



Delegated Report

Application for a non-material amendment

Application no: 20250112

Location: Gravesham Community Hospital Bath Street Gravesend Kent

Description: Application for a non-material amendment to planning permission reference number 20220915 to allow amendments to the trigger point associated with Conditions 5, 7, 8, 9, 10 and 11.

Applicant: c/o agent

Plans/Documents

Application Form;
Site Location Plan – 2244_0001; and
Cover Letter – Prepared by Eden Planning & Development Ltd – Dated 06 February 2025.

Relevant Planning History

(Newest first)

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),	Permitted	25.11.2022

	including amendments to unit mix, internal layouts and parking, introduction of additional private and shared amenity space, elevational changes and amended material palette.		
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Officer Analysis

The application seeks permission for a non-material amendment to planning permission reference number 20220915 to allow amendments to the trigger point associated with Conditions 5, 7, 8, 9, 10 and 11. 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 lawfully implemented and has therefore lapsed. As the current application for a non-material amendment relates to the application 20220915 which has been determined to have lapsed, the permission is no longer live, and cannot now be amended.

As the permission is no longer live the proposed changes to the wording of conditions 5, 7, 8, 9, 10 and 11 have not been assessed against the allowances set out in Section 96.A of the Town and Country Planning Act 1990.

Recommendation:

Refusal

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 this non-material amendment cannot apply to this expired application.

See draft Decision

Case Officer:	Adeoye Lawal	Team Leader:	Richard Hart
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Signed:	<i>Ade Lawal</i>	Signed:	<i>R Hart</i>
Dated:	17th December 2025	Dated:	18th December 2025