



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20260085
Location	Office 4 1 Waterman House Lord Street Gravesend
Proposal:	Application for a Proposed Lawful Development Certificate; Change of use of office space to be used as admin. office for private hire mini cab business.
Applicant:	Mrs Jade Andrews
Site Visit	N/A Desktop Assessment

Plans & Documents

Planning Application Form;
Site Location Plan; and
Existing and Proposed Floor Plans.

Property Type

The property comprises of an existing office building on Lord Street, Gravesend as shown in the following image:



Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
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19870234	Revised application for the erection of a three storey office building with ancillary accommodation	Permitted	18.05.1987
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Development Plan

Not applicable, this is an application for a Lawful Development Certificate under section 192 of the 1990 Town and Country Planning Act (as amended).

Consultations, Publicity and Representations

As an application for a Lawful Development Certificate under section 192 of the 1990 Town and Country Planning Act (as amended), there is no statutory requirement to undertake any publicity or consultation.

Officer Assessment

Permitted Developments Rights Restrictions

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

General approach

This application is for a Lawful Development Certificate (LDC) and not for a planning permission. As such, the planning merits of the case are not relevant. The determination must be based on the facts of the case and the interpretation of any relevant planning law or judicial authority. The burden of proving relevant facts rests with the applicant and the evidence submitted must be sufficiently precise and unambiguous to enable the local planning authority to understand exactly what is involved. The decision must be made on the balance of probability. The case officer has had regard to the advice contained in the National Planning Practice Guidance (the section relating to LDCs, paragraphs 005 to 009).

Analysis of evidence

Summary of applicant's case:

The applicant has set out that the application site is currently in use as offices. They consider that the previous use falls under Class E(g)(i) of the Town and Country Planning (Use Classes) Order 1987 (as amended). As a use which can be carried out in a residential area without detriment to its amenity, including offices to carry out any operational or administrative functions.

The applicant has set out that the proposed use would be as an admin office for private hire mini cab business.

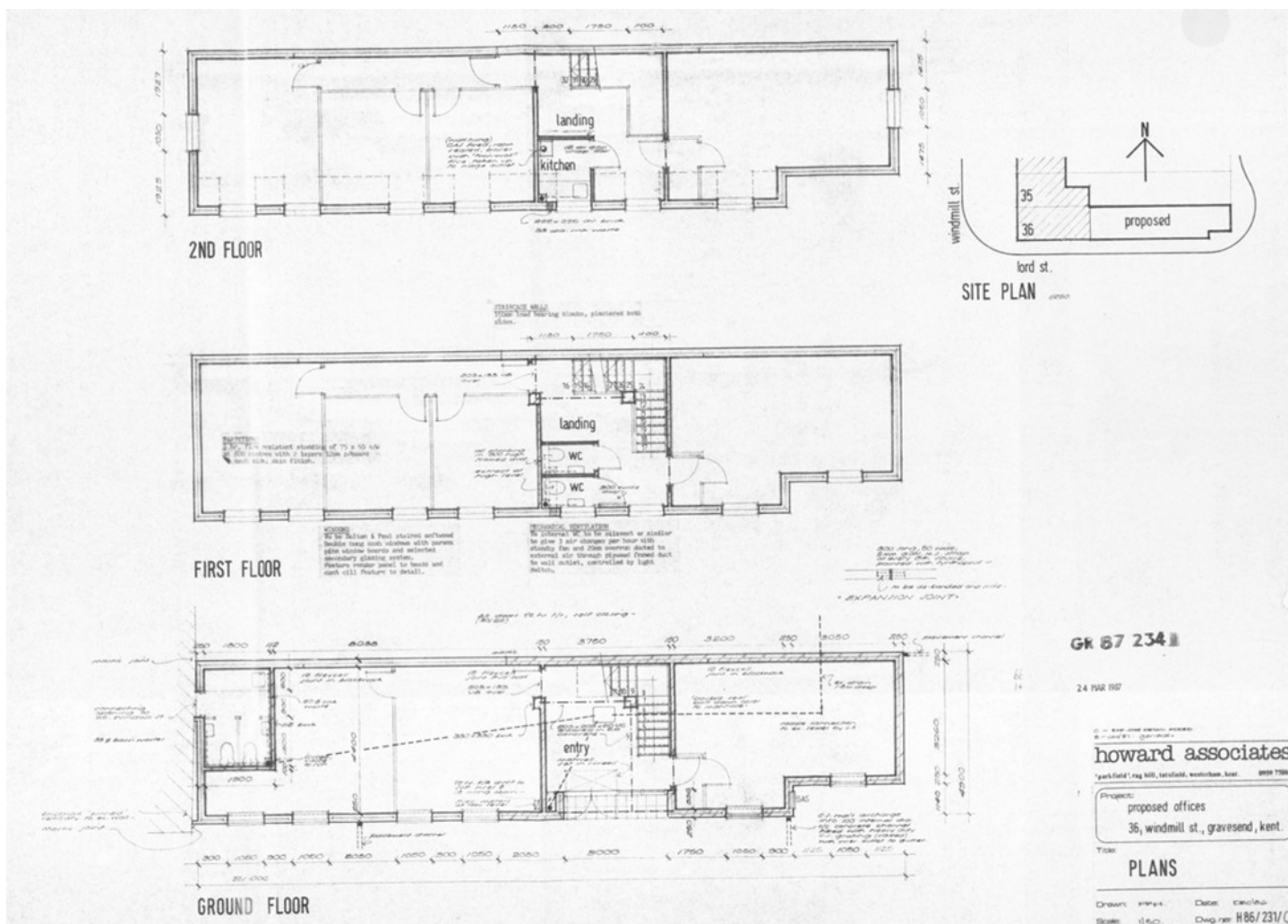
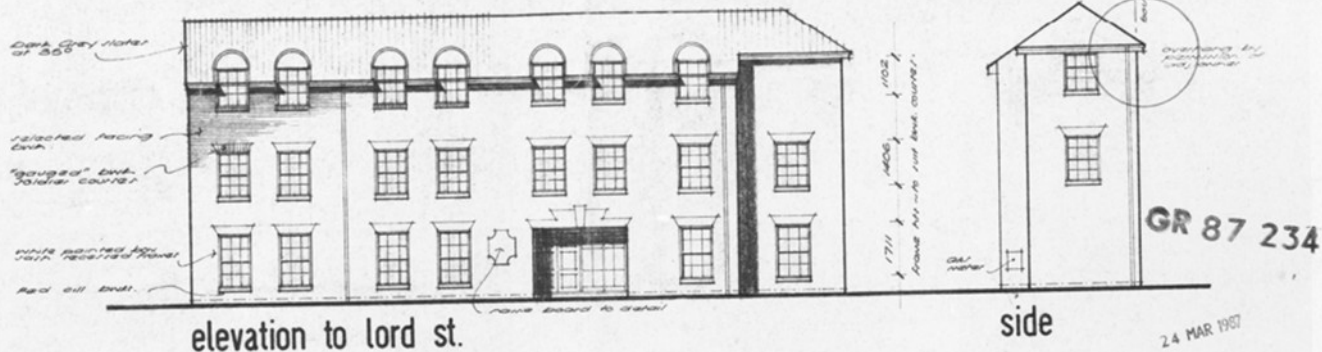
The applicant considers that the proposed use would fall under Class E(g)(i) of the Town and Country Planning (Use Classes) Order 1987 (as amended). As a use which can be carried out in a residential area without detriment to its amenity, including offices to carry out any operational or administrative functions. They state that there would be no internal or external alterations to the building or floorspace.

As both the previous and proposed uses of the application site are within the same use class, then the applicant considers that planning permission would not be required for the proposed development.

Case officers' investigations:

The application site is part of a building that benefitted from planning permission in 1987 under planning application reference 19870234 for the *Revised application for the erection of a three storey office building with ancillary accommodation*. The following image is taken from the approved elevations and ground floor layout for 19870234;

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It is noted that the layout is consistent with the current layout at the application site and that there were no planning conditions attached to planning permission reference 19870234 that restricted the use of the application site to a specific office type only.

Therefore it appears that the application site is in use within Use Class E as a whole. As such, it is accepted that the lawful use of the application site is as an admin office within Class E(g)(i) of the Town and Country (Use Classes) Order 1987 (as amended) and that the proposed use as a medical suite would be within Class E(e) of the Town and Country (Use Classes) Order 1987 (as amended).

The proposed use of a mini cab hire for administration office only and not for booking dispatch or public access would fall within Use Class E office use, which falls within the same use class as the whole building.

Under section 55(2)(f) of the Town and Country Planning Act 1990 (as amended) planning permission is not required for a change of use when the existing and proposed uses fall within the same Use Class. Therefore as both the existing and proposed uses fall within Class E of the Town and Country (Use Classes) Order 1987 (as amended), the proposed development would not require planning permission and would be lawful.

Conclusion & Recommendation

The existing and proposed uses fall within Class E of the Town and Country (Use Classes) Order 1987 (as amended) and as such, under section 55(2)(f) of the Town and Country Planning Act 1990 (as amended), planning permission is not required for a change of use. Therefore the proposed development would be lawful and a LDC can be granted.

The applicant should be made aware that operational works to facilitate the proposed change of use may require planning permission in themselves. A separate application would be required if the applicant seeks the Borough Council's opinion regarding the lawfulness of otherwise of any proposed operational works.

An informative will be added to any forthcoming decision stating that the use is for administrative duties only and not for booking dispatch or public access.

Recommendation: <u>Grant</u> Lawful Development
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Case Officer:	Ms Amanda Cue	Team Leader:	Richard Hart
Signed:	<i>A Cue</i>	Signed:	<i>R Hart</i>
Dated:	13th May 2026	Dated:	14th May 2025