



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20260165
Location	Clinton House, Pondfield Lane Shorne Gravesend
Proposal:	Application for a Proposed Lawful Development Certificate; Erection of a single storey outbuilding.
Applicant:	Randhir Sidhu
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 08/02/2026;
Supplementary Information – Clinton House Cover Letter;
Drawing Number 23.98_PL_107 (Block Plan – Proposed);
Drawing Number 23.98_PL_106 (Elevations, Floor Plans and Roof Plans – Proposed); and
Drawing Number 23.98_PL_001A (Site Location Plan and Block Plan – Existing).

Property Type

Clinton House, Pondfield Lane is a detached dwellinghouse

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20250873	Demolition of existing garage and erection of a double garage. Removal of front facing dormer and chimney. Erection of a part single, part two storey side extension, two storey front and rear extensions with addition of a balcony to the rear. Alteration to roof pitch and height, fenestration, hard and soft landscaping.	Permitted	14.10.2025
	Demolition of existing garage and erection of a double garage. Removal of front facing dormer and chimney. Erection of a part single, part two storey side extension, two storey front and rear extensions with addition of a balcony to the rear. Alteration to roof pitch and height, fenestration, hard and soft landscaping.	Permitted	27.05.2025
19540069	Erection of house and garage	Permitted	07.04.1954

--	--	--	--

Preliminary Matters

The following comments were received in relation to the application:

Shorne Parish Council

Previous applications 20250038 and 20250873 are noted, both were permitted.

This new proposal is for an approximately 10m by 7m gym and office outbuilding located away and uphill from the main house. Given that the house and garage have already been extended, and the potentially self-contained nature of the proposed building, we consider that this further enlargement/increase in built form on the site by means of an additional outbuilding requires a full planning application so that Conditions can be attached as below.

The Parish Council otherwise has no objection in principle subject to there not being any significant valid objections from neighbours.

Having bathroom facilities the proposed outbuilding is more than an annexe as it is capable of being used as a new separate dwelling in the Green Belt so Conditions should be attached limiting its use to only being non-residential annexe accommodation for the main house. Permitted Development Rights should be explicitly withdrawn for the whole site.

We note the references to Grey Belt in the previous decision report but we disagree that alterations to an existing single residential property that is located in high-quality Green Belt (and also in the National Landscape Area) and surrounded by other high-quality Green Belt properties and not adjacent to a settlement can be properly or correctly designated as Grey Belt

Whilst the above comments have been noted, the submitted application will be assessed under Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as Amended:

Officer Assessment

Permitted Developments Rights Restrictions

Article 2 (3) Land (AONB, Conservation Area)	Y
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	Y*

*Application 20250038 Condition 7 removes permitted development rights as below:

7. Notwithstanding the provisions of Classes A, AA, B, C or D of Part 1, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (as amended), no enlargements to the dwellinghouse, including the roof of the dwellinghouse and the construction of a porch, shall occur, unless prior written consent has been obtained, in the form of full planning permission, from the Local Planning Authority.

Reason: To allow the Local Planning Authority to exercise control over any future development at the application site in the interests of the character and amenities of the locality in accordance with Policy CS19 of the Gravesham Local Plan Core Strategy (2014).

The condition does not remove Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which is of relevance to this application.

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.

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 3.8m
(f)	The height of the eaves of the building would exceed 2.5 metres;	N 2.3m
(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	N

	of the dwellinghouse would exceed 10 square metres.	
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.	Y

Incidental to the Dwellinghouse

The proposed floor plans show the outbuilding is to be used as a gymnasium with office and shower room. Therefore, the outbuilding is considered incidental to the enjoyment of the dwellinghouse.

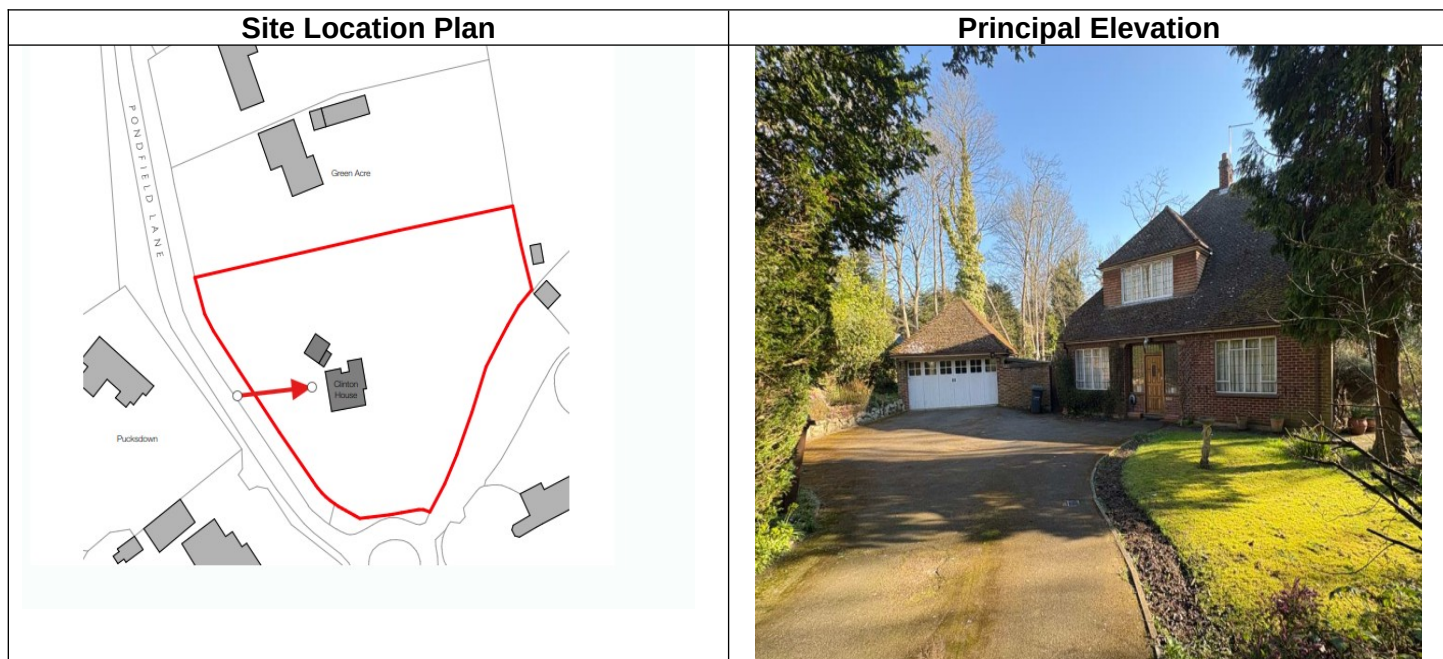
Analysis

As highlighted within the officer's assessment, the application site is situated within the Kent Downs National Landscape and as such is situated on Article 2 (3) Land.

As above, Class E.3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), states that 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.

The proposal would fail to comply with Class E.3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as the outbuilding would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.

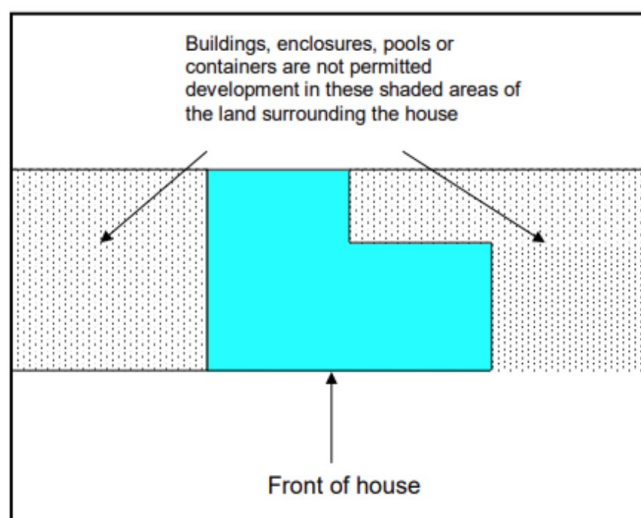
The principal elevation is identified as the elevation fronting Pondfield Lane as below:



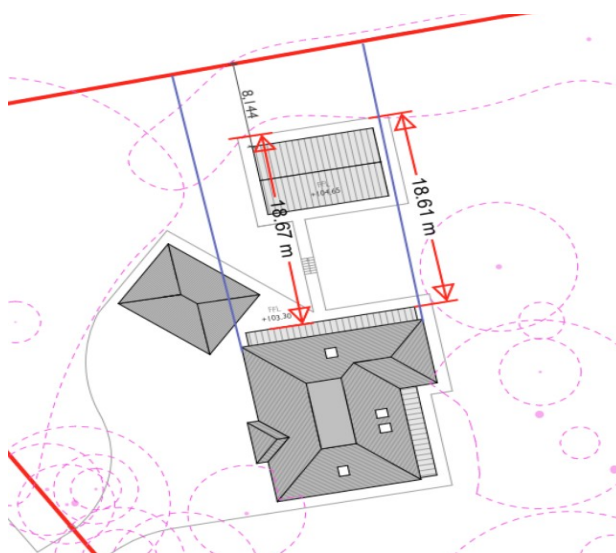
The principal elevation is defined by Permitted Development Technical Guidance as below:



“Principal elevation” – in most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house.



Therefore, the proposed outbuilding would be situated between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse:



Conclusion

The application site is within the Kent Downs National Landscape and therefore situated on Article 2 (3). The proposed development fails to comply with Class E.3 under **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED** as the development would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse. Therefore, the **LAWFUL DEVELOPMENT CERTIFICATE is REFUSED.**



Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	31st March 2026	Dated:	7th April 2026