



Application: 20240603

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

To: **Margaret Kelly
C/O Mr Ewan Davies, Macintosh Davies Ltd
Suite A
Quayside House
Quayside
Chatham
ME4 4QZ
United Kingdom**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 12th 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 Lawful Development Certificate in respect of the erection of a rear extension.

at **93 Villa Road
Higham
Rochester
Kent
ME3 7BX**

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 rear extension would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwelling. The proposed development does not meet the criteria set out in paragraph (j)(iii) and (ja) of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such the proposal would require planning permission.

INFORMATIVES:-

1 DECISION PLANS

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

- o Application Form
- o Drawing No: M150021250 REV A (Existing/Proposed Block Plans)
- o Drawing No: M15020002 (Proposed Elevations)
- o Drawing No: M15020004 REV A (Proposed Ground Floor Plan)
- o Drawing No: M15002001 (Existing Ground Floor Plan)

- o Drawing No: M15002002 (Existing Elevations)
- o Drawing No: M15020003 (Existing/Proposed Sections))

Dated: 5 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.