

Application: 20250052

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

To: **Mr and Mrs D. Gates
C/O Mr Steve Baker, Steve Baker Architect
78 Pound Road
East Peckham
Tonbridge
Kent
TN12 5BJ**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 24th January 2025 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 for the proposed demolition of the existing conservatory and erection of a single storey rear extension with 2 no. roof lanterns. Removal of the existing pitched roof and replacement with a new pitched roof. Installation of 2 no. external rooflight windows to the rear roof slope.

at **70 Old Road East
Gravesend
Kent
DA12 1PE**

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 A.1 (j) (iii), as the extension would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse. In addition, the proposal fails under A.1 (ja). The property has been previously extended, and under paragraph (ja), if the proposed extension is being joined to a previous enlargement, it will not be permitted development if the size of the total enlargement (being the proposed enlargement together with any previous enlargement) exceeds these limitations. The application would therefore fail under (ja) to accord with A.1 (f) (i) and (ii), as the depth and height of the total extension would exceed 4.00m. Furthermore, under (ja), the application would fail to accord with A.1 (j) (i) and (iii). Moreover, the proposed verandah would require planning permission as set out by the Government Technical Guidance. As such the proposal fails to accords with A.1 (k) (i) and B.1 (e).

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 - Covering Letter;
Supplementary Information - Site Photos - Existing;
Drawing No. 1001 - Block Plan - Existing;
Drawing No. 1101 - Block Plan - Proposed;
Drawing No. 1032 - East Elevation - Existing;
Drawing No. 1132 - East Elevation - Proposed;
Drawing No. 1011 - First Floor Plan - Existing;
Drawing No. 1111 - First Floor Plan - Proposed;
Drawing No. 1010 - Ground Floor Plan - Existing;
Drawing No. 1110 - Ground Floor Plan - Proposed;
Drawing No. 1012 - Loft Floor Plan - Existing;
Drawing No. 1112 - Loft Floor Plan - Proposed;
Drawing No. 1030 - North Elevation - Existing;
Drawing No. 1130 - North Elevation - Proposed;
Drawing No. 1013 - Roof Plan - Existing;
Drawing No. 1113 - Roof Plan - Proposed;
Drawing No. 1020 - Section A - A - Existing;
Drawing No. 1120 - Section A - A - Proposed;
Drawing No. 1000 - Site Location Plan;
Drawing No. 1031 - South Elevation - Existing;
Drawing No. 1131 - South Elevation - Proposed;
Drawing No. 1033 - West Elevation - Existing; and
Drawing No. 1133 - West Elevation - Proposed.

Dated: 5 March 2025

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.