



Application: 20221325

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

To: **Mr And Mrs J Kemal
C/O Mr J Rowland, DAC Architects
21 Stone Street
Gravesend
DA11 0NP**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 16th December 2022 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 side extension, front porch and alterations to the roof including a new chimney and conversion of the roofspace to form habitable rooms and proposed erection of a garage/garden building.

at **Sunny Slope
Longfield Avenue
Gravesend
Longfield
Kent
DA3 7LA**

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 garage/outbuilding falls to be assessed against Class E of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal has not demonstrated that the space required for the garage and associated storage is reasonably required on such a large scale in relation to the scale of the host dwellinghouse. The size and scale are such that it cannot be considered to be genuinely incidental to the enjoyment of the host dwelling house. As such, it represents development that would not benefit from 'deemed' 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
Planning Statement
Drawing no. D-04 (proposed elevations and section)

Drawing no. D-03 (proposed floor plans)
Drawing no. D-01 (existing plans and elevations)
Drawing no. D-05 (garden building as proposed)
Drawing no. D-08 (proposed block plan)
Drawing no. D-07 (existing block plan)
Drawing no. D-06 (site location plan)

Dated: 6 February 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.