

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20260602
Location	Meadow View White Post Lane Cobham Gravesend
Proposal:	Application for a Proposed Lawful Development Certificate; conversion of integral garage and adjacently attached garage into habitable spaces.
Applicant:	Mr Alexander Keys
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form;
Ground Floor Plan – Proposed (received on 18.06.26);
Block Plan (received on 18.06.26);
Site Location Plan (received on 11.06.26);
Drawing No. 01 – Side Elevation – Existing;
Drawing No. 01 – Front Elevation – Existing;
Drawing No. 01 – Rear Elevation – Existing;
Drawing No. 02 – Side Elevation – Proposed;
Drawing No. 02 – Rear Elevation – Proposed;
Drawing No. 02 – Front Elevation – Proposed;
Drawing No. 1021 Issue A – Ground Floor Plan – Existing;
Drawing No. 1021-S-101 – First Floor Plan – Existing and Proposed; and
Drawing No. 1021-S-200 A – Structural Details.

Property Type

Meadow View, White Post Lane is a two storey detached property.

Google Image



Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
19950300	Erection of an attached garage at the side to replace the existing carport.	Permitted	03.07.1995

Officer Assessment

Permitted Developments Rights Restrictions

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

Permitted Development Rights Restrictions

The 19950300 permission, as outlined within the planning history section above, included a condition on the decision notice that restricts permitted development rights in order to limit the use of the garage:

- (v) The garage hereby permitted shall only be used for the parking of a private motor car or cars or for uses incidental to the enjoyment of "Meadow View" and no development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 shall be carried out in such a manner or position to preclude vehicular access into the garage.
- (v) In order to ensure the garage is available at all times for the parking of a private motor car or cars and in the interests of highway safety.

As stated within the condition, the use of the garage is limited and no development shall be carried out in such a manner to preclude vehicular access into the garage.

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 establish the conversion of the garage would not be permitted under Article 3 of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted

Development) Order 2015 (as amended) without the prior written permission of the Local Planning Authority having first been obtained.

As such, Planning Permission would be required to convert the attached garage into the proposed living room/home office.

Conclusion

The proposed development does not meet the criteria found within the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. This is because permitted development rights have been restricted for the garage under application 19950300, which states the garage shall only be used for the parking of a private motor car or cars or for uses incidental to the enjoyment of "meadow View", and no development shall be carried out on site that would deviate from this use or preclude vehicular access into the garage. As the above condition removes the applicant's right to carry out the said development under permitted development rights, the Lawful Development Certificate is refused and planning permission is required.

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

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	6th August 2026	Dated:	6th August 2026