

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20250941
Location	31 Manor Road, Sole Street, Cobham, Gravesend, Kent, DA13 9BW
Proposal:	Application for a Proposed Lawful Development Certificate; Erection of a garage and creation of a driveway.
Applicant:	Mrs A Peterson-Pearce
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form – dated 18 September 2025;
 Design and Access Statement by DAC Architects (September 2025);
 Drawing no. D-09 – Rev. A – Site Location Plan (scale – 1:1250);
 Drawing no. D-10 – Rev. A – Existing Block Plan (scale – 1:200);
 Drawing no. D-11 – Rev. A – Proposed Block Plan (scale – 1:200);
 Drawing no. D-12 – Proposed Garage Plans and Elevations.

Property Type

The property comprises a detached chalet bungalow.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20250199	Demolition of existing lean-to structures. Erection of 2no. self build detached houses on land rear of no.'s 29 and 31 Manor Road with associated works. Proposed vehicle crossover. Installation of shared access drive and gates.	Application Refused	05.09.2025
20150825	Erection of railings around existing first floor sun terrace.	Permitted	13.10.2015
20060962	Erection of two storey side extension to form garage, utility room and boiler room at ground floor level with two bedrooms and en-suite bathroom at first floor level; construction of dormer extension in existing rear roof slope and conversion of roof space into bedroom and	Permitted	04.01.2007

	bathroom/w.c incorporating two no. front dormer windows and replacement of existing rear dormer window.		
20050713	Erection of two storey side extension incorporating roof extension and construction of dormer window in proposed front roof slope to form a garage, utility room and boiler room at ground floor level with two bedrooms, additional room and ensuite bathroom/wc at first floor level.	Application Refused	18.10.2005
19750119	Erection of single storey extension at rear to form kitchen bathroom and enlargement of lounge diner	Permitted	28.04.1975

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.

Class E(a) – Is the development incidental to the enjoyment of the dwellinghouse?

The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, requires outbuildings to be built for purposes incidental to the enjoyment of the house, which can include the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the house (*Class E.4 – Interpretation of Class E*).

In this case, the proposal seeks a detached double garage, which is incidental to the enjoyment of the dwellinghouse.

Development not permitted

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 M, 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 (3.87m)
(f)	The height of the eaves of the building would exceed 2.5 metres;	N (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; 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

Class F - The provision within the curtilage of the dwellinghouse of hard surfaces incidental to the enjoyment of a dwellinghouse

Development consisting of -

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or**
- (b) the replacement in whole or in part of such a surface.**

F.1	Development is not permitted by Class F if –	Y/N
(a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);	N

(b)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
F.2	Development is permitted by Class F subject to the condition that where	Y/N
(a)	The hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and	Y
(b)	The area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,	Y
	Either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.	Y

Conclusion

The proposed garage outbuilding and hardstanding accord with the parameters set out in Schedule 2, Part 1, Classes E and F of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Therefore, planning permission is not required and a lawful development certificate can be granted.

Recommendation: <u>Grant</u> Lawful Development Certificate			
Case Officer:	Mr Ethan Bonthron	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	12 th November 2025	Dated:	18th November 2025