



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20211461
Location	Clements Reach Cottage Shipley Hills Road Meopham Gravesend
Proposal:	Application for a Lawful Development Certificate in respect of the existing single storey rear extension.
Applicant:	Mrs Fiona James
Site Visit	N/A Desktop Assessment

Plans & Documents

- Application form Received 08/12/2021;
- Site Location Map Received 14/12/2021;
- Drawing No: E1 (Existing Plans, Elevations. Block Plan) Received 29/11/2021; and
- Drawing No: P1.1 (Rev B) (Proposed Plans, Elevations. Block Plan) Received 29/11/2021.

Property Type

The property comprises a detached bungalow.



Material Consideration

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

Relevant Planning History

Reference	Description	Outcome	Decision Date
20180586	Demolition of existing office building and erection of	Withdrawn	06.06.2018

	new garden office and garage.		
20180644	Demolition of existing office building and erection of a granny annexe and garage.	Withdrawn	15.02.2019
20211475	Application for Lawful Development Certificate for proposed demolition of lobby to existing rear extension and construction of a single storey rear extension	Withdrawn	08.12.2021
19880674	Outline application for the erection of four bungalows involving the demolition of no 4 Shipley Hills Road.	Refused	16.11.1988
19920265	Erection of two storey rear extension to form dining room, utility room, cloakroom, lobby & porch with bedroom at 1st. floor level.	Permitted	09.06.1992
20000461	Alterations and change of use of outbuilding to residential use as a granny annex.	Permitted	17.11.2000

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 A - The enlargement, improvement or other alteration of a dwellinghouse

A.1	Development is not permitted by Class A 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)	as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (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)	the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse	N - 4m
(d)	the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse	N – 3.3m
(e)	the enlarged part of the dwellinghouse would extend beyond a wall which – (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse	N N
(f)	subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height	Y – 5.3m N – 4m

(g)	for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height;	N – 5.3m N – 4m
(h)	the enlarged part of the dwellinghouse would have more than a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;	N/A N/A
(i)	the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres	N – 2.3m Away from Boundary
(j)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would – (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwelling; or	N N N
(ja)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);	Y (adjoins a two storey rear extension 19920265)
(k)	it would consist of or include – (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse	N N N
(l)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
A.2	In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –	Y/N
(a)	it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;	N/A
(b)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	N/A

(c)	the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.	N/A
(d)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).	N/A
A.3	Development is permitted by Class A subject to the following conditions –	Y/N
(a)	the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y – Facing Brick Confirmed on plans
(b)	any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be – (i) obscure-glazed, and (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; and	N/A N/A
(c)	where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.	N/A

Conclusion

The proposed single storey rear extension does not meet the criteria set out in Schedule 2, Part 1 Class A of the GPDO, being that the proposed extension would project more than 4 metres from the rear wall of the original dwelling house and would join an existing two storey enlargement of the original dwellinghouse. As such the proposal fails to comply with Schedule 2, Part 1, Class A.1 (f), (g) & (ja) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Recommendation: Refuse Lawful Development Certificate

	Name/Signature	Date
Planning Officer		27/01/2022
Team Leader		01 February 2022