

Application: 20211421

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

To: **Mr Peter Sparks
C/O Mrs Sonia Rajaratnam, Barron Edwards Ltd
47 The Terrace
Gravesend
Kent
DA12 2DL**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 18th November 2021 under the provisions of Section 192 of the above mentioned Act and has determined the use, operation or matter set out therein being

Proposed conversion of existing stable into annex incidental to the main dwelling

at **Thong Lodge
Thong Lane
Shorne
Gravesend
Kent
DA12 4AD**

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 development cannot be classed as incidental in the manner required by Schedule 2 Part 1 Class E (a) of the Town and Country Planning (General Permitted Development (England) Order 2015 for a purpose incidental to the enjoyment of the existing dwelling house, as the proposed plans show a likely self-contained bedsit. The Permitted Development Rights for Householders Technical Guidance (2019) states that under Class E a purpose incidental to a house would not cover normal residential uses, such as separate self-contained accommodation or the use of an outbuilding for primary living accommodation such as a bedroom, bathroom, or kitchen. On this basis, planning permission would be required and a lawful development certificate is refused.

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the developer provided the following information to the Local Planning Authority to assist in the consideration of this application;

Covering letter received 18 November 2021;
Application form received 18 November 2021;
Drawing no. 001 rev A (location/block plan) received 18 November 2021;
Drawing no. 002 rev A (existing plans) received 18 November 2021;

Dated: 12 January 2022

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.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.