

Application: 20230075

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

To: **A Perkins
C/O Bankov, JBArchitects
Dell Road
Grays
RM17 5FN
United Kingdom**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 30th 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 conversion of garage.

at **18 Nash Croft
Northfleet
Gravesend
Kent
DA11 8SY**

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 development does not meet the criteria found within the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. This is because permitted development rights have been removed for the garage under application 19940212, which states the garage shall only be used for the parking of a private motor car, and no development shall be carried out on site that would preclude this use or the access to the parking space.
As the above condition removes the applicant's right to carry out the said development under permitted development rights, the Lawful Development Certificate is refused and planning permission is required.

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;
3D Views - Existing (received on 31.01.23);
3D Views - Proposed (received on 31.01.23);
Site Location Plan (received on 01.02.23);
Block Plan - Proposed (received on 01.02.23);

Block Plan - Existing (received on 01.02.23);
First Floor Plan - Existing (received on 31.01.23);
First Floor Plan - Proposed (received on 31.01.23);
Front Elevation - Existing (received on 31.01.23);
Front Elevation - Proposed (received on 31.01.23);
Ground Floor Plan - Existing (received on 31.01.23);
Ground Floor Plan - Proposed (received on 31.01.23);
Rear Elevation - Existing (received on 31.01.23);
Rear Elevation - Proposed (received on 31.01.23);
Roof Plan - Existing (received on 31.01.23);
Roof Plan - Proposed (received on 31.01.23);
Section AA - Existing (received on 31.01.23);
Section AA - Proposed (received on 31.01.23);
Side Elevation - Existing (received on 31.01.23); and
Side Elevation - Proposed (received on 31.01.23).

Dated: 21 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.

