



Application: 20241130

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

To: **Mr Steven Atherton
C/O Mr Lance Davies
13 Worrin Road
Flitch Green
Select County
CM6 3FU**

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 11th December 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):-

The proposed development would meet the definition of development set out in Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and as such, planning permission would not be required and the lawful development certificate can be **granted**.

First Schedule

Application for a Proposed Lawful Development Certificate in respect of demolition of existing outbuilding and erection of a single storey outbuilding.

Second Schedule

**Sandiacre
Gravesend Road
Higham
Rochester
Kent
ME3 7DZ**

INFORMATIVES:-

1 DECISION PLANS

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

Application form for a Lawful Development Certificate for a Proposed Use or Development;
Drawing no. SA-001 Site location plan;
Drawing no. SA-002 Proposed layout, elevations and roof plan;
Drawing no. SA-003 Existing block plan;
Drawing no. SA-004 Proposed block plan;
Drawing no. SA-005 Existing outbuilding layout and elevations;
Vehicle and Motorcycle Inventory; and
Email from the agent received 15 January 2025.

2 DEMOLITION WORK WOULD NEED PLANNING PERMISSION

The applicant is requested to note that the proposed demolition works (to form an access to the proposed outbuilding) would affect part of an existing building and as such, would require planning permission in their own right.

3 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: 23 May 2025

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.

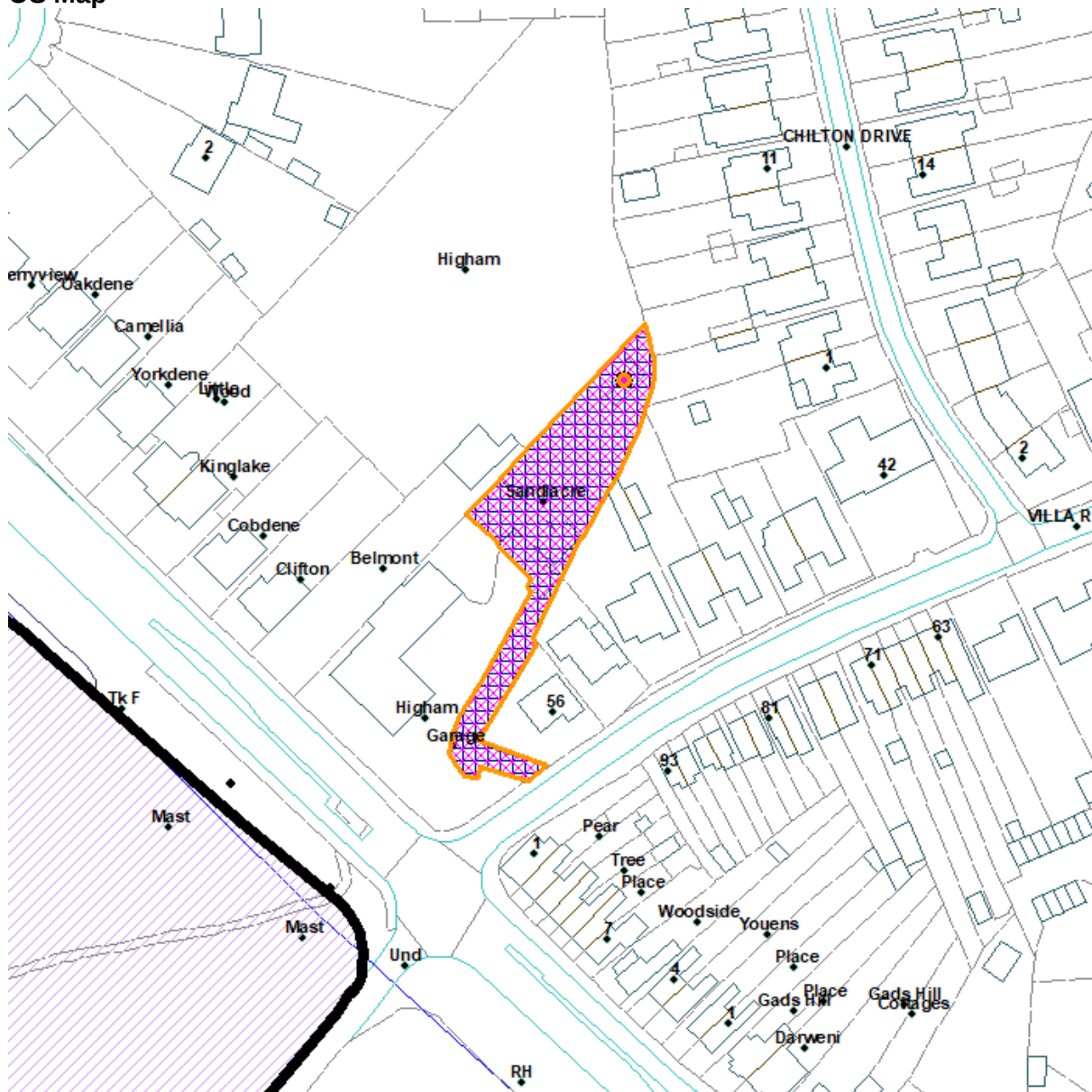
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20241130
Site Address	Sandiacre Gravesend Road Higham Rochester Kent ME3 7DZ
Date	23 May 2025
PMSA Number	0100019166

OS Map



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