



Application: 20231003

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

To: **Mr and Mrs M Cason
C/O Mrs Rachel Osborne, Graham Simpkin Planning Ltd
2 The Parade
Ash Road
Hartley
Longfield
Kent
DA3 8BG
United Kingdom**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 28th September 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 erection of two single storey rear extensions and an outbuilding.

at **Little Westwood
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 fails to comply with Class A.1 (i) and A.1 (j) (iii) under **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and the **LAWFUL DEVELOPMENT CERTIFICATE** is **REFUSED**.

- 2 It is considered the outbuilding is not incidental to the main dwellinghouse by virtue of the excessive footprint which would exceed the main dwelling footprint by approximately 52.53msq 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 27/09/2023;
Supplementary Information - Cover Letter - Received 28/09/2023
Supplementary Information - Supporting statement - Received 28/09/2023;
Drawing Number 1222.WD.02D (Ground Floor Plan - Proposed);
Drawing Number 1222.WD.07B (Block Plan - Proposed);
Drawing Number 1222.WD.10 (Outbuilding Elevations - Proposed);
Drawing Number 1222.WD.01 A (Floor Plans Block Plan and OS Plan - Existing);
Drawing Number 1222.WD.08 A (Floor Plan (Outbuilding) - Proposed); and
Drawing Number 1222.WD.09 A (Elevations - Proposed).

Dated: 21 November 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.