



Application: 20240057

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

To: **Ms Marta Poczowska
C/O Mr J Rowland, DAC Architects
21 Stone Street
Gravesend
Kent
DA11 0NP**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 23rd January 2024 under the provisions of Section 192 of the above mentioned Act and has determined the use, operation or matter set out therein being:-

The proposed erection of a wall and gate

at **Home Acre
Melliker Lane
Meopham
Gravesend
Kent
DA13 0HY**

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. Whilst the proposed wall would be set back 2m and more from the highway and is therefore not considered adjacent to the highway, it would be 2.4m at its highest point and therefore does not meet the requirements of Article 3, Part 2, Class A, A.1 (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and as such planning permission is required.

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

Application form;
Drawing no. D-11 Rev. B - Site Location Plan, Block Plan, Wall & Gates Existing & Proposed;
Drawing no. D-12 Rev. B - New Wall & Gates Plan & Elevation; and
Planning Statement.

Dated: 18 March 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

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 2015 (as amended) 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.