

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20220576
Location	Robin Hill Bowesden Lane Shorne Gravesend
Proposal:	Application for a Lawful Development Certificate in respect of the erection of single storey rear extension and conversion of existing garage to habitable space including replacement of garage door with full height glazing.
Applicant:	Mr Nick Sandhu
Site Visit	Desktop Assessment

Preliminary Matters

There was no information provided to show the proposal complies with A.3 (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), so the agent was emailed regarding this matter on 07.06.22 and a response was received 08.06.22 to confirm compliance.

Plans & Documents

Application Form;
Drawing No. P1 – Location Plan;
Drawing No. P2 – Block Plan – Existing;
Drawing No. P20 – Block Plan – Proposed;
Drawing No. P21 – Ground floor Plan – Proposed;
Drawing No. P22 – First Floor Plan – Proposed;
Drawing No. P23 - South West and South East Elevations – Proposed;
Drawing No. P24 – North East and North West Elevations – Proposed;
Drawing No. P25 – Roof Plan – Proposed;
Drawing No. P3 – Ground Floor Plan – Existing;
Drawing No. P4 – First Floor Plan – Existing;
Drawing No. P5 – North East and North West Elevations – Existing;
Drawing No. P6 – South West and South East Elevations – Existing;
Drawing No. P7 – Roof Plan – Existing; and
Email from agent re: materials are to match the existing dwellinghouse (received 08.06.22.)

Property Type

Robin Hill is a detached chalet style bungalow.

Material Consideration

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

Relevant Planning History

Application No.	Description	Status	Decision
20220461	Single storey rear extension with a depth of 6.26 metres, maximum height of 4.00 metres and eaves height of 2.60 metres.	Prior Approval Not Required	23.05.2022
20211504	**REVISED DESCRIPTION** Demolition of rear extension; Erection of two storey rear extension and first floor front extension; Construction of raised walls on front and rear elevations with new raised roof and front and rear dormers; Conversion of roof space to provide habitable accommodation; Internal alterations to create integral garage; and formation of two parking spaces.	Refused	07.04.2022
20110873	Conversion of existing integral garage into two bedrooms and children's study and construction of new pitched roof to replace existing flat roof at rear.	Permitted	18.11.2011
19960603	Construction of a pitched roof over the existing flat roofed extension at the rear.	Permitted	27.09.1996
19930011	Erection of first floor extension over the existing garage at the side to form bedroom with dressing room and en-suite bathroom and a detached double garage at the side.	Permitted	01.04.1993
TH/6/59/18	Erection of two detached houses	Permitted	11.02.1959

Planning History Note

Application 19930011; 'Erection of first floor extension over the existing garage at the side to form bedroom with dressing room and en-suite bathroom and a detached double garage at the side', is conditioned to limit the use of the garage:

(ii) The garage hereby permitted shall be used only for the parking of a private motor car or cars or for uses ordinarily incidental to the enjoyment of the dwelling and no development, whether or not permitted by the Town and Country Planning General Development Order 1988 (as amended) shall be carried out in such a manner or in such a location as to preclude vehicular access into the permitted garage.

However, this relates to the detached garage.

A later application, 20110873, was permitted and allowed 'Conversion of existing integral garage into two bedrooms and children's study and construction of new pitched roof to replace existing flat roof at rear.' The existing plans for this current application (20220576) show that this permission has been implemented. Therefore, as long as the proposal complies with the General Permitted Development Order, the proposed fenestration change from garage door to window is acceptable. It is also important to note that a Prior Approval Householder application (2022046) has been previously submitted for the site, and Prior Approval is not required.

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
(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
(e)	the enlarged part of the dwellinghouse would extend beyond a wall which –	
	(i) forms the principal elevation of the original dwellinghouse; or	N
	(ii) fronts a highway and forms a side elevation of the original dwellinghouse	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	Y 6.26
	(ii) exceed 4 metres in height	N 4.00m
(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 6.26 N 4.00m
(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
(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 Eaves Measure 2.60m
(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/A
(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);	N
(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 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 As confirmed by email
(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 Roof windows existing
(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 development complies with Schedule 2, Part 1, Class A 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:	9th June 2022	Dated:	9th June 2022