



Application: 20240955

**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 TOWN AND COUNTRY
PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

To: **Mr John Mason
16 William Street
Gravesend
Kent
DA12 1HD
United Kingdom**

CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 22nd October 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, **WAS LAWFUL** within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):-

1. The Borough Council is satisfied that the applicant has provided and shown sufficient evidence that, on the balance of probability, the windows in the front elevation were installed in excess of four years prior to the application.

The Borough Council is therefore satisfied that the windows are exempt from enforcement action by reason of section 171B (1) of the Town and Country Planning Act 1990, as amended.

The development is therefore lawful by reason of section 191 (2) (a) of the Act and a Certificate of Existing Lawful Use is duly issued.

For the avoidance of doubt the application site the subject of this certificate is shown edged in red on the attached plan.

First Schedule

Application for an Existing Lawful Development Certificate for replacement of wooden sash windows with UPVC sash windows at the front of the property.

Second Schedule

**16 William Street
Gravesend
Kent
DA12 1HD**

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the decision to refuse this application was taken in relation to the following plans and documents:

- o Application form;
- o Location Plan;

- o Drawing no. 20/1024/01 - Proposed Replacement Windows;
- o Drawing no. 24/1024/02 - Replacement Windows;
- o Picture; and
- o Text exchange with window company (non-public).

Dated: 23 December 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

This certificate is issued solely for the purpose of Section 191 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 was 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	20240955
Site Address	16 William Street Gravesend Kent DA12 1HD
Date	23 December 2024
PMSA Number	0100019166

OS Map



Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.