



Application: 20240101

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

To: **Mr & Mrs Watts
C/O Mr David Budden, ACBD
88 Bush Road
Cuxton
Rochester
Kent
ME2 1EY**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 27th February 2024 under the provisions of Section 192 of the above mentioned Act and has determined the use, operation or matter set out therein being:-

Erection of dormer in rear roof slope; single storey rear extension with chimney; pitched roof over existing porch; and rooflights in front roof slope

at **Two Trees
Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TU**

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 Article 3, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) permitted development rights for the application property were removed by condition 3 of planning permission reference 19970741. Therefore, planning permission would be required for the proposed development and the lawful development certificate is refused.
2. The proposed development would be contrary to the criteria set out in paragraphs A.1 (h)(i), A.1 (j), A.1 (k)(iv) and A.2 (d) of Class A, Class B.1 (d) of Class B and paragraphs D.1 (b) and D.1 (c) of Class D of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such, the proposal would not benefit from permitted development rights and would require planning permission. Therefore, the lawful development certificate is refused.

INFORMATIVES:-

1 DECISION PLANS

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

Application form for a Lawful Development Certificate for a Proposed Use or Development;
Drawing no. PL-133-10 Existing layouts, elevations, block plan and site location plan; and
Drawing no. PL-133-10 Proposed layouts, elevations, block plan and section.

Dated: 23 April 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.