

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240246
Location	15 Norfolk Road Gravesend Kent DA12 2RX
Proposal:	Application for a Lawful Development Certificate in respect of the loft conversion with two rear dormers and two rooflights to front roofslope.
Applicant:	Mr Inderjit Ubhi
Site Visit	N/A Desktop Assessment

Preliminary Matters

As submitted, the plans showed the volume of the dormers would exceed the 40m³ limit at 40.12m³. In addition, there was insufficient information provided to enable Class B.2 (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) to be answered. In this instance, the agent was emailed to give the opportunity to amend the plans and revised plans were received and accepted by the Local Planning Authority on 11.06.24 and the agent confirmed via email that the proposal would comply with B.2 (a) on 12.06.24.

Plans & Documents

Application Form;
Drawing No. 001 – OS Plan;
Drawing No. 102 – Floor Plans – Existing;
Drawing No. 103 – Elevations and Section AA – Existing;
Drawing No. 104 A – REVISED Floor Plans – Proposed;
Drawing No. 105 A – REVISED Elevations – Proposed with Section AA;
Drawing No. 006 – Block Plan – Existing; and
Drawing No. 007 – Block Plan – Proposed.

Superseded Plans and Documents

~~Drawing No. 004 – Floor Plans – Proposed; and~~
~~Drawing No. 005 – Elevations – Proposed with Section AA.~~

Property Type

15 Norfolk Road is a two storey mid terraced property.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20230938	Change of use from family dwellinghouse (Use Class C3) to large HMO (Sui Generis) and loft conversion with two rear dormers and two rooflights to front roofslope.	Refused	13.11.2023

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

1, Original Roof Volume (m ³)	N/A
2. Existing Roof Extensions (m ³)	N/A
Remaining Roof Volume (m ³) formula: (1 minus 2) = X 40m ³ or 50m ³ minus X =remaining volume Officer to show calculations in case notes (indexed on NEC)	N/A – no previous roof extensions carried out. As such 40m ³ remains.

B.1	Development is not permitted by Class B 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)	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 – (i) 40 cubic metres in the case of a terrace house, or (ii) 50 cubic metres in any other case;	N 39.68m ³ N/A
(e)	It would consist of or include – the construction or provision of a verandah, balcony or raised platform or	N

	the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or	Y See Class G below
(f)	The dwellinghouse is on article 2 (3) land	N
(g)	The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
(h)	the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys)	N
B.2	Development is permitted by Class B subject to the following conditions –	Y/N
(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)	The enlargement must be constructed so that – (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 (aa) the eaves of the original roof are maintained or reinstated; and (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 (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	Y Y 0.36m N It does not
(c)	Any window inserted on 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.	Y Y

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

C.1	Development is not permitted by Class C if -	Y/N
(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)	it would consist of or include – (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	N N
(e)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).	N
C.2	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- (a) obscure-glazed; and (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.	N/A N/A

Class G – chimneys, flues etc on a dwellinghouse

The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

G.1	Development is not permitted by Class G if –	G.1
(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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or	N Chimney removal
(c)	In the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which (i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the dwellinghouse.	N/A
(d)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N

Conclusion

The proposed development complies with **Schedule 2, Part 1, Classes B, C and G 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:	L Hankin	Signed:	<i>R Hart</i>
Dated:	12 th June 2024	Dated:	12th June 2024