

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20250736
Location	51 Nickleby Road Gravesend Kent DA12 4UQ
Proposal:	Application for a Proposed Lawful Development Certificate; widening of the existing dropped kerb.
Applicant:	Z&I HOLDINGS LTD
Site Visit	N/A Desktop Assessment

Preliminary Matters

The agent was contacted via email to confirm whether the new permeable surface as indicated on the plans would facilitate a hardstanding area. Additionally the agent was asked to confirm there would be no changes to the land levels. The agent confirmed in writing that there would be no land level changes and that the permeable surface would facilitate a hardstanding area.

Plans & Documents

Application Form;
Supplementary Information – Cover Statement;
Site Location Plan;
Block Plan; and
Drawing No. ICON-185-C1 – Front Layout Plan.

Property Type

51 Nickleby Road is a two storey semi-detached property.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20250352	Erection of a single storey rear extension and erection of a front extension with conversion of the garage.	Permitted	22.05.2025

Officer Assessment

In order to be permitted development, the proposal needs to comply with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This assessment is made below.

Permitted Developments Rights Restrictions

Article 2 (3) Land (AONB, Conservation Area)	N
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	N
Would the works involve an engineering operation?	N
Is the road a trunk road or a classified road?	N
Is the hardstanding area existing?	In part, but a new permeable surface is proposed

Schedule 2, Part 2, Class B – means of access to a highway

Permitted Development

The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

In the case of this application, Nickleby Road is not a trunk road or a classified road and the means of access (or in this case extension of the existing access) to the highway is required in connection with a hardstanding area. As such, it stands to be assessed whether the hardstanding accords with the specifications of the GPDO 2015 (as amended).

Schedule 2, Part 1, Class F – 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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use); or	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 as per plan

Conclusion

As established in the above assessment, the access is required in connection with a hardstanding area. The hardstanding would be permeable and complies with the GPDO (2015) (as amended). Therefore the proposed access is Lawful and a Certificate should be Granted.

The proposed development complies with Schedule 2, Part 2, Class B and Schedule 2, Part 1, Class F 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 Certificate

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	17th September 2025	Dated:	17 th September 2025