

Application: 20231314

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

To: **Mr Gurjeet Singh**
C/O Mr Kaleem Janjua, M C S Design Architectural Services
Rivendell
8A Priory Lane
Warfield
Bracknell
RG42 2JU

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT
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GRAVESHAM BOROUGH COUNCIL hereby certify that on 19th December 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(s):-

1. The proposed loft conversion with rear dormers falls within the limits set out in Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore, planning permission is not required.

First Schedule

Proposed loft conversion with rear dormers.

Second Schedule

51 St Marks Avenue
Northfleet
Gravesend
Kent
DA11 9LN

INFORMATIVES:-

1 CLASS B CONDITIONS

The applicant should be aware that the development is permitted by Class B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), subject to the following conditions:

- (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.

If these conditions are not met, the development would not be permitted by Class B.

2 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the decision to grant this application was taken in relation to the following plans and documents:

Application form

Site Location Plan

Drawing no. SINGH/PLAN/001 (Existing and proposed elevations)

Drawing no. SINGH/PLAN/002 (Existing and proposed floor plans)

Drawing no. SINGH/PLAN/003 (Block Plan)

Drawing no. SINGH/PLAN/003 (Existing and proposed roof plans)

Drawing no. SINGH/PLAN/004 (Existing and proposed sectional view)

3 USE CLASS C4 HOUSES IN MULTIPLE OCCUPATION

The proposed plans for the development show 7 bedrooms. The applicant should be aware that if the property is used by more than six residents not living together as a single household planning permission would be required for a change of use to a house in multiple occupation (Use Class C4). Please see the following link for further details: <https://www.gravesham.gov.uk/planning/apply-planning-permission>

4 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>

5 DEVIATION FROM APPROVED PLANS

It is possible that any proposed deviation from the approved plans could be classed as a 'material' change requiring a further application/permission. In the event that any change is proposed, applicants are advised to seek advice from the Local Planning Authority [as proceeding without the necessary permissions could nullify this permission].

6 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.

7 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: 6 February 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Ms Tava Walton
AD Planning

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.

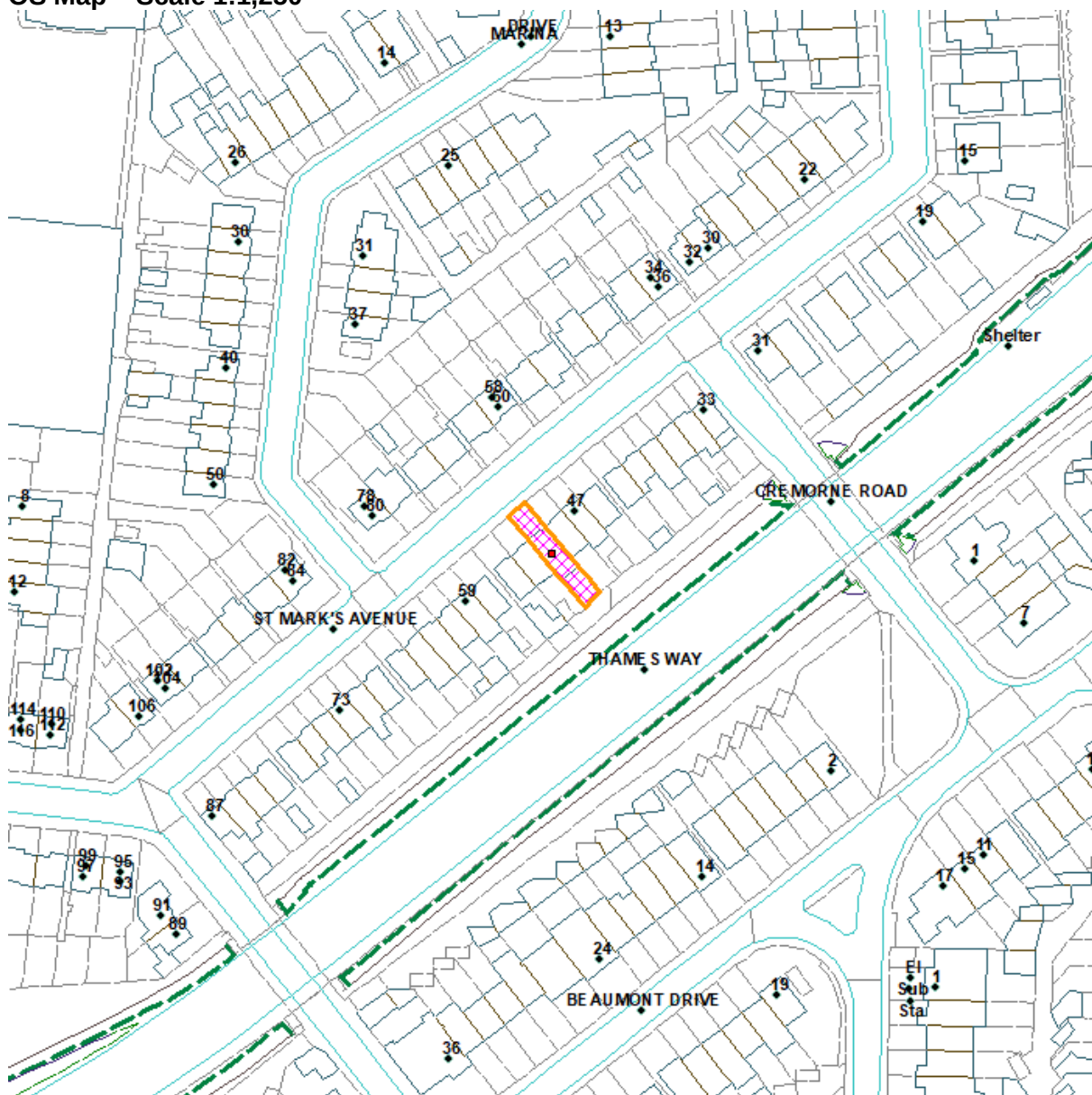
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20231314
Site Address	51 St Marks Avenue Northfleet Gravesend Kent DA11 9LN
Date	6 February 2024
PMSA Number	0100019166

OS Map – Scale 1:1,250



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