



**Application: 20250736**

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

To: **Z&I HOLDINGS LTD**  
**C/O Mr Syed Ishtiaq, Icon Design Studio Ltd**  
**187 Marlborough Road**  
**Gillingham**  
**Kent**  
**ME7 5HR**

**CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT**

**GRAVESHAM BOROUGH COUNCIL** hereby certify that on 30th July 2025 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):-

1. The proposed development complies with Schedule 2, Part 2, Class B and Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended and the Lawful Development Certificate is Granted.

*First Schedule*

**Widening of the existing dropped kerb.**

*Second Schedule*

**51 Nickleby Road**  
**Gravesend**  
**Kent**  
**DA12 4UQ**

**INFORMATIVES:-**

**1 KENT COUNTY COUNCIL HIGHWAYS AND TRANSPORTATION**

It is important to note that the granting of this Lawful Development Certificate by the Local Planning Authority (LPA) does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because of LPA approval.

For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture or landscape assets such as grass, shrubs and trees, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens and near the highway that do not look like roads or pavements but are actually part of the public highway.

Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have 'highway rights' over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

It is the responsibility of the applicant to ensure that before development commences, all necessary highway approvals and consents have been obtained, and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority.

The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Further guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance>

Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181.

## **2 LAND LEVEL CHANGES**

The applicant should note that any land level changes that would constitute an engineering operation would not be permitted development and would require Planning Permission to be obtained.

## **3 DECISION PLANS**

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

Application Form;  
Supplementary Information - Cover Statement;  
Site Location Plan;  
Block Plan; and  
Drawing No. ICON-185-C1 - Front Layout Plan.

## **4 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.

## 5 BUILDING REGULATIONS AND PARTY WALL ACT

This decision DOES NOT imply any consent which may be required under the Building Regulations or under any other enactment or provision. Nor does it override any private rights which any person may have relating to the land affected by this decision, including the provisions of the Party Wall etc. Act 1996.

Dated: 17 September 2025

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.

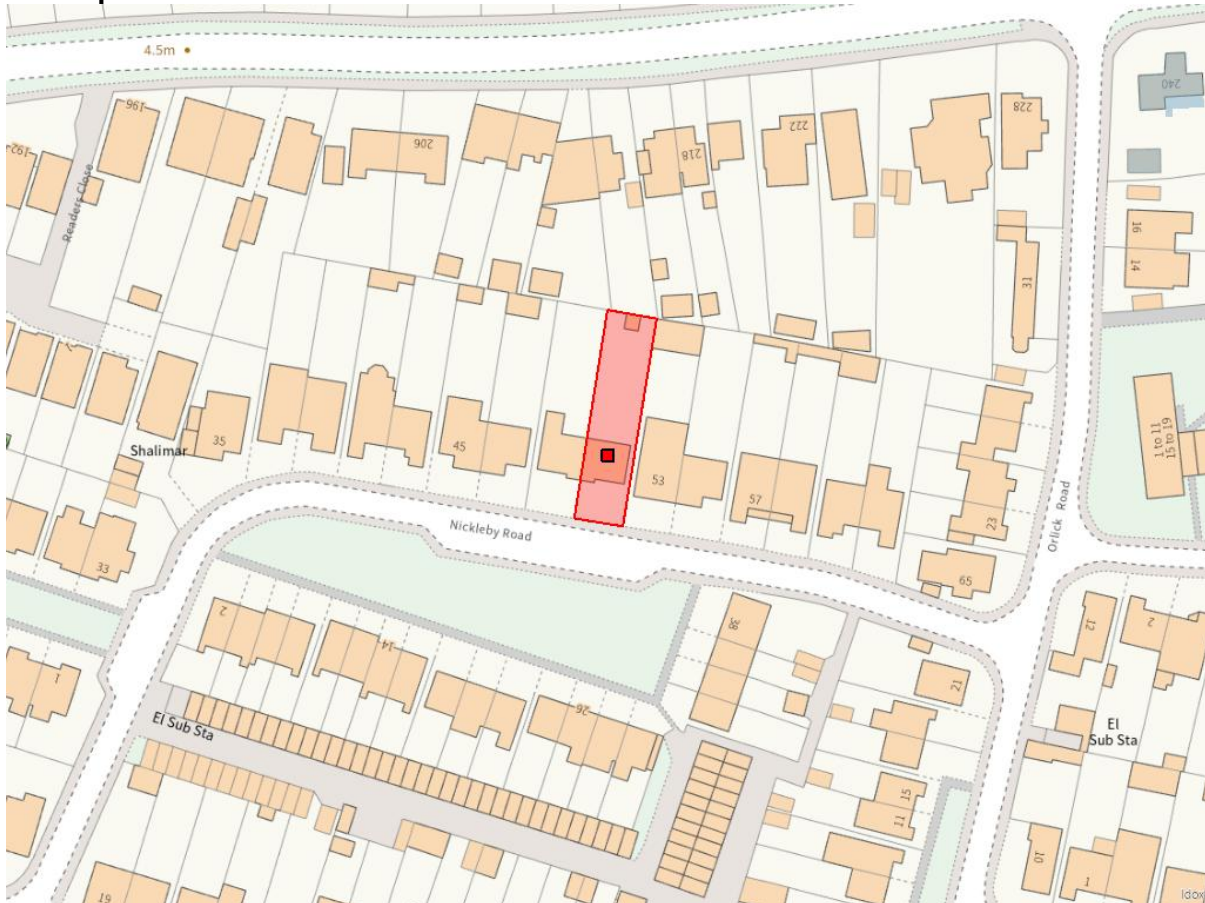
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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  | 20250736                                          |
| Site Address | 51 Nickleby Road<br>Gravesend<br>Kent<br>DA12 4UQ |
| Date         | 17 September 2025                                 |
| PMSA Number  | 0100019166                                        |

## OS Map



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