



PECLPZ

Application: 20220769

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

To: **Mr And Mrs King
C/O Mr Steve Clarke, Graham Simpkin Planning Ltd
2 The Parade
Ash Road
Hartley
Kent
DA3 8BG**

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 15th July 2022 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 proposed development complies with **Schedule 2, Part 1, Class E of THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and the **LAWFUL DEVELOPMENT CERTIFICATE** is **GRANTED**.

First Schedule

Application for a Lawful Development Certificate in respect of the proposed erection of a detached outbuilding over the existing swimming pool in the rear garden, this will include a gym, changing room and plant room.

Second Schedule

**Long Acre
Pear Tree Lane
Shorne
Gravesend
Kent
DA12 3JT**

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. 01 - Site Location Plan;
Drawing No.18 REV A - Block Plan - Existing;
Drawing No. 02 REV A - Block Plan - Proposed;
Drawing No.19 - Ground Floor Plan - Proposed;
Drawing No. 20 - Elevations - Proposed;
Supplementary Information - Email from agent regarding the red line boundary; and

2 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

3 CURTILAGE OF THE DWELLING

The issue of 'curtilage' has been tested in a number of court cases which have established the basic premise is that curtilage definition is essentially a matter of fact and degree. For the avoidance of doubt the submitted plans for this lawful development certificate do not define the curtilage

Dated: 5 September 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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	20220769
Site Address	Long Acre Pear Tree Lane Shorne Gravesend Kent DA12 3JT
Date	5 September 2022
PMSA Number	0100019166

OS Map – Scale 1:1,250



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