



PECLEZ

Application: 20211339

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

To: **Mr Trevor Sinclair
C/O Sara Binning Solicitor's
Dickens Suite,
Cheldgate House
45, High Street
Rochester
Kent**

CERTIFICATE OF EXISTING LAWFUL USE OR DEVELOPMENT

GRAVESHAM BOROUGH COUNCIL hereby certify that on 10th January 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, **WAS LAWFUL** within the meaning of Section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):-

The Borough Council is satisfied that no conditions restrict the occupation of the property for an agricultural worker and sufficient evidence has been provided to conclude, that on the balance of probabilities, the application site has been used for residential purposes for persons other than an agricultural occupation for a period in excess of ten years. As such, it 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(2)(a) of the Town and Country Planning Act 1990 (as amended) and a Certificate of Existing Lawful Use can be granted.

First Schedule

Application for a Lawful Development Certificate in respect of the existing use as a residential dwelling without a agricultural condition.

Second Schedule

**Willow Platt
Hermitage Road
Higham
Rochester
Kent
ME3 7NF**

INFORMATIVES:-

1 DOCUMENTS

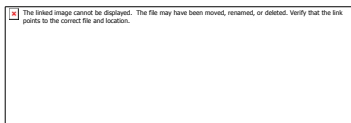
For the avoidance of doubt, the applicant provided the following information to the Local Planning Authority to assist in the consideration of this application:

Application Form - dated 08/11/2021;
Covering Letter (Sara Binning Solicitors) - dated 25/10/2021;
Ordnance Survey Site Location Plan (scale 1:1250) - received 01/04/2022;

Supplementary Information - Signed Affidavit (dated 22/03/2022);
Supplementary Information - Death Certificate and Grant of Probate (Mr A Sinclair);
Supplementary Information - Death Certificate and Grant of Probate (Mrs G Sinclair).

Dated: 4 April 2022

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU



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	20211339
Site Address	Willow Platt Hermitage Road Higham Rochester Kent ME3 7NF
Date	4 April 2022
PMSA Number	0100019166

OS Map – Scale 1:1,250



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