

Delegated Report

Lawful Development Certificate (Existing)

Application no:	20260752
Location	60 South Hill Road Gravesend Kent DA12 1JZ
Proposal:	Application for an Existing Lawful Development Certificate for the erection of a rear side extension, rendering of the rear elevation, replacement glazing and Installation of rooflights.
Applicant:	Wade
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form;
Supporting Planning Statement – Dated 23 July 2026;
Pre Existing Block Plan, Existing Block Plan, Location Plan – D01.05;
Existing Ground Floor Plan – D03.05;
Pre-Existing First Floor Plan – D04.05;
Existing First Floor Plan – D05.05;
Existing Loft Plan – D07.05;
Pre Existing Roof Plan – D08.05;
Existing Roof Plan – D09.05;
Pre Existing Front and Left Elevations – D010.05;
Existing Front and Left Elevations – D011.05;
Pre Existing Rear and Right Elevations – D012.05; and
Existing Rear and Right Elevations – D013.05.

Property Type

The property comprises a two-storey semi-detached property located on the southern side of South Hill Road. The property is set back from the street and benefits from a generous raised front garden area. To the front of the site is a flat roofed garage. The property has been extended to the side and rear, it is located within the Windmill Hill Conservation Area, and immediately to the west of the site is the Grade II listed 1 – 4 Constitution Crescent.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
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20250040	Work to Tree(s) in a Conservation Area; 50 % reduction of one Holly Tree in front garden and removal of severely leaning Pine Tree in rear garden.	Consent tree works in Conservation Area	03.03.2025
20200879	The felling of one Ash Tree in the rear garden due to being diseased, dead and dangerous.	Consent tree works in Conservation Area	09.10.2020
20140876	The felling a large fig tree in the rear garden	Consent tree works in Conservation Area	27.10.2014

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; and
- Within 10 years for any other breach of planning control (essentially other changes of use).

The erection of a rear side extension, the rendering of the rear elevation, replacement glazing and the installation of rooflights constitute operational development. No material change of use has taken place. For the purposes of this report the changes to the property listed above will be referred to as 'The development'. In order to be considered immune from enforcement action, the development must have been in place for a period of four years, if substantial completion took place before 25 April 2024, or ten years, if substantial completion took place on or after 25 April 2024.

The applicant has submitted a planning statement in support of the application. The submitted planning statement says that the rear extension has been in place for over 40 years and the remaining development was completed on 15 July 2016, and has remained substantially complete during this time. Therefore, the development must have been in place for a period of four years as substantial completion took place before 25 April 2024 to be lawful. The applicant has also submitted invoices for the bifold doors from Thameside Windows & Glass Ltd dated 22.1.2016.

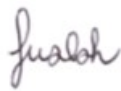
				
31/12/1990	20/04/2015	05/05/2018	11/04/2019	2026

Publicly available google earth satellite imagery shows the side and rear extension in place in 1990. Between 2015 and 2018, the roof over the side and rear extension has been replaced and rooflights have been introduced. The image from 2018 also shows the white render as part of the works to the property completed on 15 July 2016. From the 2019 image, it is also clear that the bi-folding doors shown on the submitted invoice from Thameside Windows & Glass Ltd dated 22.1.2016 have been installed. All changes are still visible in the most recent satellite image from 2026.

It is considered that sufficient information has been provided by the applicant, and the above satellite imagery corroborates the timeline of the applicant. Therefore, as the development 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 changes to the property constitute operational development which has been in place for a period in excess of four years and were 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.

Case Officer:	Adeoye Lawal	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	22nd September 2026	Dated:	23 September 2026