



Application: 20240662

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

To: **Mrs Bisola Agbaje
C/O Mr Paul Richards, Richards Architectural
The Boathouse
Riverside
Chartham
CT4 7JR**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 23rd July 2024 under the provisions of Section 192 of the above mentioned Act and has determined the use, operation or matter set out therein being:-

Application for a Proposed Lawful Development Certificate in respect of demolishing garden shed and the erection of a single storey flat roof rear extension and the erection of a single storey annexe building with dual pitched roof.

at **92 St Dunstons Drive
Gravesend
Kent
DA12 4BQ**

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:-

The proposed single storey rear extension fails to comply with A.3 (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as information relating to the exterior materials has not been provided.

In addition, the proposed outbuilding fails to comply with E.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as the outbuilding would contain primary living accommodation. It would therefore not be incidental to the main dwelling. Furthermore, the proposal fails to comply with E.1(e)(ii) because the building would be within 2.00m of the boundary of the curtilage of the dwellinghouse and would be greater than 2.50m in height. Additionally, the eaves of the outbuilding would fail under E.1 (f) as the eaves height would exceed 2.50m.

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;
Block Plan - Existing (received on 23.07.24);

Block Plan - Proposed (received on 23.07.24);
Site Location Plan (received on 18.07.24);
Drawing No. 492.1510 - Elevations and Floor Plans - Existing; and
Drawing No. 492.1520 - Elevations and Floor Plans - Proposed.

Dated: 6 September 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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