

Delegated Report

Lawful Development Certificate (Proposed)

Application no: 20250875

Location 23 Taunton Vale Gravesend Kent DA12 5QZ

Proposal: Application for a Proposed Lawful Development Certificate;
Creation of driveway and installation of a dropped kerb.

Applicant: Mr Sidney Gomes

Site Visit N/A Desktop Assessment

Plans & Documents

Application Form Dated 01/09/2025;
Supplementary Information – Fire Safety Statement;
Site Location Plan;
Block Plan; and
Drawing Number 001 (Front Layout Plan – Existing and Proposed).

Property Type

23 Taunton Vale is a two-storey terraced dwellinghouse.

Material Consideration

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

Relevant Planning History

No relevant history

Officer Assessment

Permitted Developments Rights Restrictions

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

The application seeks the Lawful Development Certificate for the creation of a driveway and installation of dropped kerb.

The meaning of "development" is defined under Section 55 of the Town and Country Planning Act 1990 as below:

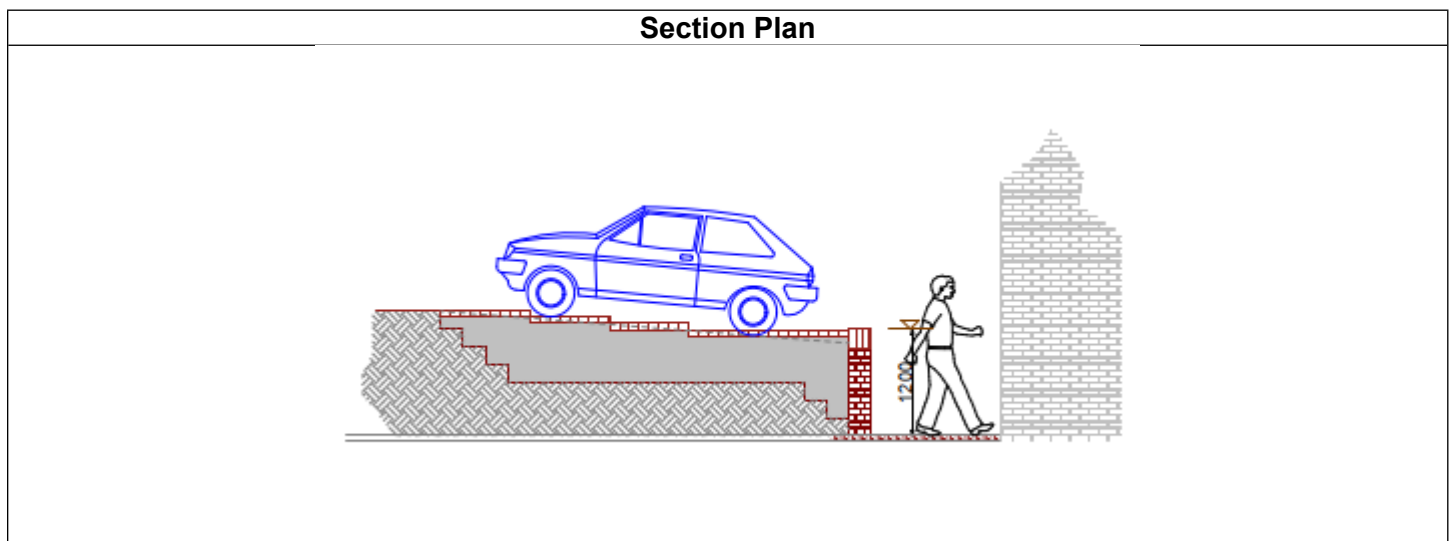
55. Meaning of "development" and "new development".

(1) Subject to the following provisions of this section, in this Act, except where the context otherwise requires, "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Section 55 of the Town and Country Planning Act 1990 defines "development" to include engineering works, which means that planning permission is generally required for such operations unless they are permitted by the General Permitted Development Order (GPDO).

Driveways constructed under the General Permitted Development Order (GPDO) exclude engineering works, such as significant groundworks. As such, a driveway which requires any major excavation, terracing, or changes to the land level are considered engineering works and require a separate application. The GPDO covers standard hard surfacing, but not more substantial engineering operations.

As noted from officer site visit and from the plans provided, the original front garden sloped downwards towards the dwellinghouse from south to north. Therefore, the formation of the driveway requires significant groundworks, inclusive of changes to the land levels:



As such, it is considered that the proposal would require engineering works and would constitute “development” as defined by Section 55 of the Town and Country Planning Act 1990.

Conclusion

Due to the requirement of engineering works by way of changes in land levels, the proposal for the creation of the driveway and instillation of dropped kerb would constitute development as defined by Section 55 of the Town and Country Planning Act 1990 and planning permission would be required. As such a lawful development certificate cannot be issued.

The LAWFUL DEVELOPMENT CERTIFICATE should be REFUSED.

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	20th October 2025	Dated:	20th October 2025