

Delegated Report

Lawful Development Certificate (Proposed)

Application no: 20250676

Location 41 Bellman Avenue Gravesend Kent DA12 1RF

Proposal: Application for a Proposed Lawful Development Certificate for installation of a drop kerb.

Applicant: Jade Williams

Site Visit N/A Desktop Assessment

Plans & Documents

Application Form Dated 03/07/2025;
Supplementary Information - Image with measurements of dropped kerb;
Site Location Plan;
Block Plan; and
Block Plan showing dropped kerb and hardstanding measurement.

Property Type

41 Bellman Avenue is a semi detached bungalow.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20030210	Erection of single storey side and rear extension to form bedroom, enlarged kitchen and w.c	Permitted	30.04.2003
20000422	Erection of single storey side extension to form porch with storage area in the roof space over; alterations to the roof incorporating two dormer windows in both the front and rear roof slopes to provide two enlarged bedrooms in the roof space and erection of a conservatory at the rear.	Refused	20.07.2000

Preliminary Matters

The development is described as a "instillation of dropped kerb". In this instance it is considered the description of the proposal relates to the vehicular access, rather than the dropped kerb itself as these are dealt with by

application to the Highway Authority and not Gravesham Borough Council. As such, this assessment be made to establish whether the **proposed vehicular access** is lawful.

Officer Assessment

To establish whether the proposed vehicular access is lawful, the proposal will be assessed under; *Class B of Part 2 to Schedule 2* of the GPDO (2015) (as amended) and *Class F of part 1 to Schedule 2* of the GPDO (2015) (as amended) below:

Class B of Part 2 to Schedule 2 of the GPDO states that development is permitted providing:

B. 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).

Bellman Avenue is not a classified road or a trunk road and therefore complies with this part of the order.

Permitted Developments Rights Restrictions

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

Class F - The provision within the curtilage of the dwellinghouse of 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 M, N, P, PA or Q of Part 3 of this Schedule (changes of use);	N
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 20.77sqm
	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

Conclusion

The proposed development complies with Schedule 2, Part 1, Class F and Class B of Part 2 to Schedule 2 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 Nina Goodbody	Team Leader:	
Signed:	<i>N Goodbody</i>	Signed:	
Dated:	26th August 2025	Dated:	