



Application: 20230069

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

To: **Christopher South**
C/O Mr Roy Speer, Speer Dade Planning Consultants
29 Kings Drive
Hassocks
BN6 8DX
United Kingdom

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 27th January 2023 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:-

1. The proposed development would be a caravan that would be located within the curtilage of the dwellinghouse known as Lark Rise and be used for purposes incidental to the enjoyment of that existing dwellinghouse. As such the proposed development would not meet the definition of development as set out in Section 55(2)(d) of the Town and Country Planning Act 1990 (as amended) and planning permission would not be required.

First Schedule

The proposed stationing a 19.0m x 6.7m caravan, to be used for residential purposes as ancillary accommodation to the existing dwellinghouse. Laying a hard surface 21.0m x 8.7m

Second Schedule

Lark Rise
Pondfield Lane
Shorne
Gravesend
Kent
DA12 3LD

INFORMATIVES:-

1 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 38 of the National Planning Policy Framework (NPPF) 2021, 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.

2 DECISION PLANS

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

Planning Application Form;
Covering Letter;
Site Location Plan;
Drawing No. SD/1 - Block Plan;
Setting out plan, Section and Elevations - Rev F;
Setting Out Plan - Finished Dimensions - Rev F;
Foundation and Drainage - Rev F;
Grounds for Lawful Development Certificate;
Appendix A - Appeal Decision - APP/T3725/X/21/3266375;
Appendix B - Appeal Decision - APP/V1260/X/21/3269291;
Appendix C - Appeal Decision - APP/C1570/X/21/3269440; and
Mobile Home Compliance Report 2023 - Conforming to the Caravans Acts (summary).

3 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.

Dated: 24 March 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (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.

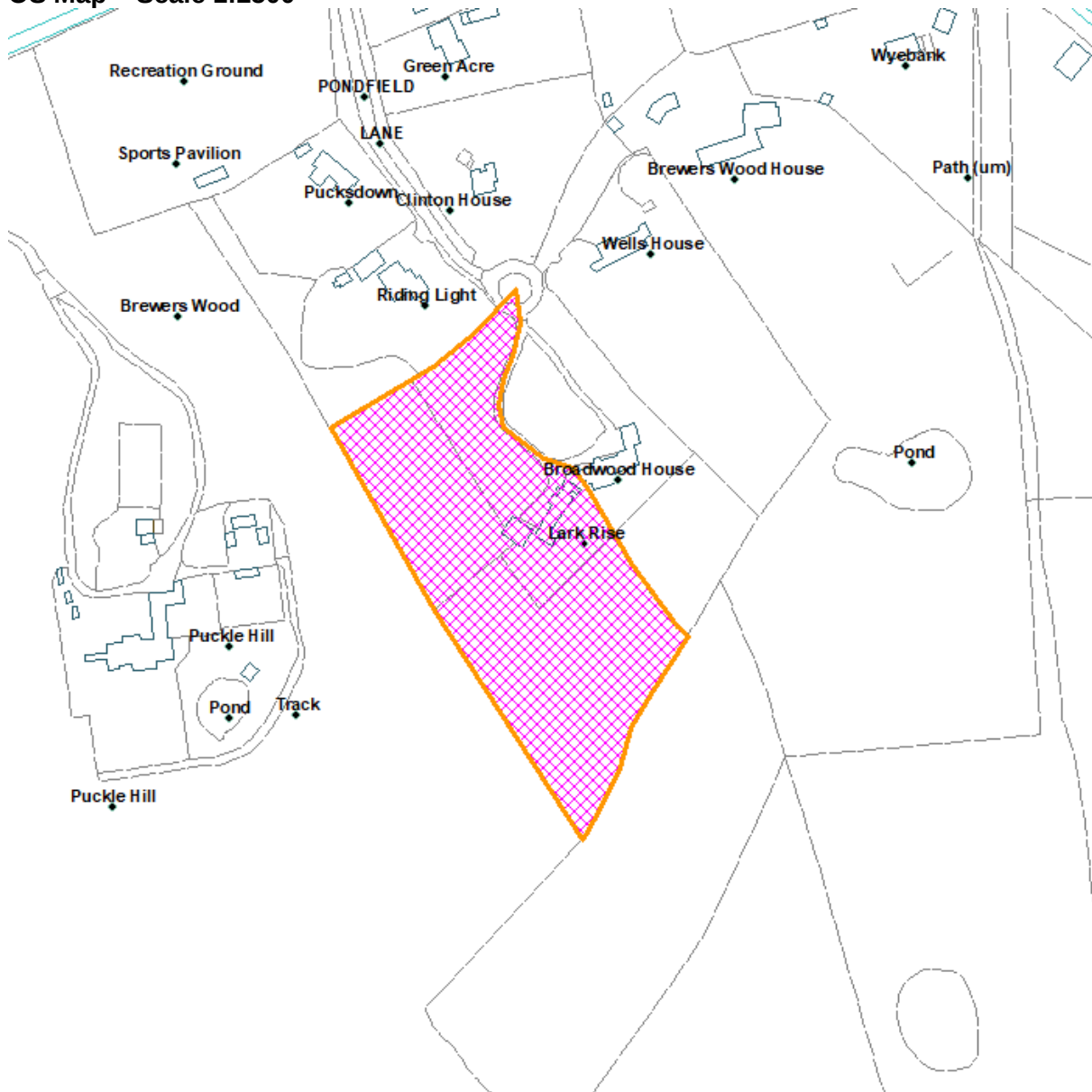
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20230069
Site Address	Lark Rise Pondfield Lane Shorne Gravesend Kent DA12 3LD
Date	24 March 2023
PMSA Number	0100019166

OS Map – Scale 1:2500



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