



Application: 20220766

**TOWN AND COUNTRY PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT
1990, SECTION 26H**

To: **Mr Luke Bonwick, Kent County Council**
1st Floor
Invicta House
Maidstone
Kent
ME14 1XX

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 26th September 2022 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 26H of the Town and Country Planning Act 1990, for the following reason(s):-

- 1 The proposed repair works would not affect the character of the listed building as a building of special architectural or historic interest and would therefore constitute lawful development in accordance with Section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990.

First Schedule

Application for a Lawful Development Certificate in respect of the proposed conservation and repair of a Grade II* Listed Windmill on a like for like basis.

Second Schedule

The Windmill
Wrotham Road
Meopham
Gravesend
Kent
DA13 0QA

INFORMATIVES:-

1 **DECISION PLANS**

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

- o Application form;
- o Block Plan;
- o Location Plan;
- o Section through building - as existing (Sweeps and machinery omitted);
- o Section as proposed (Sweeps and machinery omitted);
- o Cap roof - elevations as existing;
- o Cap roof - elevations as proposed;
- o Sweeps - as existing;
- o Sweeps - as proposed;
- o Heritage Statement;
- o Perspective views of cap, fan stage and fantail;
- o Visual of the completed mill as proposed;

- o 3D Perspective view of structure (Sweeps and internal machinery omitted);
- o Evidence to verify the application for a Lawful Development Certificate; and
- o List of proposed repairs.

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.

Dated: 29 September 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



NOTES

1. This certificate is issued solely for the purpose of Section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. It certifies that the use/development specified in the First Schedule taking place to the listed building/s in the Second Schedule are lawful, and, therefore not liable to enforcement action under Section 38 of the Act.
3. This certificate applies only to the extent of the works described in the First Schedule and to the listed building/s specified in the Second Schedule and identified on the attached plan. Any works which are materially different from that described or which related to other listed buildings may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 26H(5)(a) of the Act, which states that the lawfulness of the works for which a certificate is issued are to conclusively presumed to be lawful provided that they are carried out within 10 years beginning with the date of the issue of the certificate.

APPEALS

An applicant who desires to appeal against a decision of the local planning authority to refuse (in whole or in part) an application for a certificate under section 26H; or the failure of a local planning authority to give notice of their decision on the application, must give notice of appeal to the Secretary of State within six months of the date of the notice of the decision or of the expiry of the appropriate period allowed under regulation 2(5), as the case may be, or such longer period as the Secretary of State may at any time allow.

Gravesham Borough Council

Application	20220766
Site Address	The Windmill Wrotham Road Meopham Gravesend Kent DA13 0QA
Date	28 September 2022
PMSA Number	0100019166

OS Map – Scale 1:1,250



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