

Application: 20240558

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

To: **Mr Yadwinder Gill
C/O Mr David Meaney, DKM Consultants LTD
82 Longfellow Road
Gillingham
ME75QQ
United Kingdom**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 29th 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 the construction of a timber building with consists of a summer house and shed, pitched roof with table top roof and an open canopy to the front.

at **Furzy Lea
Bowesden Lane
Shorne
Gravesend
Kent
DA12 3LA**

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 development fails to comply with Class E.1 (e)(i) as the height of the outbuilding would exceed 2.5m and would be within 2m of the boundary of the curtilage of the dwellinghouse. In addition, it is considered the outbuilding is not incidental to the main dwellinghouse by virtue of the proposed rooms which could provide primary living accommodation. Moreover, the combined footprint of the proposed and existing outbuildings would exceed the main dwelling footprint and therefore cannot be considered subordinate, or 'incidental.'

Therefore, the proposed development fails to comply with **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and 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 Dated 19/06/2024;

Supplementary Information - Planning Statement;
Floor Plans and Elevations - Proposed;
Drawing Number DKM/7791/03 (Block Plan - Proposed); and
Drawing Number DKM/7791/01 (OS Plan).

Dated: 23 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.