



PECLPZ

Application: 20220653

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

To: **Gemm Care Ltd
View Point Office Village
Babbage Road
Medway
Stevenage
Hertfordshire
SG1 2EQ**

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 23rd September 2022 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 existing use of the property known as 10 Albion Road has been in residential use for more than four years and therefore falls within Use Class C3(a) of the Use Classes Order 1987 (as amended) and the proposal to change this to a small HMO where care is provided falls within Use Class C3(b) of the same Order. The Council is therefore satisfied that the proposal would be lawful by virtue of Section 192 (2) of the Town and Country Planning Act 1990 (as amended) and a Certificate of Proposed Lawful Development can be issued.

First Schedule

Proposed change of use of the building to house young people.

Second Schedule

**10 Albion Road
Gravesend
Kent
DA12 2SR**

INFORMATIVES:-

1 DRAWINGS AND DOCUMENTS

For the avoidance of doubt the developer provided the following information to the Local Planning Authority to assist in the consideration of this application:

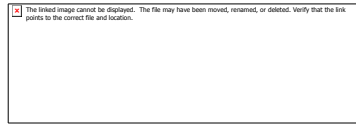
Application form;
Site Location Plan;
Floor Plans; and
Email confirming use as C3.

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.

Dated: 28 September 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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	20220653
Site Address	10 Albion Road Gravesend Kent DA12 2SR
Date	28 September 2022
PMSA Number	0100019166

OS Map – Scale 1:1,250

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