

Delegated Report

Lawful Development Certificate (Existing)

Application no:	20260561
Location	64 South Hill Road Gravesend Kent DA12 1JZ
Proposal:	Application for an Existing Lawful Development Certificate for the continued use of the hardstanding in front of the dwelling as parking.
Applicant:	Mr Mark Champion
Site Visit	22 July 2026

Plans & Documents

Application form for a Lawful Development Certificate for an existing use or development

Drawing no. 01 Site location plan;

Drawing no. 02 Existing block plan;

Drawing no. 05 Rev. A Google street view photo May 2014;

Drawing no. 06 Rev. A Google street view photo May 2018;

Drawing no. 07 Rev. A Google aerial view photo 06 March 2020;

Drawing no. 08 Rev. A Google aerial view photo 23 April 2020;

Supporting Statement 14 April 2026; and

Email from the applicant dated 02 April 2026.

Property Type

The property comprises of a two storey, terraced dwelling with front and rear gardens.

Material Consideration

Section 171B of the Town and Country Planning Act 1990 (as amended).

Relevant Planning History

None.

Officer Assessment

The time limits for taking enforcement action are set out in Section 171B of the Town and Country Planning Act 1990 (as amended). In most cases, development becomes immune from enforcement if no action is taken:

- within 10 years of substantial completion for a breach of planning control consisting of operational development where substantial completion took place on or after 25 April 2024

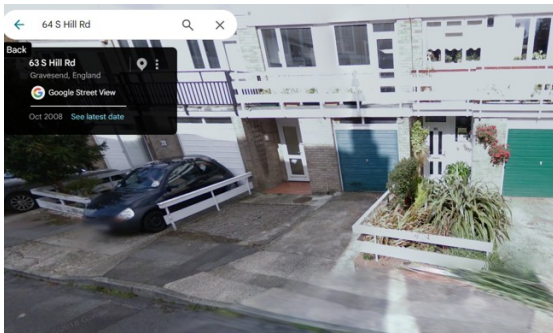
- within 10 years for an unauthorised change of use to a single dwellinghouse where the change of use took place on or after 25 April 2024
- within 4 years of substantial completion for a breach of planning control consisting of operational development where substantial completion took place before 25 April 2024;
- within 4 years for an unauthorised change of use to a single dwellinghouse where the change of use took place before 25 April 2024
- within 10 years for any other breach of planning control (essentially other changes of use)

It is noted that the parking of resident's vehicles at a dwelling is usually regarded as an incidental residential use, which would not constitute a material change of use. Therefore, the existing frontage parking area at the application site is operational development. As such, in order to be considered immune from enforcement action, it must have been in place for a period of ten years, if substantial completion took place on or after 25 April 2024 or four years, if substantial completion took place before 25 April 2024.

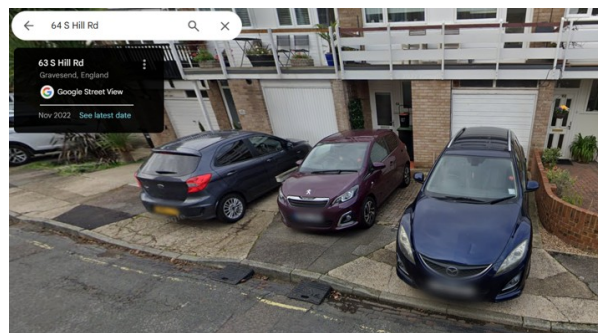
The applicant has provided aerial and street view photographs illustrating vehicles parked on the site frontage at the application site on specific dates in May 2014, May 2018, March 2020 and April 2020 and in an email, has set out that the hardstanding on the site frontage was in situ in October 2014 and that from June 2015 he has used it to park his car(s).

Information gathered by the case officer (from the site visit, Google Maps and Google Earth) corroborates the contentions of the applicant.

The following images illustrate the site frontage over time;



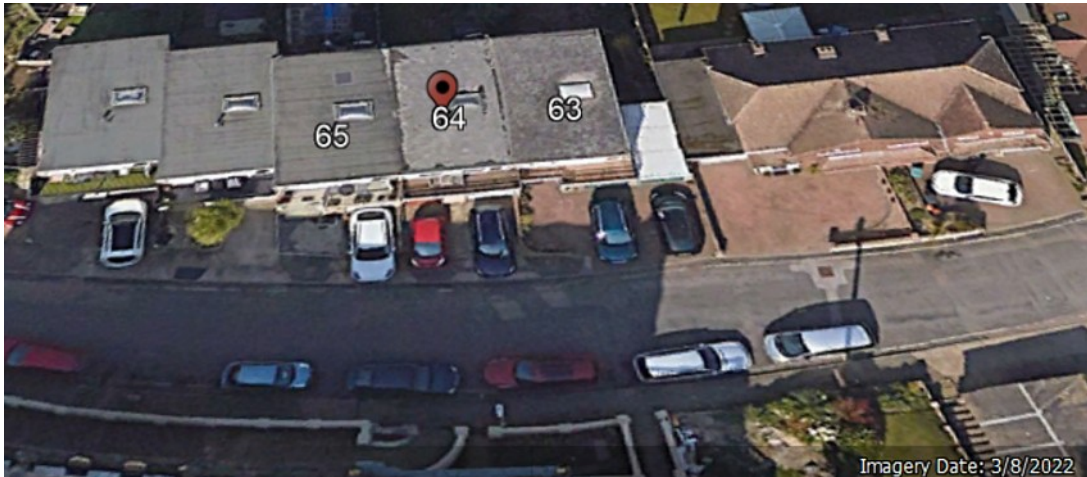
Google Street View October 2008



Google Street View November 2022



Google Earth Pro 09 July 2013



Google Earth Pro 08 March 2022



Google Earth Pro 14 April 2024



Case Officer's photograph 22 July 2026

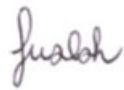
The above images illustrate that the site frontage has been laid to hardstanding since at least 2008 and used for the parking of vehicles since at least 2013.

Because the frontage parking area was substantially complete prior to 25 April 2024 and has been in place for a period in excess of four years, it is immune from enforcement action and has become lawful through the passage of time.

Conclusion

The existing hardstanding used for parking is operational development that has been in place for a period in excess of four years and was substantially complete prior to 25 April 2024. Therefore, pursuant to Section 171B of the Town and Country Planning Act 1990 (as amended), the existing development is immune from enforcement action and has become lawful through the passage of time. As such, a Lawful Development Certificate can be granted.

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mrs Kelly Joyce	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	22nd July 2026	Dated:	22 July 2026