



planning.general@gravesham.gov.uk / 01474 33 73 91
 Civic Centre, Windmill Street, Gravesend DA12 1AU

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	
Suffix	
Property Name	Markland
Address Line 1	Whitepost Lane
Address Line 2	Culverstone
Address Line 3	Kent
Town/city	Gravesend
Postcode	DA13 0TZ

Description of site location must be completed if postcode is not known:

Easting (x)	Northing (y)
564065	162092

Description

Applicant Details

Name/Company

Title

mr

First name

Paul

Surname

Savastano

Company Name

Address

Address line 1

Markland Whitepost Lane

Address line 2

Culverstone

Address line 3

Town/City

Gravesend

County

Kent

Country

Postcode

DA13 0TZ

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☒ Yes
- ☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

garden outbuilding with gym and recreation

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☐ Yes
- ☒ No

Has the proposal been started?

- ☐ Yes
- ☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The site is a large house dwelling and garden split into 2 parts separated by trees

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

plans

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

As noted Gravesham are not helping us with confirming lawfulness but the criteria for lawful development is somewhat open to interpretation. Below is the checklist that Gravesham use I have noted an application at a local property (Application no: 20240011 Owlswood Cottage, Priestwood Road, Meopham, Gravesend, Kent, DA13 0DA) has obtained permission similar and backs on to a public road which may work in your favour.

E.1 Development is not permitted by Class E if – Y/N

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use); N
- (b) The total area of ground covered by building, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); N
- (c) Any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse; N
- (d) The building would have more than a single storey; N
- (e) The height of the building, enclosure or container would exceed –
- i 4 metres in the case of a building with a dual-pitched roof,
 - ii 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of dwellinghouse, or
 - iii 3 metres in any other case; N
- 4m
- (f) The height of the eaves of the building would exceed 2.5 metres; N
- 2.4m
- (g) The building, enclosure, pool or container would be situated within the curtilage of a listed building; N
- (h) It would include the construction or provision of a verandah, balcony or raised platform; N
- (i) It relates to a dwelling or a microwave antenna; or N
- (j) The capacity of the container would exceed 3,500 litres N
- (k) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) N

E.2 In the case of any land within the curtilage of a dwellinghouse which is within –

- a. An area of outstanding natural beauty;

Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres. N/A

E.3 In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse. N/A

On this basis I think the proposal complies

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☐ The agent
☒ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Joe Marshall

Date

25/07/2024

