



**Application: 20240597**

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

To: **Charlotte Wellington**  
**C/O Mr Aron Ramadan, Jagma Property Services**  
**2 Newman Road**  
**Bromley**  
**BR1 1RJ**  
**United Kingdom**

**CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT**

**GRAVESHAM BOROUGH COUNCIL** hereby certify that on 4th July 2024 the use, operation or matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged red on the plan attached to this certificate, **WOULD HAVE BEEN LAWFUL** within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):-

The property known as 8 Dunkirk Close has been in residential use for more than four years and therefore falls within Use Class C3(a) of the Use Classes Order 1987 (as amended). The proposal to use Class C3(b) for occupation by up to 4 children and provision of 24hr care by up to 2 staff members present on site and working on a shift pattern, falls within Use Class C3(b) of the same Order and therefore does not amount to a Change of Use for which planning permission would be required. The Council is therefore satisfied that the proposal would be lawful by virtue of Section 192 (2) of the Town and Country Planning Act 1990 (as amended) and a Certificate of Proposed Lawful Development can be issued.

*First Schedule*

**Application for a Lawful Development Certificate in respect of use of existing house (C3a) for the provision of care to no more than 4 children and up to two carers living together as a single household (C3b).**

*Second Schedule*

**8 Dunkirk Close**  
**Gravesend**  
**Kent**  
**DA12 5ND**

**INFORMATIVES:-**

**1 DRAWINGS AND DOCUMENTS**

For the avoidance of doubt the developer provided the following information to the Local Planning Authority to assist in the consideration of this application;

Application Form  
24-008-01 Rev P2 - Existing and Proposed Floor Plans  
24-008-02 Rev P1 - Site Location and Block Plan  
Planning Statement

## 2 INTENSIFICATION OF USE

The applicant should note that should there be an intensification of use, i.e increased accommodation for children or increased traffic movement and visits by staff members, this could result in a material change of use for which planning consent would then be required.

## 3 STATEMENT OF POSITIVE AND PROACTIVE APPROACH TO DECISION-MAKING

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2023, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative way and, where appropriate, has worked pro-actively with the applicant to secure a development that is sustainable and that improves the economic, social and environmental conditions of the area, and that is in accordance with the Development Plan for the area.

Dated: 21 August 2024

Civic Centre  
Windmill Street  
Gravesend  
Kent  
DA12 1AU

*Shazad Ghani*  
MPhil, MA, BA (Hons)  
Head of Planning  
Planning Service

### **NOTES**

This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use, operation or matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful, on the specified date and, thus, was would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.

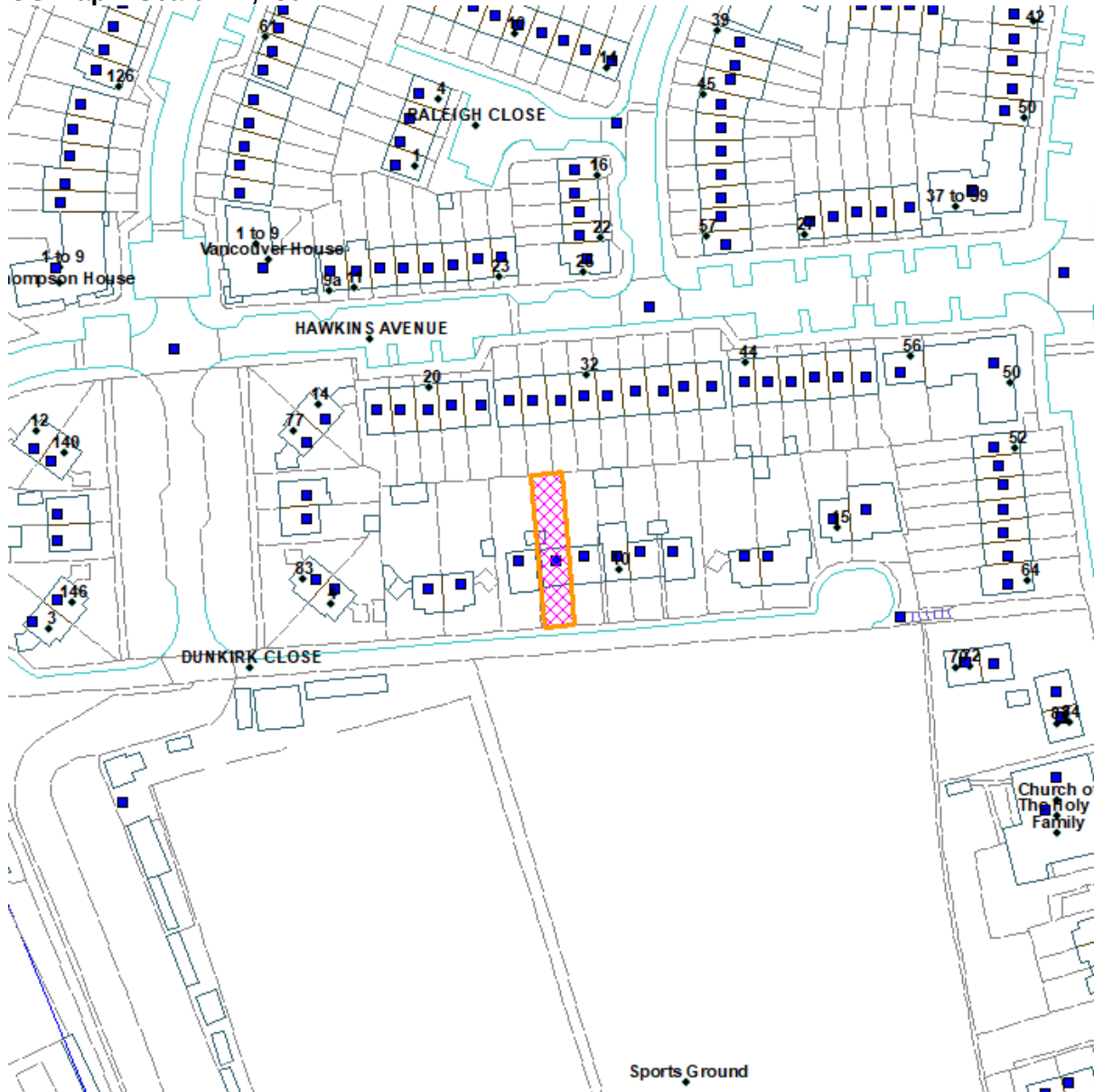
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

The effect of the certificate is also qualified by the proviso in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use, operation or matter is only conclusively presumed where there has been no material change, before the use is instituted or the operation begun, in any of the other matters relevant to determining such lawfulness.

# Gravesham Borough Council

|              |                                                  |
|--------------|--------------------------------------------------|
| Application  | 20240597                                         |
| Site Address | 8 Dunkirk Close<br>Gravesend<br>Kent<br>DA12 5ND |
| Date         | 21 August 2024                                   |
| PMSA Number  | 0100019166                                       |

OS Map – Scale 1:1,250



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