

Application: 20250401

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

To: **Mr Tobi Ololade**
C/O AA Drafting Solutions
3-7 Sunnyhill Road
London
SW16 2UG

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT
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GRAVESHAM BOROUGH COUNCIL hereby certify that on 9th May 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):-

The proposed small House of Multiple Occupation (HMO) would comply with the limits set out in **Schedule 2, Part 3, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)**. Therefore, planning permission is **not required**.

The proposed dormer windows would comply with the limits set out in **Schedule 2, Part 3, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)**. Therefore, planning permission is **not required**.

First Schedule

Application for a Proposed Lawful Development Certificate; Change of Use from C3 dwelling house to C4 HMO with dormer loft conversion.

Second Schedule

4 Russell Road
Gravesend
Kent
DA12 2RT

INFORMATIVES:-

1 CONDITIONS

The applicant is reminded that condition B.2 of Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended applies and therefore the following conditions apply:

- (a) The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) The enlargement must be constructed so that -
 - (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side - extension

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwelling house; and

(c) Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be -

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

2 APPROVED PLANS AND DOCUMENTS

For the avoidance of doubt the approved drawings/documents are:

Application form

Site location plan

Drawing no. A3/03 rev C (proposed plans)

Drawing no. A3/A4 rev A (proposed elevations)

Drawing no. A3/05 rev A (existing and proposed block plan)

Drawing no. A3/02 rev A (existing elevations)

Drawing no. A3/01 rev A (existing plans)

Drawing no. A3/06 rev A (existing and proposed side elevations)

3 HOUSES IN MULTIPLE OCCUPATION LICENCE

Buildings, houses and flats which have been converted into HMOs are regulated by local authorities to ensure they are properly constructed, managed and maintained. All HMOs must comply with the local authority's adopted standards for HMOs and other HMO related regulations. HMOs occupied by five or more persons will require a licence from the local authority. Please contact Gravesham Borough Council's HMO Team for further details or through the following link: <https://www.gravesham.gov.uk/licensing/houses-multiple-occupation-1/2>.

4 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.

5 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 39 of the National Planning Policy Framework (NPPF) 2024, 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.

6 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.

Dated: 3 July 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	20250401
Site Address	4 Russell Road Gravesend Kent DA12 2RT
Date	3 July 2025
PMSA Number	0100019166

OS Map



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