



Application: 20240698

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

To: **Mrs K Borley, C/o Master Smith
C/O Mr Philip Entwistle, Town & Country Housing
The Fitted Rigging House
Anchor Wharf
The Historic Dockyard
Chatham
Kent
ME4 4TZ**

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 16th August 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):-

There are no conditions or removal of permitted development rights that would restrict the conversion of the garage to form a bedroom and shower room. As such, the proposed development complies with Schedule 2, Part 1, Class A 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 conversion of the existing garage space into a bedroom and accessible shower room.

Second Schedule

**12 Lapis Close
Gravesend
Kent
DA12 4UF**

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. (02) 001 - Elevations Front and Side and Floor Plan as Existing;
Drawing No. (02) 002 - Block Plan and Site Location Plan as Existing;
Drawing No. (07) 001 - Elevations Front and Side and Floor Plan as Proposed;
Drawing No. (07) 002 - Bedroom as Proposed;
Drawing No. (07) 003 - Shower Room as Proposed;
Drawing No. (07) 004 - 02 Cylinder Store as Proposed; 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 FOR THE AVOIDANCE OF DOUBT

A cylinder storage area has been included on the proposed plans. For the avoidance of doubt, this has not formed part of the description and does not form part of the granted lawful development certificate. It should be noted that this would be situated forward of the principal elevation and would therefore likely require planning permission.

In addition, there appears to be some steps formed to facilitate the side access door to the bedroom. This is not a consideration of this proposal, however, it should be noted that Section 55 of the Town and Country Planning Act (1990) defines development as carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. The steps are not shown on the front elevation and therefore cannot be accurately measured. The applicant should note that a change in land levels particularly when it would be at 0.3m or greater, would likely be considered an engineering operation requiring planning consent.

Dated: 3 October 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

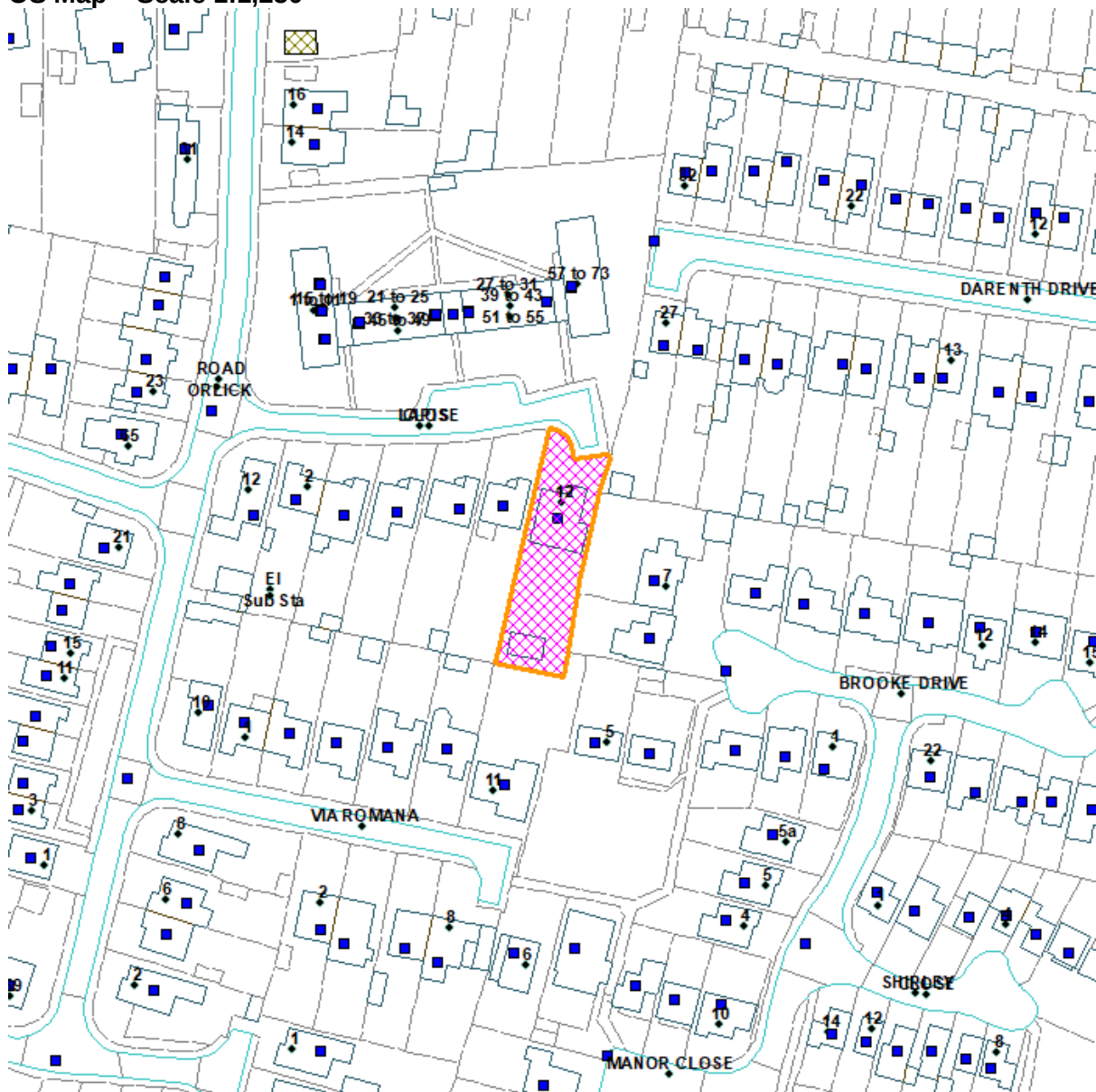
described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20240698
Site Address	12 Lapis Close Gravesend Kent DA12 4UF
Date	3 October 2024
PMSA Number	0100019166

OS Map – Scale 1:1,250



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