



Application: 20211117

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

To: **Mr Bal Aujla
C/O Kingsley Hughes, Designscape Consultancy Limited
1A The Landway
Bearsted
Maidstone
Kent
ME14 4BD**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 13th September 2021 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 Lawful Development Certificate for proposed erection of a one bedroom annex to be used ancillary to main dwelling.

at **30C Old Road West
Gravesend
Kent
DA11 0LJ**

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 overall height of the proposed outbuilding would exceed 2.5 metres, and therefore the proposal does not fall within the limits of permitted development as set out in Article 3, Schedule 2, Part 1, Class E, paragraph (e) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal therefore requires planning permission.
- 2 The proposed development cannot be classed as ancillary in the manner required by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), for a purpose incidental to the enjoyment of the existing dwellinghouse as such, as the proposed plans show a fully self-contained residential annexe. Such a residential use would not be covered under a purpose incidental to a house. On this basis, planning permission would also be required.

INFORMATIVES:-

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For the avoidance of doubt, the decision to refuse this application was taken in relation to the following submitted documents and drawings:

Application form;
Cover letter dated 10 September 2021;
Site Location Plan;
Drawing no. 476/75 (Existing Block Plan);
Drawing no. 476/76 (Existing Site Layout Plan);
Drawing no. 476/100 Rev. A (Proposed Block Plan);
Drawing no. 476/101 Rev. A (Proposed Site Layout Plan);
Drawing no. 476/102 Rev. A (Proposed Plans and Elevations);
(All received 13 September 2021).

Dated: 20 October 2021

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.