



Application: 20240723

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

To: **Mr Steven Atherton
C/O Mr Lance Davies
13 Worrin Road
Flitch Green
Little Dunmow
Essex
CM6 3FU**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 2nd September 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 demolition of existing outbuilding and erection of single storey outbuilding.

at **Sandiacre
Gravesend Road
Higham
Rochester
Kent
ME3 7DZ**

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 outbuilding may not be located within the curtilage of a dwellinghouse and by virtue of its size and use, it would not be for purposes incidental to the application property. As such, the proposed development would not meet the definition of development set out in Class E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and planning permission would be required.

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. SA-001 Site location plan;
Drawing no. SA 002 Rev. B Proposed layout and elevations;
Drawing no. SA 003 Existing block plan;
Drawing no. SA 004 Rev. A Proposed block plan; and
Drawing no. SA-005 Existing layout and elevations.

2 DEMOLITION WORK WOULD NEED PLANNING PERMISSION

The applicant is requested to note that the proposed demolition works (to form an access to the proposed outbuilding) would affect part of an existing building and as such, would require planning permission in their own right.

Dated: 24 October 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.