



Delegated Report

Application for a variation of conditions

Application no:	20241124
Location:	Former Gravesend And North Kent Hospital (M Block) Clifton Road Gravesend Kent
Description:	Application for the variation of conditions 5, 7, 9, 10 and 11 attached to planning permission reference number 20220915 for application for a minor material amendment to planning permission reference no. 20190504 (following planning permission reference no. 20220487 for non-material amendment to allow the change of description to: Conversion of existing building with a side extension and a roof extension, the construction of a new residential building to provide residential units (class C3) consisting of one bed, two bed and three bed homes, together with associated car parking, motorcycle and cycles spaces alongside amenity space, private gymnasium and waste and space in Class E as flexi use space) to allow: amendments to Block M only (conversion building), including amendments to unit mix, internal layouts and parking, introduction of additional private and shared amenity space, elevational changes and amended material palette; to allow the earlier start on site and delivery by amending the trigger points for pre-commencement conditions.
Applicant:	S. Taylor

Plans/Documents

Application Form; and
Cover Letter (2022-067) – Prepared Newsteer Real Estate Advisers – Dated 18th December 2024.

Relevant Planning History

Reference	Description	Decision	Decision Date
20250301	Application for an Existing Lawful Development Certificate in respect of demolition works constituting implementation of Planning Permission Reference number 20190504 for the Conversion of existing building with an 11 storey side extension and a single storey roof extension, the construction of a new residential building ranging from 3-6 storeys to provide 115 residential units consisting of 47 one bed units, 59 two bed units and 9 three bed units, together with associated parking for 69 cars, 6 motorcycles and 212 cycles, amenity space, private gymnasium and waste and a B1, D1 and D2 flexi use space and amendments and substitution to approved plans.	Application Refused	26.11.2025

20220915	Application for a minor material amendment to planning permission reference no. 20190504 (following planning permission reference no. 20220487 for non-material amendment to allow the change of description to: Conversion of existing building with a side extension and a roof extension, the construction of a new residential building to provide residential units (class C3) consisting of one bed, two bed and three bed homes, together with associated car parking, motorcycle and cycles spaces alongside amenity space, private gymnasium and waste and space in Class E as flexi use space) to allow: amendments to Block M only (conversion building), including amendments to unit mix, internal layouts and parking, introduction of additional private and shared amenity space, elevational changes and amended material palette.	Permitted	25.11.2022
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Officer Analysis

The application seeks permission for the variation of conditions 5, 7, 9, 10 and 11 attached to planning permission reference number 20220915. The application 20220915 was granted permission on 17.02.2022, condition 1 of this permission read as follows;

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the original permission 20190504 was granted (17 February 2022).

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

It is noted that under application 20250301 the applicant applied for a lawful development certificate to ascertain whether operations carried out in, over, or under the land are lawful within the specific scope of planning permission granted under planning application reference 20220915, thereby seeking confirmation that planning application reference 20220915 has been lawfully implemented.

The application was refused for the following reason;

The 20220915 permission has not been lawfully implemented within the three year statutory period (by 17 February 2025) and therefore is no longer extant. The works undertaken are not lawful and a certificate cannot be granted.

It was concluded that, the applicant had not discharged all the 'pre-commencement' conditions imposed on the original application before proceeding to demolish buildings on the site. Their application claimed that the demolition of this building was an implementation of the permission. However, as all pre-commencement conditions had not been discharged the demolition was a breach and the permission has not been implemented.

The Planning Authority are therefore satisfied that the original permission has not been implemented and has therefore lapsed. As there is no live permission the conditions therefore cannot be varied.

Recommendation:

Refusal

See draft Decision

Planning permission 20220915 expired on 17 February 2025 and the Local Planning Authority confirmed this by refusing an existing lawful development certificate (20250301) on 25th November 2025. As such the variation of conditions cannot apply to this expired application.

Case Officer:	Adeoye Lawal	Team Leader:	Richard Hart
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Signed:	<i>Ade Lawal</i>	Signed:	<i>R Hart</i>
Dated:	18th December 2025	Dated:	18th December 2025