



Application: 20240850

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

To: **Mrs Caroline Melia
29 Clarence Place
Gravesend
Kent
DA12 1LD**

REFUSAL OF CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL has considered your application dated 4th October 2024 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 conversion to a 6-Bed Children's Home with additional Semi-Independent Living.

at **Ashley Down Nursing Home
29 Clarence Place
Gravesend
Kent
DA12 1LD**

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 Local Planning Authority considers the permitted development rights for changes in the Use Classes Order were removed under application 19960646 which restricts the use of the site as a nursing home and for no other purpose. Therefore a grant of planning permission is required from the Local Planning Authority for the Change of Use of the property subject to this application.

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;

Planning Application Form;
Planning Statement;
Site Location Plan;
Drawing No. BC01 - Topographical Survey Ground Floor Plan; and
Drawing No. BC02 - First Floor Plan.

2 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.

In this instance, it has been determined that planning permission is required.

3 ANY OTHER WORKS

The applicant is advised that 29 Clarence Place is a Grade II Listed Building and any internal or external works to the building will maybe subject to listed building consent and planning permission and should seek advice prior to undertaken any works to 29 Clarence Place.

Dated: 29 November 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

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

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.