



Application: 20211433

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

To: **Mr Adrian Porter
C/O Mr James Barron, Barron Edwards
Whitehall Place
47 The Terrace
Gravesend
DA12 2DL**

CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 23rd November 2021 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 Due to the existence of the dropped kerb and fenced off area for more than 10 years, the balance of probability falls in favour of the likelihood that this area has been used for parking and therefore a lawful development certificate can be granted.
- 2 The Council is therefore satisfied that the proposal would be lawful by virtue of Section 192 (2) (a) of the Town and Country Planning Act 1990 (as amended) and a Certificate of Proposed Lawful Development can be issued.

First Schedule

Application for Lawful Development Certificate in respect of the existing parking bay.

Second Schedule

**36 Burnaby Road
Northfleet
Gravesend
Kent
DA11 9JT**

INFORMATIVES:-

- 1 This decision relates to the following documents/plans:

Application form received 23 November 2021.
Planning Statement received 23 November 2021.
Drawing no. 001 rev A (site layout) received 23 November 2021.

- 2 The applicant is advised that this certificate relates to the piece of land to the south of the dwelling only as shown on the submitted site plan.

- 3 The applicant is advised that the reference made to B8 storage in the conclusion section of the submitted planning statement has been made in error as confirmed by email from the applicant's agent on 11 January 2022.

Dated: 17 January 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.

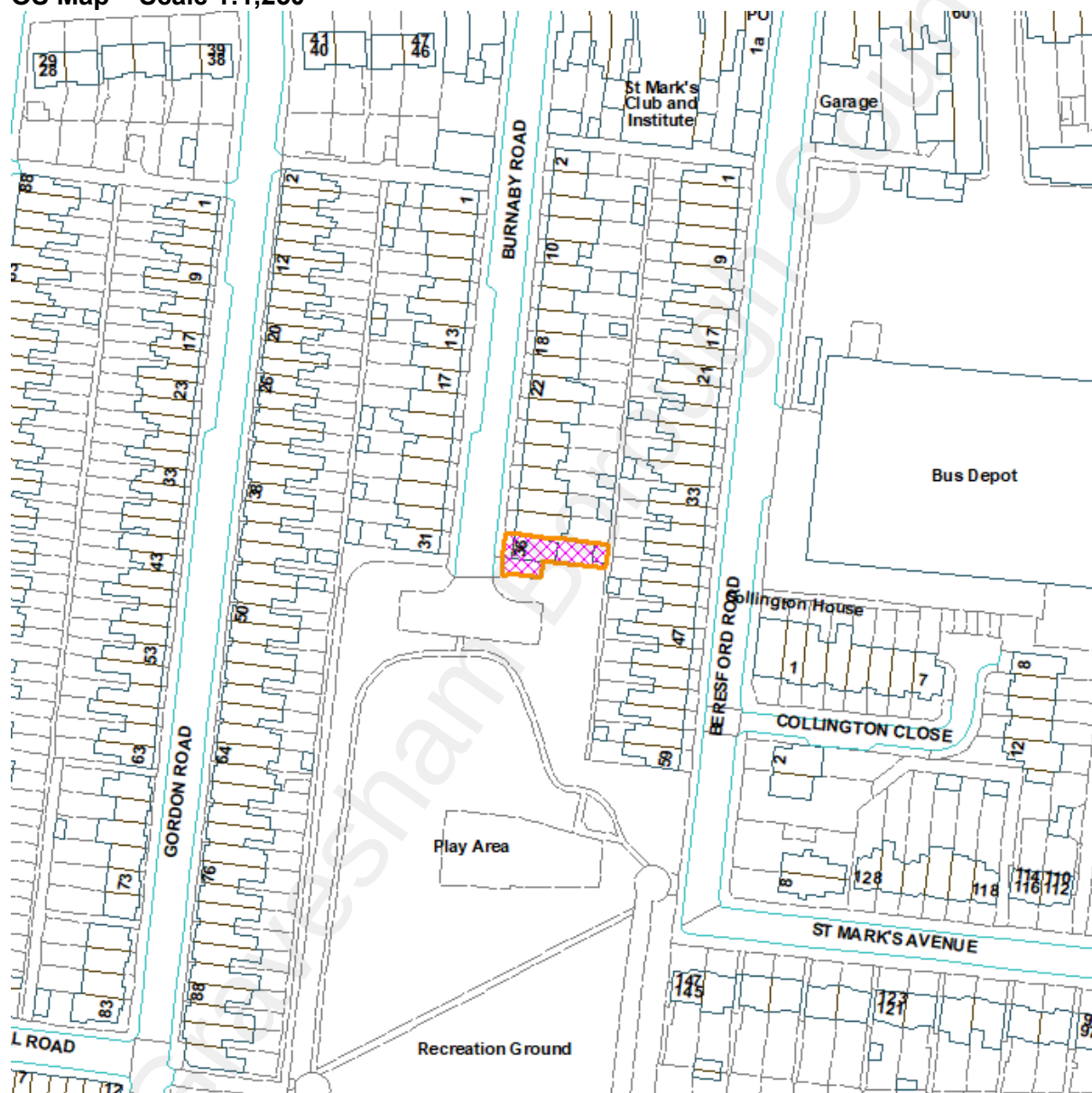
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20211433
Site Address	36 Burnaby Road Northfleet Gravesend Kent DA11 9JT
Date	17 January 2022
PMSA Number	0100019166

OS Map – Scale 1:1,250



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