

Application: 20250839

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

To: **Mr Steve Chappell, Vineyard Farms Ltd
C/O Mr Tim Spicer
DHA Planning Ltd
Eclipse House
Sittingbourne Road
MAIDSTONE
Kent
ME14 3EN
United Kingdom**

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT
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GRAVESHAM BOROUGH COUNCIL hereby certify that on 26th August 2025 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 development is not considered to constitute development as defined by Section 55A of the Town & Country Planning Act 1990 (as amended).

The Council is satisfied that the offices are 'ordinarily incidental' to the operation of the wider building as a farm building. The Council is also satisfied that the farm shop known as 'Cellar Door', on the balance of probabilities, is also incidental to the operation of the farm as the vast majority of sales are of goods produced and processed at the farm.

The Council is therefore satisfied that the proposal would be lawful by virtue of Section 192 (1)(b) of the Town and Country Planning Act 1990 (as amended) and a Certificate of Proposed Lawful Development can be issued.

First Schedule

Application for an Existing Lawful Development Certificate for the continued use of part of the agricultural building as a small wine shop (Cellar Door) and vineyard/farm Offices in association with the existing agricultural operations.

Second Schedule

**Brookers Farm
Luddesdown Road
Luddesdown
Gravesend
Kent
DA13 0XE**

INFORMATIVES:-

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

Application form

Statement of Case

Drawing no. DHA/35449/100 (site location plan)

Drawing no. DHA/35449/101 (block plan)

Drawing no. DHA/35449/104 (existing/proposed elevations)

Drawing no. DHA/35449/103 (existing/proposed first floor plan)

Drawing no. DHA/35449/102 (existing/proposed ground floor plan)

2 ADVISORY NOTE

The applicant is advised that, if the amount of produce sold which is not grown and processed at the farm increases, the farm shop may no longer be considered incidental to the farm operations and planning permission may be required for a change of use.

3 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 39 of the National Planning Policy Framework (NPPF) 2024, 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.

Dated: 15 October 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.

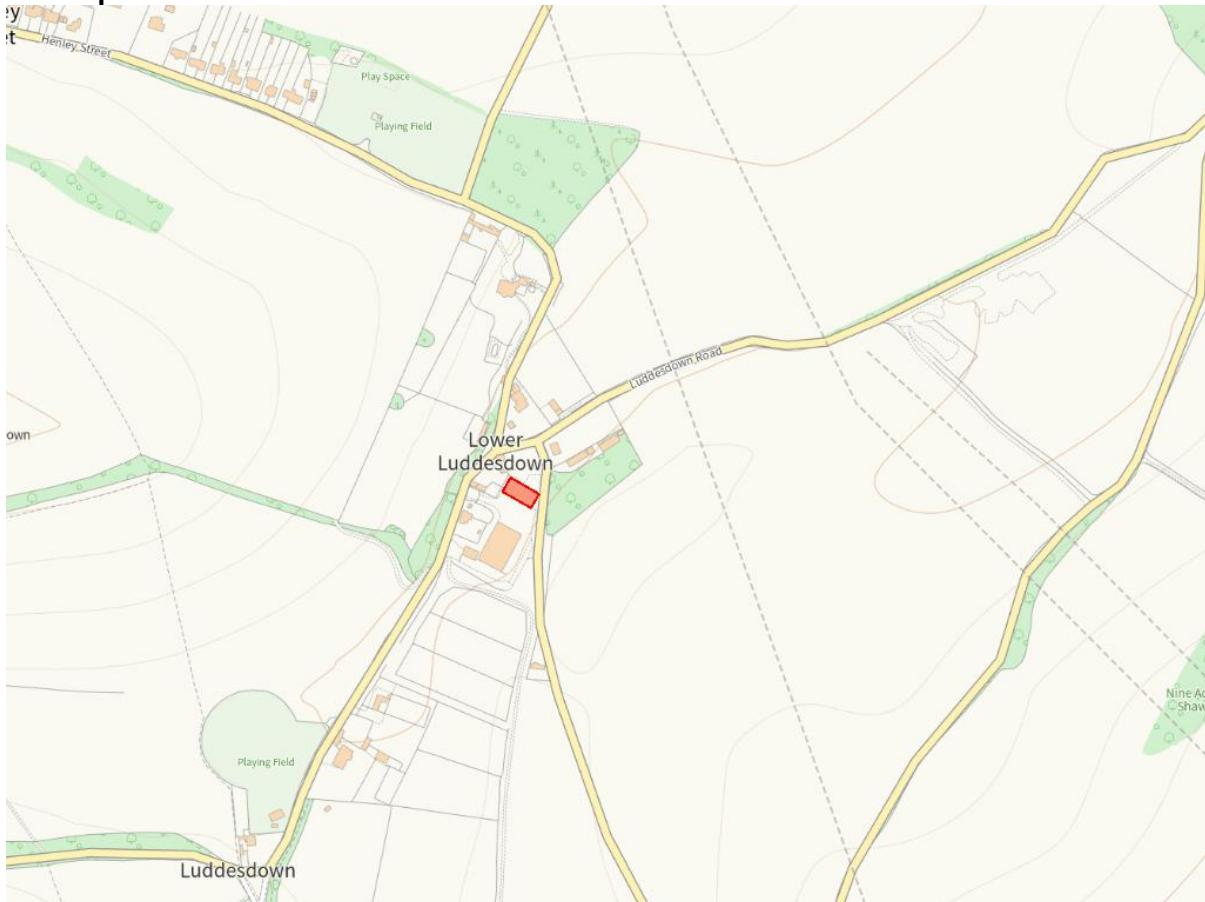
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20250839
Site Address	Brookers Farm Luddesdown Road Luddesdown Gravesend Kent DA13 0XE
Date	15 October 2025
PMSA Number	0100019166

OS Map



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