act (1990) defines development as carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. Any change in land levels particularly when it would be at 0.3m or greater, would be considered an engineering operation requiring planning consent. Therefore, Planning Permission would be required for the proposal as a result of the engineering operations. As such, the proposed development does not benefit from the provisions of Class A, Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and Planning Permission would be required.

INFORMATIVES:-

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

Application Form;
Supplementary Information - Planning Statement;
Drawing No. P-001 Rev. A - Site Location Plan;
Drawing No. P-002 - Site Plan - Existing;
Drawing No. P-003 - Site Plan, Site Section with Levels - Existing;
Drawing No. P-004 - Floor Plans and Elevations - Existing;
Drawing No. P-005 Rev. F - Ground Floor Plan - Proposed;
Drawing No. P-006 Rev. E - Ground Floor Plan and Elevations - Proposed;
Drawing No. P-007 - Site Layout Plan - Proposed; and
Drawing No. P-008 Rev. A - Site Section BB - Proposed.

Dated: 12 September 2025

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of 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.
- **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.**
- 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.