



Application: 20240854

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

To: **Verde Landscapes Ltd
Archer House
Britland Estate
Northbourne Road
Eastbourne
East Sussex
BN22 8PW**

CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT
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GRAVESHAM BOROUGH COUNCIL hereby certify that on 28th March 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 proposed works under Phase 1 only would include operational development that benefits from the permitted development rights available under Class A, Part 12 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal would therefore be lawful and pursuant to **section 192(2) of the Town and Country Planning Act 1990 (as amended)**, a Certificate of Proposed Lawful Development/Use can be **granted**.

First Schedule

Application for a Proposed Lawful Development Certificate in respect of re-landscaping the gardens, including removal of grass areas and replacement with hard standing paving, together with soft landscaping to include removal and re-siting of tree(s), planting of new trees and other plants and installation of bench seating.

Second Schedule

**St Andrews Gardens
Royal Pier Road
Gravesend
Kent**

INFORMATIVES:-

1 DECISION PLANS

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

Application form for a Lawful Development Certificate for a Proposed Use or Development;
Site location plan;
Drawing no. 1501-HED-ZZ-DR-L-0002 Rev. A02 Landscape masterplan - All Phases;
Drawing no. 1501-HED-ZZ-DR-L-1000 Rev. A05 General arrangement plan;

Drawing no. 1501-HED-ZZ-DR-L-4000 Rev. A01 Sections;
Drawing no. 1501-HED-ZZ-DR-L-3001 Rev. A01 Planting plan - Phase 1;
Drawing no. 1501-HED-ZZ-DR-L-2000 Rev. A01 Hard materials palette;
Drawing no. 1501-HED-ZZ-DR-L-1001 Rev. A01 Tree retention and removal plan;
Drawing no. 1501-HED-ZZ-DR-L-0001 Rev. A01 Conceptual Landscape Masterplan - All Phases;
Drawing no. 1501-HED-ZZ-DR-L-5003 Rev. A01 Soft materials sections;
Drawing no. 1501-HED-ZZ-DR-L-5002 Rev. A01 Staircase details ;
Drawing no. 1501-HED-ZZ-DR-L-5001 Rev. A01 Hard materials sections;
Drawing no. 1501-HED-ZZ-DR-L-5000 Rev. A01 Hard materials details and sections;
Drawing no. 1501-HED-ZZ-DR-L-3002 Rev. A01 Planting schedule;
Drawing no. SJG2820 Topographical survey 2018;
Topographical survey 2021;
Email from the applicant received 16 April 2025; and
Email from James Young received 24 April 2025.

2 WORKS OF CONSTRUCTION

Hours of work of construction site plant, equipment and machinery, should be restricted to not earlier than 7.00 a.m. and not later than 6.00 p.m. weekdays and Saturday working should be restricted to not earlier than 8.00a.m. and not later than 1.00 p.m. No work shall be carried out on Sundays, Bank or Public Holidays.

- i. Suitable sound attenuation shall be used at all times in respect of all plant, machinery and equipment in operation on site in order to aid prevention of noise nuisance. Compliance with BS 5228: Part 1: 1984 and subsequent amendments regarding the use of equipment on site will be required in appropriate cases.
- ii. A suitable method of control shall be used in order to aid prevention of dust nuisance arising from work activities on site.
- iii. Burning of waste materials shall not be carried out on site. Such materials are to be stored in a suitable receptacle, as far from residential accommodation as reasonably practicable, pending disposal off site.
- iv. Adequate arrangements shall be made to remove all waste material from the site on a regular basis and to dispose of it at a suitably licensed waste disposal site.

3 FOR THE AVOIDANCE OF DOUBT

For the avoidance of doubt this Lawful Development Certificate relates only to the works proposed under Phase 1 of the wider development project identified on 'Drawing no. 1501-HED-ZZ-DR-L-0002 Rev. A02 Landscape masterplan - All Phases', and none of the other future phases which may or may not be proceeded with. Phases 2-5 will be subject to an assessment in their own right.

Dated: 21 May 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.

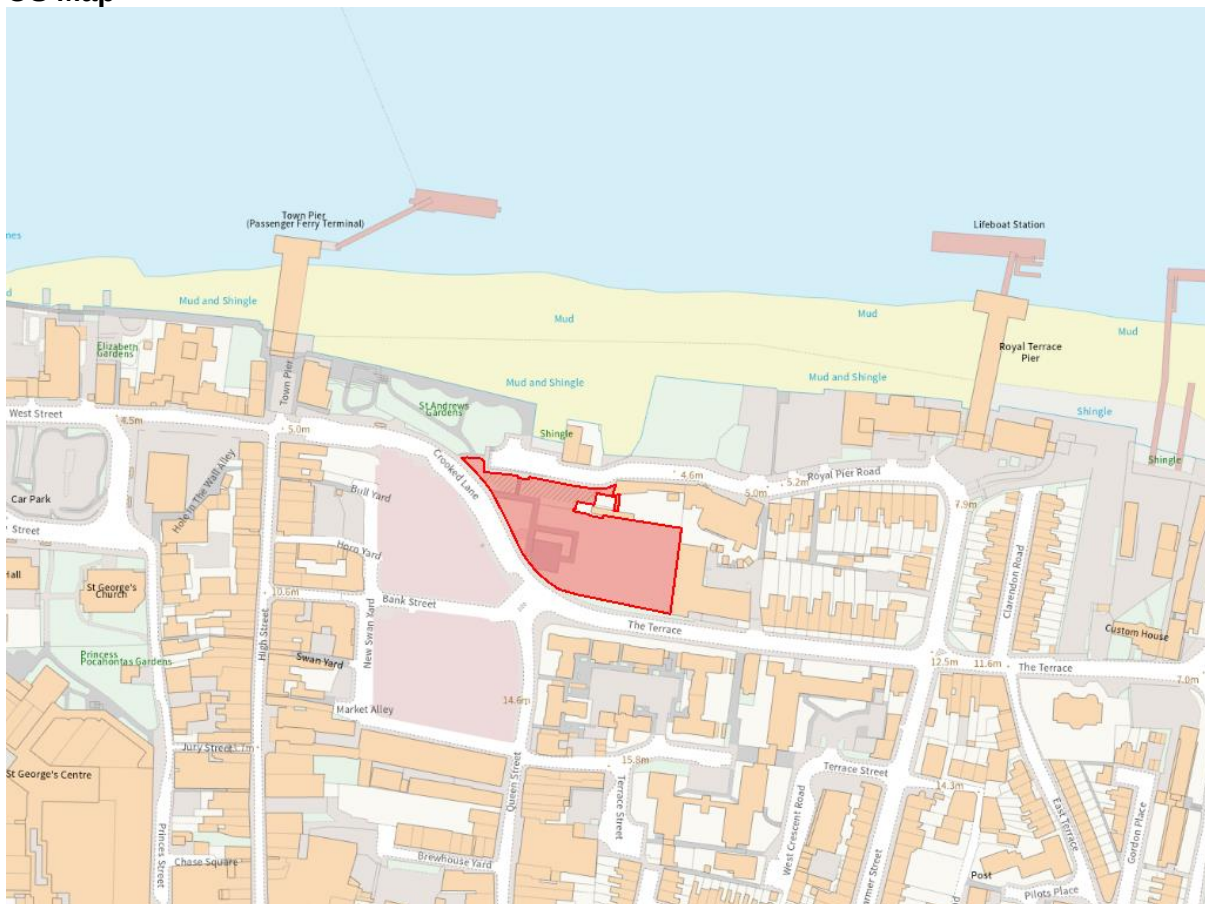
This certificate applies only to the use, operation or matter described in the First Schedule and identified on the attached plan. Any use, operation or matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.

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	20240854
Site Address	St Andrews Gardens Royal Pier Road Gravesend Kent
Date	21 May 2025
PMSA Number	0100019166

OS Map



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