



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20251126
Location	Tawahi Telegraph Hill Higham Rochester
Proposal:	Application for a Proposed Lawful Development Certificate; erection of a garage and summerhouse.
Applicant:	Mr Nav Singh
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form
L1 – Location Plan
100 – Existing Block Plan
101 – Existing Site Plan
102 – Existing Ground Floor Plan
103 – Existing First Floor Plan
104 – Existing Roof Plan
105 – Existing Elevations
106 – Existing Elevations
200 – Proposed Block Plan
201 – Proposed Site Plan
205 – Proposed Elevations
206 – Proposed Elevations
207 – Proposed Garage and Summer House
Supporting Statement

Property Type

The property comprises a two-storey, semi-detached dwellinghouse, located in a rural area.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20250819	Demolition of garage and erection of a two storey rear extension and single storey side extension, creation of new hip roof to front elevation and replacement of existing tiled roof covering with new reconstituted slate	Permitted	13.10.2025

	roofing finish with changes to fenestration.		
20250350	Application for a Proposed Lawful Development Certificate for the erection of a two storey rear extension, front porch, garage, workshop, a summerhouse and gym.	Refused	28.05.2025
20231232	Erection of a double storey front and rear extension with alterations to fenestration which includes 3 Juliette balconies. Erection of a single storey side extension and conversion of garage with 2 roof light. Conversion of loft area to habitable space with 2 dormer windows, 6 rooflights and a sky lantern.	Refused	07.02.2024
20230682	Erection of a double storey front and rear extension, conversion of loft space, to include two dormers, conversion of garage, to include a new roof. Erection of an outbuilding for car parking, storage and office space, and changes to fenestration.	Refused	15.08.2023

Officer Assessment

Permitted Developments Rights Restrictions

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

Class E - The provision within the curtilage of the dwellinghouse of –

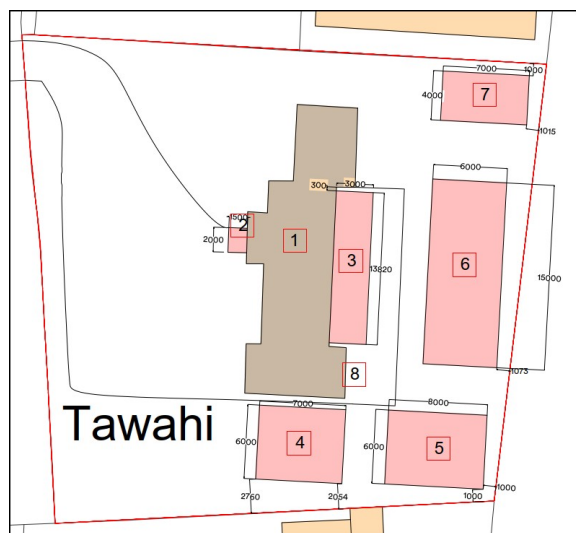
(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

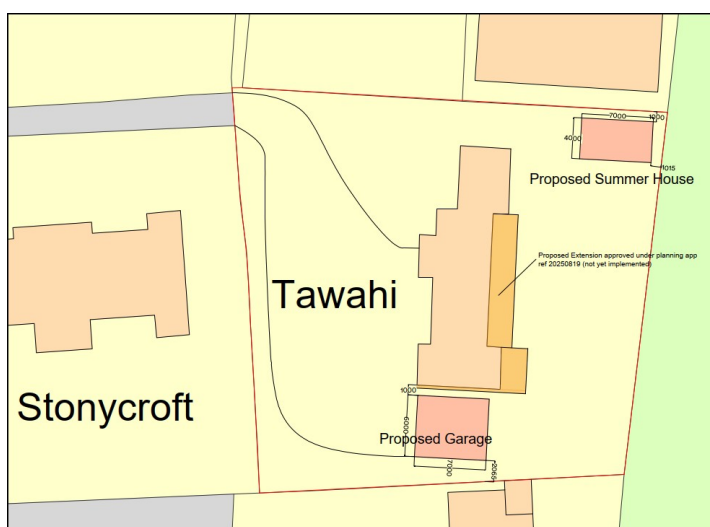
E.1	Development is not permitted by Class E if –	Y/N
(a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);	N
(b)	The total area of ground covered by building, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);	N
(c)	Any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;	N
(d)	The building would have more than a single storey;	N

(e)	The height of the building, enclosure or container would exceed – (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of dwellinghouse, or (iii) 3 metres in any other case;	N Garage – 3.75m Summerhouse – 2.5m
(f)	The height of the eaves of the building would exceed 2.5 metres;	N Garage – 2.5m Summerhouse – 2.5m
(g)	The building, enclosure, pool or container would be situated within the curtilage of a listed building;	N
(h)	It would include the construction or provision of a verandah, balcony or raised platform;	N
(i)	It relates to a dwelling or a microwave antenna; or	N
(j)	The capacity of the container would exceed 3,500 litres	N
(k)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
E.2	In the case of any land within the curtilage of a dwellinghouse which is within – (a) An area of outstanding natural beauty; (b) the Broads; (c) a National Park; or (d) a World Heritage Site, Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.	N
E.3	In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.	N

An Application for multiple outbuildings and an extension was refused under planning reference 20250350 due to the excessive nature in scale and the conclusion that there was inadequate evidence that the outbuildings were reasonably required.



Refused under 20250350



Current Proposal

As the above site plans indicate, this scheme has been much reduced in the number of outbuildings proposed.

The summerhouse would be reasonably sized for the proposed use as a purpose incidental to the enjoyment of this dwellinghouse. There is an existing garaging space, and the proposed garage would be in addition to the existing space, creating 2 garages on the site, with enough spaces for 3 cars, in addition to the large drive which would be retained. This is a significant amount of parking for 4 bedroom dwellinghouse. However, it is noted that garaging spaces are often used flexibly, for other incidental uses, such as storage or workshop. If this is the case and the existing garage is not being used for parking of vehicles, given that no other outbuildings are now proposed, this existing garaging may be being used for the uses previously given or some other incidental use associated with the dwelling. Based on this assessment, and the proposals as amended, the reason for refusal on the last scheme is considered to no longer apply to this scheme.

The proposed development complies with Schedule 2, Part 1, Class E of THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED, and the LAWFUL DEVELOPMENT CERTIFICATE is GRANTED.

Recommendation: Grant Lawful Development

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	29th December 2025	Dated:	29th December 2025