

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240766
Location	Purvil Wood Cottage Leywood Road Meopham Gravesend
Proposal:	Application for a Proposed Lawful Development Certificate in respect of erection of single storey side extension.
Applicant:	Mr Craig Main
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form
001 A – Existing Block Plan, Proposed Block Plan, Location Plan
002 A – Existing Elevations, Existing Floor Plan
003 A – Proposed Elevation, Proposed Floor Plan
Cover Letter

Property Type

The property comprises a detached dwellinghouse.

This site contains a two-storey dwellinghouse, with single storey projection to the front (North elevation) and a conservatory to the rear (south elevation). The site is in an Area of Outstanding Natural Beauty (National Landscape) in the Metropolitan Green Belt and forms part of the Harvel Wooded Downs Landscape Character Area.

The image below was taken during the pre-application meeting on 20th November 2023.



Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20240495	Demolition of existing conservatory and erection of an orangery along with internal alterations.	Permitted	08.08.2024
20240155	Demolition of existing conservatory, toilet block and storage block to proposed a rear orangery and a single storey side extension along with internal alterations.	Refused	15.04.2024
20160955	Demolish existing conservatory and erection of a two storey extension to the south end of the building to form living and bedroom with en-suite at first floor level and addition of a new entrance door and open canopy to the west elevation.	Refused Dismissed on Appeal	24.08.2017 11.01.2018
20160025	Proposed demolition of existing conservatory and erection of two storey side extension.	Refused	07.03.2016
20010312	Erection of a detached double garage Permitted Extension to existing stable block to form two additional stables. Refused	Split Decision	20.06.2001
19980448	Erection of conservatory at the rear and single storey front extension to form study, utility room and hallway including canopy above front door.	Permitted	01.09.1998

Officer Assessment*Permitted Developments Rights Restrictions*

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

Permitted development rights were removed under planning application ref 20181210 relating to the hay barn. Condition 4 of that decision is as follows:

The hay barn hereby permitted shall be used only for the storage of hay and hay making equipment, and for purposes ancillary to the main dwelling and for no other purpose or development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 2015 as amended.

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 (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 (ii) exceed 4 metres in height	N (3.3m high)
(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	N/A

	dwellinghouse, or (ii) exceed 4 metres in height;	
(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 (Single Storey)
(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 2.3m high)
(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 - 3.3 m high - Single storey - less than half the width of original dwelling
(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
(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;	Y
(b)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	Y
(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
(d)	any total enlargement (being the enlarged part together with any existing enlargement of	N/A

	the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).	
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
(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
(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

The proposed single storey side extension fails to comply with A.2 (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as the proposed development would extend beyond a wall forming a side elevation of the original dwellinghouse and would use rendered walls. A.2 (a) and (b), does not permit such development on Article 2(3) land. This site is on Article 2 (3) as it is in the Kend Downs National Landscape (Formerly known as an Area of Outstanding Natural Beauty).

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	R Hart
Dated:	2nd October 2024	Dated:	7 th October 2024