



Application: 20240413

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

To: **Bright Omohegbe
C/O Mr Frazer Day
55 South Hill Road
Gravesend
Kent
DA12 1JZ**

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

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

1. 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

Demolition of both conservatory and storage area; erection of a single storey rear extension.

Second Schedule

**1 Struttons Avenue
Northfleet
Gravesend
Kent
DA11 7EJ**

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.24-0442- Rev 02 Pg.D08 - Section A-A;

Drawing No.24-0442- Rev 02 Pg.D07 - Elevations - Proposed;

Drawing No.24-0442- Rev 02 Pg.D06 - Elevations - Existing;

Drawing No.24-0442- Rev 01 Pg.D02 - Floor Plans - Existing;

Drawing No.24-0442- Rev 01 Pg.D04 - Loft Plan and Roof Plan - Existing;

Drawing No.24-0442- Rev 01 Pg.D05 - Loft Plan and Roof Plan - Proposed;

Drawing No.24-0442- Rev 01 Pg.D03 - Floor Plans - 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

It should be noted that in order to be lawful, and to comply with Class A.3(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the windows must also be of a similar appearance to those of the existing dwellinghouse.

Furthermore, 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. There appears to be some excavation proposed in order to facilitate the proposed extension. The developer should note any change in land levels particularly when it would be at 0.3m or greater, would be considered an engineering operation requiring planning consent.

Dated: 11 July 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.

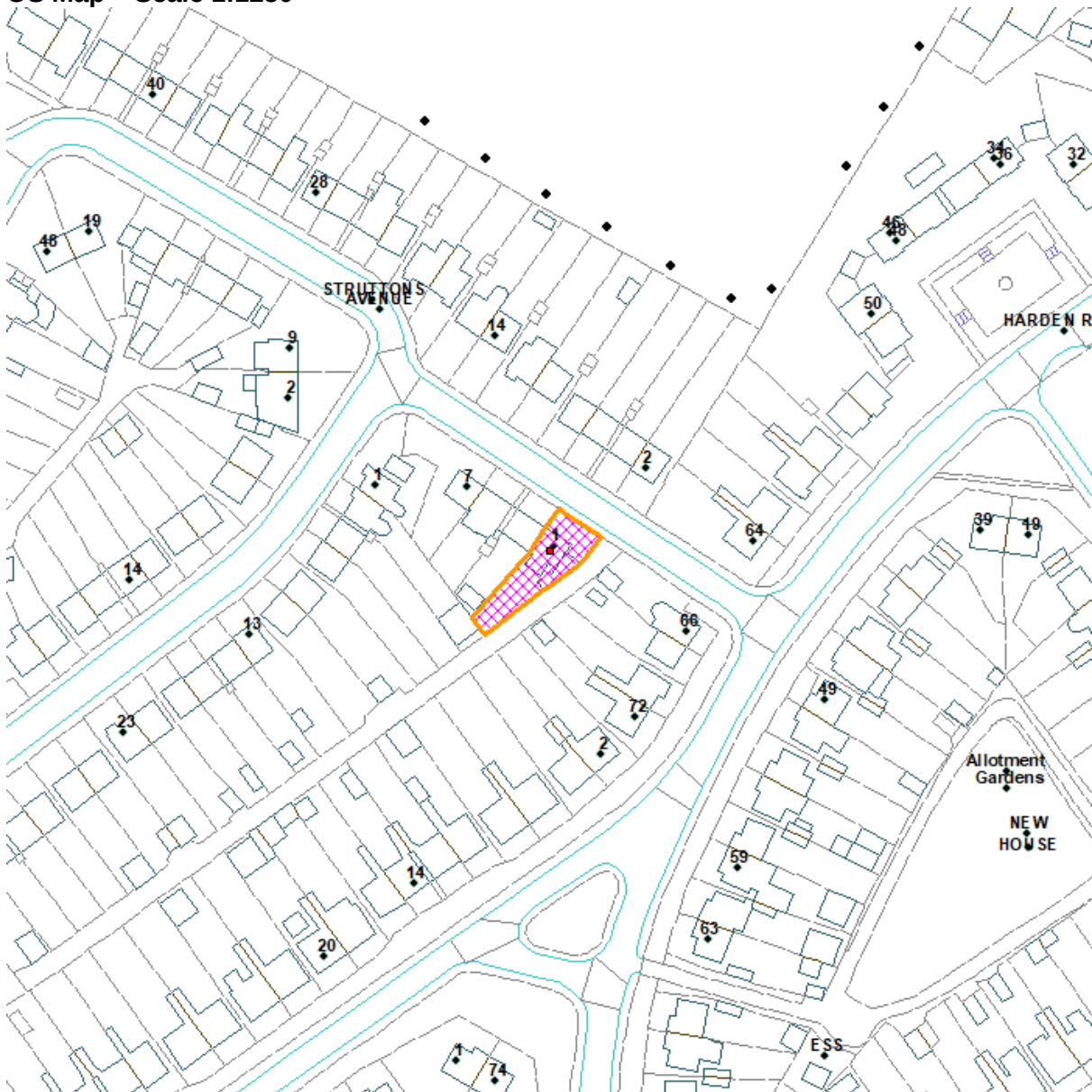
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20240413
Site Address	1 Struttons Avenue Northfleet Gravesend Kent DA11 7EJ
Date	11 July 2024
PMSA Number	0100019166

OS Map – Scale 1:1250



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