



RECLPZ

**Application: 20220868**

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

To: **Mr Stuart Grist  
C/O Mr Tony Angeletta  
11 Joydens Wood Road  
Bexley  
Kent**

**REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT**

**GRAVESHAM BOROUGH COUNCIL** has considered your application dated 8th August 2022 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 a two storey rear extension.**

at **Tanners Grange  
Tanyard Hill  
Shorne  
Gravesend  
Kent  
DA12 3EN**

**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 proposal does not fall within the limits of permitted development as set out in Article 3, Schedule 2, Part 1, Class A and B, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal therefore requires planning permission.

**INFORMATIVES:-**

**1 DECISION PLANS**

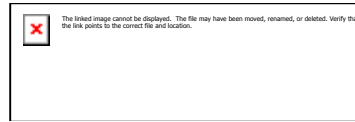
For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

- o Planning Application Form;
- o Planning Statement - Evidence;
- o Drawing No. SG/21 - Proposed Ground Floor Plan and Side West Elevation;
- o Drawing No. SG/22 - Proposed First Floor Plan Rear South and Side East Elevations;
- o Drawing No. SG/23 - Part Proposed Ground Floor Plan;
- o Drawing No. SG/24 - Part Proposed First Floor Plan;
- o Drawing No. SG/25 - Part Rear South Elevation;
- o Drawing No. SG/26 - Side East Elevation;

- o Drawing No. SG/27 - Side West Elevation;
- o Drawing No. SG/28 - Existing Ground Floor Plan and Side West Elevation;
- o Drawing No. SG/29 - Existing First Floor Plan Rear South and Side East Elevations;
- o Drawing No. SG/37 - Existing Rear South and Side East Elevations;
- o Drawing No. SG/38 - Site Location Plan;
- o Drawing No. SG/39 - Existing Block Plan; and
- o Drawing No. SG/40 - Proposed Block Plan.

Dated: 30 September 2022

Civic Centre  
Windmill Street  
Gravesend  
Kent  
DA12 1AU



### 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.

#### **APPEALS TO THE SECRETARY OF STATE**

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application\*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within

**12 weeks of the date of this notice.**

- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals must be made using a form which you can obtain from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN; telephone: 0303 444 5000; email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk) or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

#### **\*Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

#### **PURCHASE NOTICES**

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.