



# Delegated Report

## *Lawful Development Certificate (Proposed)*

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|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application no:</b> | 20220563                                                                                                                                                     |
| <b>Location</b>        | 71 Wilberforce Way Gravesend Kent DA12 5DJ                                                                                                                   |
| <b>Proposal:</b>       | Application for a Lawful Development Certificate in respect of the proposed erection of a rear dormer and conversion of the roof space into habitable rooms. |
| <b>Applicant:</b>      | Mr Joe Simmons                                                                                                                                               |
| <b>Site Visit</b>      | N/A Desktop Assessment                                                                                                                                       |

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### Plans & Documents

- Application Form
- Drawing No: 71-WILBERFORCE-WAY-LC-01 (Existing Plans/Elevations, OS Map, Block Plan, Roof Plan)
- Drawing No: 71-WILBERFORCE-WAY-LC-02 (Proposed Plans/Elevations, Block Plan, Roof Plan)

### Property Type

The property comprises mid terrace house



### Material Consideration

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

### Relevant Planning History

No relevant planning history

### 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 B - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.**

| <b>B.1</b> | <b>Development is not permitted by Class B if –</b>                                                                                                                                                                             | <b>Y/N</b>           |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| (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)        | Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;                                                                                                      | N                    |
| (c)        | Any part of the dwellinghouse would, as a result of the works, extend, beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;                               | N                    |
| (d)        | The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than –<br><br>(i) 40 cubic metres in the case of a terrace house, or<br>(ii) 50 cubic metres in any other case; | N –<br>27.1M3<br>N/A |
| (e)        | It would consist of or include –<br><br>the construction or provision of a verandah, balcony or raised platform or                                                                                                              | N<br>N               |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                         |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
|            | the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                         |
| (f)        | The dwellinghouse is on article 2 (3) land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | N                                       |
| <b>B.2</b> | <b>Development is permitted by Class B subject to the following conditions –</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Y/N</b>                              |
| (a)        | The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Y                                       |
| (b)        | <p>The enlargement must be constructed so that –</p> <p>(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side – extension</p> <p>(aa) the eaves of the original roof are maintained or reinstated; and</p> <p>(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and</p> <p>(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwelling house; and</p> | <p>Y</p> <p>Y</p> <p>N/A</p> <p>N/A</p> |
| (c)        | <p>Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –</p> <p>(i) obscure-glazed, and</p> <p>(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                         |

**Class C - Any other alteration to the roof of a dwellinghouse.**

|            |                                                                                                                                                                                                                                                        |                   |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>C.1</b> | <b>Development is not permitted by Class C if -</b>                                                                                                                                                                                                    | <b>Y/N</b>        |
| (a)        | permission to use the dwelling 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 alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;                                                            | N                 |
| (c)        | it would result in the highest part of the alteration being higher than the highest part of the original roof;                                                                                                                                         | N                 |
| (d)        | <p>it would consist of or include –</p> <p>(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or</p> <p>(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.</p> | <p>N</p> <p>N</p> |
| <b>C.2</b> | Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be-                                                                                            | N/A<br>N /A       |

|  |                                                                                                                                                                                      |  |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|  | (a) obscure-glazed; and<br>(b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. |  |
|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

**Conclusion**

Dormer Formula = (Height x Depth x Length) x 0.5

Dormer Calculation = (2.5 x 2.9 x 7.5) x 0.5 = **27.19m<sup>3</sup>**

The proposed rear dormer falls within Schedule 2, Part 1, Class B & C of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended and as such planning permission is not required.

**Recommendation:** Grant Lawful Development Certificate

|                      |                                                                                   |                     |                                  |
|----------------------|-----------------------------------------------------------------------------------|---------------------|----------------------------------|
| <b>Case Officer:</b> | Mrs Sharon Sahota                                                                 | <b>Team Leader:</b> | <b>Richard Hart</b>              |
| <b>Signed:</b>       |  | <b>Signed:</b>      | <i>R Hart</i>                    |
| <b>Dated:</b>        | 29th June 2022                                                                    | <b>Dated:</b>       | <b>29<sup>th</sup> June 2022</b> |