



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20220315
Location	13 St Francis Avenue Gravesend Kent DA12 4SJ
Proposal:	Application for Lawful Development Certificate in respect of the proposed loft dormer and roof lights.
Applicant:	Mr J Patel
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 16/03/2022;
Application Form - Proposal;
Drawing no: S01 P1 (Block Plan – Existing);
Drawing no: S04 P1 (Floor Plans and Elevations with Site Location Plan – Existing);
Drawing no: S03 P1 (Block Plan for Loft – Proposed);
Drawing no: S06 P1 (Elevations, Floor Plans and Section Plans – Proposed); and
Drawing no: S06 P1 (Elevations and Loft Plans – Proposed).

~~SUPERSEDED – Drawing no: S03 P1 (Incorrect Block Plan)~~
~~SUPERSEDED – Drawing no: S06 P1 (Elevations, Floor Plans and Section Plans – Proposed)~~
~~SUPERSEDED – Drawing no: S04 P1 Floor Plans and Elevations – Existing~~

Property Type

13 St Francis Avenue is a two-storey semi-detached dwelling.

Material Consideration

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

Relevant Planning History

Application No.	Description	Status	Decision
20220312	Demolition of existing single storey rear extension and erection of a larger single storey rear extension. Conversion of the existing garage to a habitable room with front extension of the porch incorporating new living area.	Permitted	27 May 2022

19970144	Application for Lawful Development Certificate in respect of the proposed erection of a single storey rear extension to form a kitchen and storeroom.	Granted	03.04.1997
19960341	Erection of a part two storey and part single storey rear extension to form enlarged dining room, kitchen and storeroom at ground floor level with a bedroom and an enlarged bedroom at first floor level and repositioning of existing garden shed.	Permitted	26.07.1996

Procedural Note:

A description of the proposal was not included on the application form submitted. The Agent was contacted via email and provided the description on 30th May 2022.

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.

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/A N 45.28m3
(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	N
(f)	The dwellinghouse is on article 2 (3) land	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 Y
(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.	N/A N/A

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	N/A

	(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	N/A
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

Conclusion

The proposed alterations comply with Schedule 2, Part 1, Classes B and C of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Therefore planning permission is not required and a Lawful Development Certificate can be granted.

Recommendation: Grant Lawful Development Certificate

	Name/Signature	Date
Planning Officer	N Goodbody	31.05.2022
Team Leader		01 June 2022