

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240114
Location	Azila Dean Lane Harvel Gravesend
Proposal:	Application for Lawful Development Certificate for the proposed erection of 2no. single storey rear extensions.
Applicant:	Mr T Harrar
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form
 01 – Site Location and Existing Block Plan
 02 – Existing Floor Plans
 03 – Existing Elevations
 04 – Proposed Block Plan
 05 – Proposed Floor Plans
 06 – Proposed Elevations
 Cover Letter

Property Type

The property comprises a single bedroom, bungalow located in Rural Green Belt, in a Landscape Character Area and in a National Landscape (Previously AONB).

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20231103	Application for a Lawful Development Certificate in respect of the proposed 4m deep single storey rear extension and loft conversion with 8 rooflights.	Certificate Refused	29.11.2023
20200230	Demolish two existing dwellings (Four Acres and Azila) and associated outbuildings, and replace with two single storey dwellings and two garden sheds.	Permitted (not yet implemented)	04.05.2020
19490080	Replacement of a timber and asbestos bungalow with brick built structure	Permission	06.06.1949

Officer Assessment*Permitted Developments Rights Restrictions*

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

It should be noted that the plans include changes to the fenestration and additional rooflights which is not included in the description. The planning agents were approached to enquire whether they would like the description amended to cover these elements of the proposed plans. However, they have chosen not to amend the description. This assessment therefore does not cover fenestration changes or addition of rooflights and neither does the decision which would coincide with this assessment. It is the applicants responsibility to ensure that any changes in fenestration and additional rooflights comply with permitted development right requirements and/or any necessary planning consents are obtained.

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 (4m deep and 4m 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 dwellinghouse, or	N/A

	(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
(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
(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
(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;	N
(b)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	N
(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 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.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
(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

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 Lisa Fisher	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	22nd March 2024	Dated:	27 March 2024