

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20250732
Location	Harleens Haveli 56C Codrington Crescent Gravesend Kent
Proposal:	Application for a Proposed Lawful Development Certificate; Conversion of loft space with rear dormer and roof lights to front roof slope.
Applicant:	Mr Sarabjit Singh
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 18/07/2025;
Site Location Plan;
Drawing Number A101 (Block Plan);
Drawing Number A102 (Floor Plans – Existing and Proposed);
Drawing Number A103 (Roof Plan – Existing and Proposed);
Drawing Number A204 (Front and Side Elevations – Existing and Proposed); and
Drawing Number A205 (Rear and Side Elevations – Existing and Proposed).

Property Type

Harleens Haveli, 56C Codrington Crescent is a detached dwellinghouse.

Material Consideration

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Relevant Planning History

Reference	Description	Decision	Decision Date
20190029	Demolition of existing domestic structures and erection of a two-bedroom dwelling with the creation of parking area and vehicle crossover.	Permitted	15.03.2019

Officer Assessment*Permitted Developments Rights Restrictions*

Article 2 (3) Land (AONB, Conservation Area)	N
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	Y

Application 20190029 details the following condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwelling or the erection of buildings incidental to the enjoyment of the dwelling hereby permitted, shall be carried out.

The reason for this condition is:

In order to ensure adequate private amenity space is maintained for the occupants of the proposed dwelling in accordance with policy CS19 (Development and Design Principles) of the Gravesham Local Plan Core Strategy (September 2014).

Whilst the above condition relates to the 1995 GPDO it is clear using Dunnett Investments Limited [2017] EWCA Civ 192 and Trump International Golf Club Scotland Limited v Scottish Ministers [2015] UKSC 74 case law, that the above condition is sufficiently clear to exclude the operation the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and to prevent any enlargement, improvement or other alterations to the dwelling without the prior written permission of the Local Planning Authority having first been obtained.

Conclusion

The Article 3, Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) permitted development rights for the application property were removed by condition 12 of planning permission reference 20190029. Therefore, planning permission would be required for the proposed development and the lawful development certificate is refused.

Recommendation: <u>Refuse</u> Lawful Development Certificate

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	8 th September 2025	Dated:	10 th September 2025