



Application: 20230262

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

To: **Mr C Martin**
C/O Mr P Nicholls, Graham Simpkin Planning Ltd
2 The Parade
Ash Road
Hartley
Longfield
Kent
DA3 8BG

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT
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GRAVESHAM BOROUGH COUNCIL hereby certify that on 20th March 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 outbuilding complies with the parameters set out in Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Therefore planning permission is not required and a lawful development certificate can be granted.

First Schedule

The proposed erection of a detached outbuilding.

Second Schedule

Distarti
Rhododendron Avenue
Meopham
Gravesend
Kent
DA13 0TT

INFORMATIVES:-

1 APPROVED PLANS AND DOCUMENTS

For the avoidance of doubt the approved drawings/documents are:

Application Form - dated 17/03/2023;
Planning Statement (3704.PN) - dated 03/2023;
Drawing no. BDS-RA-P01 - Existing Plans, Elevations and Block Plan;
Drawing no. BDS-RA-P03 - Site Location Plan (scale 1:1250);
Drawing no. BDS-RA-P100 - Rev. A - Existing and Proposed Block Plans, with Outbuilding Plans and Elevations.

2 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.

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: 12 May 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.

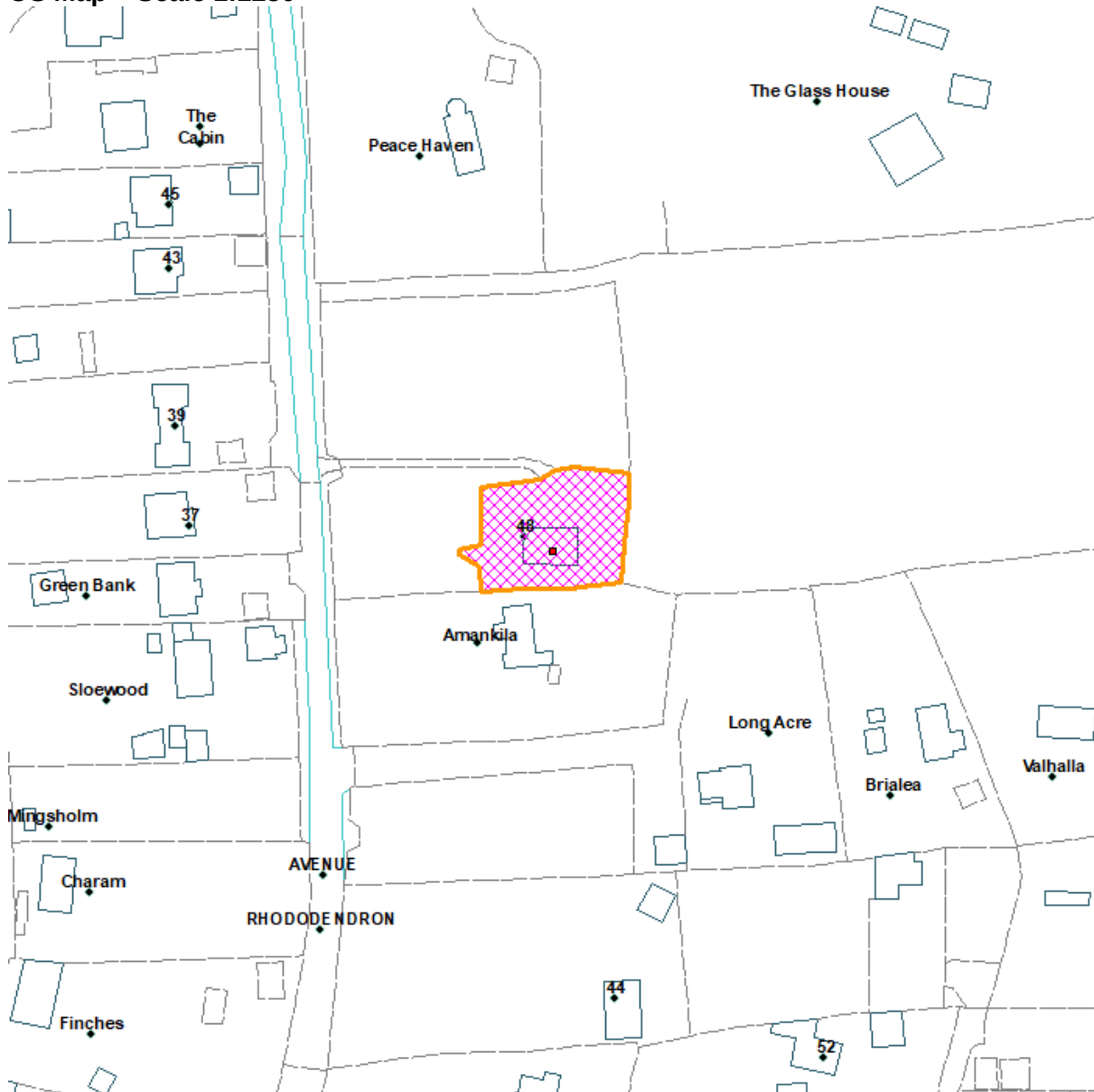
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20230262
Site Address	Distarti Rhododendron Avenue Meopham Gravesend Kent DA13 0TT
Date	12 May 2023
PMSA Number	0100019166

OS Map – Scale 1:1250



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