

Application: 20230565

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

To: **Mr Julian Roberts
Blue Ash
86 Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TT**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 15th June 2023 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 proposed two storey rear extension, single storey side extension, front porch 3no. x roofline 'Velux' style roof windows to front.

at **Blue Ash
86 Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TT**

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 does not meet the criteria found within the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. This is because permitted development rights have been removed for the enlargement, improvement or other alterations of the property under application 19910409, which states that no development shall be carried out without permission from the Local Planning Authority.

As the above condition removes the applicant's right to carry out the said development under permitted development rights, the Lawful Development Certificate is **refused** and planning permission is required.

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;

Supplementary Information - Supporting Statement;
Block Plan as Existing (received on 15.06.23);
Floor Plans as Proposed (received on 15.06.23);
Elevations as Proposed (received on 31.05.23);
Site Plan as Proposed (received on 26.05.23);
Block Plan as Proposed (received on 26.05.23);
Drawing No. 1662.WD.04 - Elevations Front and Side as Existing;
Drawing No. 1662.WD.05 - Elevations Rear and Side as Existing; and
Drawing No. 1662.WD.01 - Floor Plans Block Plan as Existing with Site Location Plan.

Dated: 4 August 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.