

**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 Mrs Rebecca Hilton, Eden Planning  
1 Market Street  
Altrincham  
WA14 1QE**

**REFUSAL OF CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT**

**GRAVESEND BOROUGH COUNCIL** has considered your application dated 28 March 2025 under the provisions of Section 191 of the above mentioned Act and has determined the operations, use or matter set out therein being:-

**Application for an Existing Lawful Development Certificate in respect of demolition works constituting implementation of Planning Permission Reference number 20190504 for the Conversion of existing building with an 11 storey side extension and a single storey roof extension, the construction of a new residential building ranging from 3-6 storeys to provide 115 residential units consisting of 47 one bed units, 59 two bed units and 9 three bed units, together with associated parking for 69 cars, 6 motorcycles and 212 cycles, amenity space, private gymnasium and waste and a B1, D1 and D2 flexi use space and amendments and substitution to approved plans.**

at: **Gravesham Community Hospital  
Bath Street  
Gravesend  
Kent  
DA11 0DG**

**WOULD NOT HAVE BEEN LAWFUL** within the meaning of the said Act and, thus, application for planning permission in respect thereof must be made and planning permission obtained in order to regularise the use or development.

The grounds for this determination are as follows:-

The 20220915 permission has not been lawfully implemented within the three year statutory period (by 17 February 2025) and therefore is no longer extant. The works undertaken are not lawful and a certificate cannot be granted.

**INFORMATIVES:-**

**1 DECISION PLANS**

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

Covering letter  
Application form  
Statutory Declaration  
Legal Opinion  
Drawing no. 2244\_0900 rev A (sitewide ground floor plan proposed)

Drawing no. 2244\_0901 rev A (sitewide first floor plan proposed)  
Drawing no. 2244\_0920 rev A (ground and first floor plan consented)  
Drawing no. 2244\_0930 rev A (tenth and roof plan consented)  
Drawing no. 2244\_0928 rev A (eighth and ninth floor plan consented)  
Drawing no. 2244\_0926 rev A (sixth and seventh floor plan consented)  
Drawing no. 2244\_0924 rev A (fourth and fifth floor plan consented)  
Drawing no. 2244\_0922 rev A (second and third floor plan consented)  
Drawing no. 2244\_0915 rev A (site location consented and proposed)  
Drawing no. M-B-P3 rev B (existing ground floor and first floor plan)  
Drawing no. M-B-P6 rev B (existing sixth and seventh floor plan)  
Drawing no. M-B-P5 rev B (existing fourth and fifth floor plan)  
Drawing no. M-B-P4 rev B (existing second and third floor plan)

Dated: 26 November 2025

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 not lawful, on the specified date and, thus, is otherwise 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.

**APPEALS**

If an application for a Lawful Development Certificate is wholly or partly refused, or is granted in a different form from the application, or is deemed to have been refused (because the local planning authority (LPA) has not determined the application within the time-limit of eight weeks of receiving the completed application), you can appeal to the Planning Inspectorate. Appeals can be made online at [Planning Inspectorate](#). You should note that the Planning Inspectorate will turn away an LDC appeal if an effective Enforcement Notice is in force. This is because if such a notice is in force, the legislation does not allow a Lawful Development Certificate to be granted.

