



Application: 20240539

**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191 TOWN AND COUNTRY
PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 (AS
AMENDED)**

To: **C/O Agent
C/O Mr William Groarke, Walsingham Planning Ltd.
Brandon House
King Street
Knutsford
WA16 6DX**

CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 17th June 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, **WAS LAWFUL** within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):-

- 1 The Borough Council is satisfied that the applicant has provided and shown sufficient evidence that, on the balance of probability, the site has been used as a restaurant (Use Class E(b), for a continuous period in excess of 10 years prior to the date of the application.

The Borough Council is therefore satisfied that the site has been in continuous use and is exempt from enforcement action by reason of section 171B (3) of the Town and Country Planning Act 1990, as amended.

The development is therefore lawful by reason of section 191 (3) (a) of the Act and a Certificate of Existing Lawful Use is duly issued.

First Schedule

Application for an Existing Lawful Development Certificate for the continued use of the site as a Class E (b) restaurant.

Second Schedule

**Beefeater Restaurant
The Woodlands
217 Wrotham Road
Gravesend
Kent
DA11 7LF**

INFORMATIVES:-

- 1 **DRAWINGS/DOCUMENTS**

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

Application Form
Location Plan
Cover Letter
2011 Menu
2011 Menu (Part 2)
2012 Menu
2023 Menu
2023 Menu (Food)
2023 Brand Standards and Operating Guide
2004 Floor Plan
Licensing Plan
Photographs

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) 2023, 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: 12 August 2024

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Shazad Ghani
MPhil, MA, BA (Hons)
Head of Planning
Planning Service

Your attention is drawn to the following notes

NOTES

This certificate is issued solely for the purpose of Section 191 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 was 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.

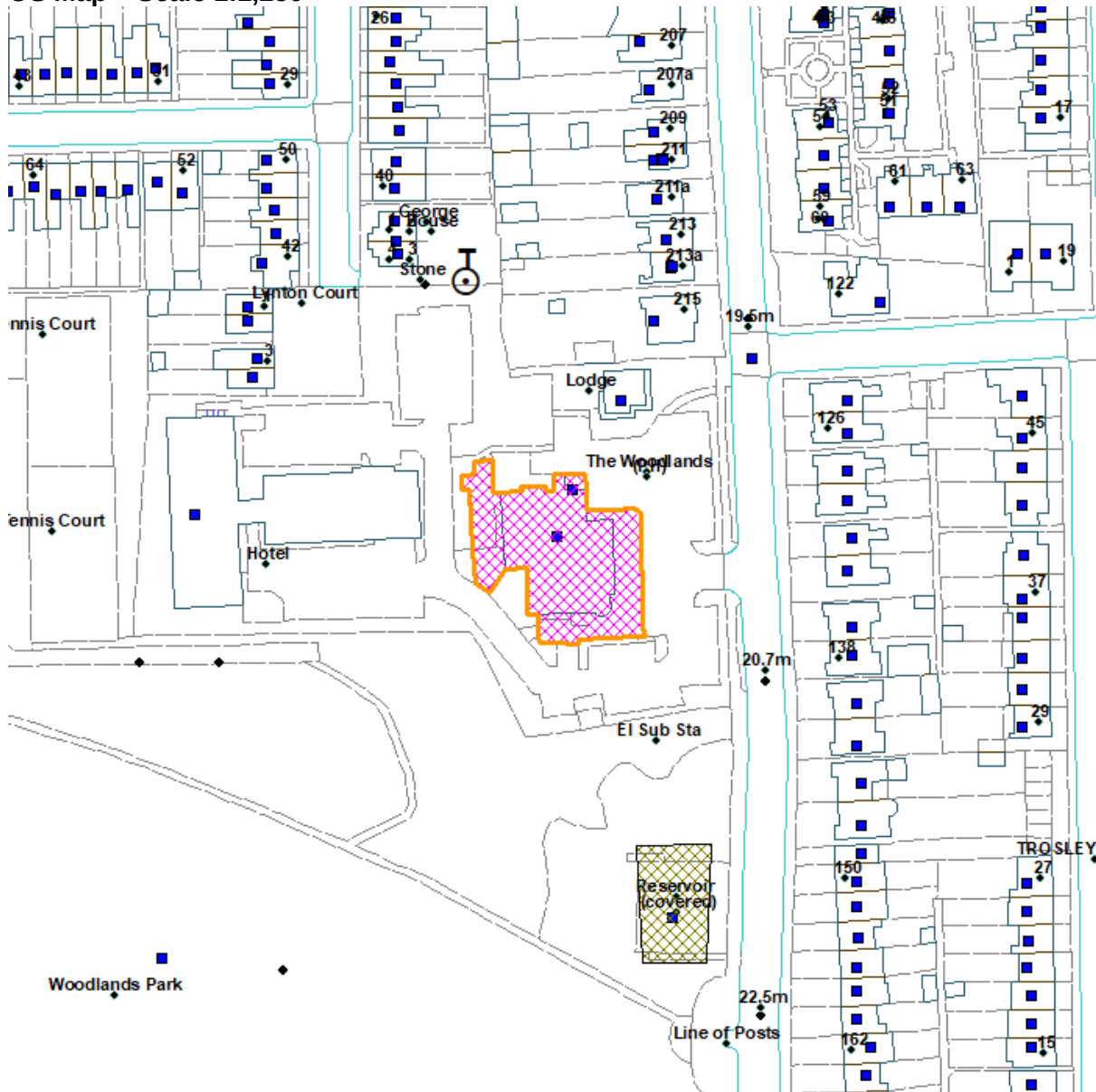
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20240539
Site Address	Beefeater Restaurant The Woodlands 217 Wrotham Road Gravesend Kent DA11 7LF
Date	12 August 2024
PMSA Number	0100019166

OS Map – Scale 1:1,250



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