

Application: 20230925

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

To: **Mr S McGrew
C/O Mr Michael Course, Plan And Survey Ltd
25 Alton Close
Bexley
DA5 3QJ**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 13th September 2023 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 erection of 2 detached garden buildings in rear garden to match existing.

at **32 Cruden Road
Gravesend
Kent
DA12 4HD**

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 proposed development fails to comply with Schedule 2, Part 1, Class E of **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**. The outbuildings would be within 2.00m of the boundary of the curtilage of the dwellinghouse and the height of the outbuildings would exceed 2.50m, contrary to E.1 (e)(ii). In addition, the height of the eaves of the buildings would exceed 2.50m contrary to E.1 (f). Therefore, the **LAWFUL DEVELOPMENT CERTIFICATE** is **REFUSED**.

INFORMATIVES:-

1 DECISION PLANS

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

Application Form;
Site Location Plan (received on 05.09.23); and
Floor Plan, Section, Elevations and Block Plans - Existing and Proposed (received on 11.09.23).

Dated: 6 November 2023

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.