

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240920
Location	Broadwood House Pondfield Lane Shorne Gravesend
Proposal:	Application for a Proposed Lawful Development Certificate for the demolition of the existing conservatory and erection of a single storey rear extension.
Applicant:	Mr And Mrs Whitehead
Site Visit	N/A Desktop Assessment

Plans & Documents

Application form
Cover Letter
Drawing no. 24/431/03 (existing elevations)
Drawing no. 24/431/02 (existing first floor plan)
Drawing no. 24/431/01 (existing ground floor plan)
Drawing no. 24/431/06 rev C (proposed elevations)
Drawing no. 24/431/05 rev C (proposed first floor plans)
Drawing no. 24/431/04 rev C (proposed ground floor plan)

Property Type

The property comprises a two storey detached dwelling.

Material Consideration

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

Relevant Planning History

20240934	Application for a Proposed Lawful Development Certificate for the erection of a garden building.	Under consideration
20240921	Demolition of first floor balcony store cupboard, removal of balcony railings and replacement of french door with windows. Erection of a single storey side extension.	Under consideration

20240920	Application for a Proposed Lawful Development Certificate for the demolition of the existing conservatory and erection of a single storey rear extension.	Under consideration	
20240478	Demolition of existing conservatory and existing first floor patio store; removal of balcony balustrade and erection of a single storey side/rear extension with a Sedum roof covering. Juliet balcony bar to be installed across existing door opening on first floor.	Refused	18.07.2024
20020287	Erection of two storey rear extension and single storey side extension to form utility room, w.c., clean room and living room at ground floor level with enlarged bedroom and balcony at first floor level; erection of a conservatory at the rear, detached double garage at the front and detached tractor shed at the side; alterations to the front elevations involving construction of an open porch, pitched roofs over existing ground floor flat roofs and construction of 2 gable fronts.	Permitted	31.05.2002
20020014	Erection of two storey rear extension and single storey extensions on both side elevations to form living room, utility room, w.c., clean room, double garage and tractor shed at ground floor level with an enlarged bedroom and balcony at first floor level; erection of a conservatory at the rear; alterations to front elevation involving construction of open porch, pitched roofs over existing ground floor flat roofs and construction of 2 gable fronts.	Refused	06.03.2002
19990577	Erection of a conservatory at the rear.	Refused	12.10.1999
19880923	Erection of s/s extension on northeast elevation to form snooker rm/jacuzzi/sauna/shower & changing rm, s/s extension on	Permitted	06.03.1989

southwest elev to form double garage/refuse store/boiler rm/lobby, s/s extension on east elev to form enlarged living rm & conservatory, erec.of verandah at front & pergola at rear

19820553	Erection of a detached double garage	Permitted	16.09.1982
19560214	Erection of private rest home	Permitted	19.09.1956

Officer Assessment

Permitted Developments Rights Restrictions

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

Class A - The enlargement, improvement or other alteration of a dwellinghouse

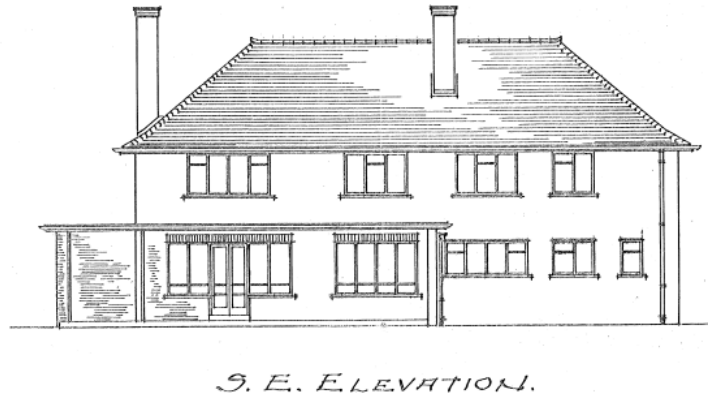
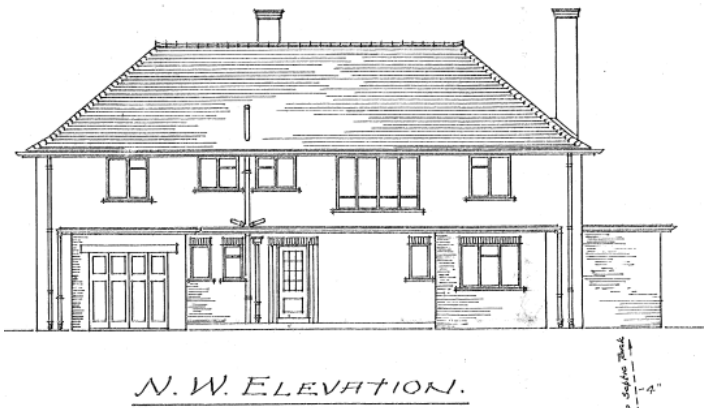
A.1	Development is not permitted by Class A if –	Y/N
(a)	permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use)	N
(b)	as a result of the works, the total area of ground covered by buildings within the 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 (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 (d) 3.47m (h)

(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/A
(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
(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	NA
(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 – is not attached to existing extension.
(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/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 original property:

Front (northwest) and rear (southeast) elevations:



Side elevations

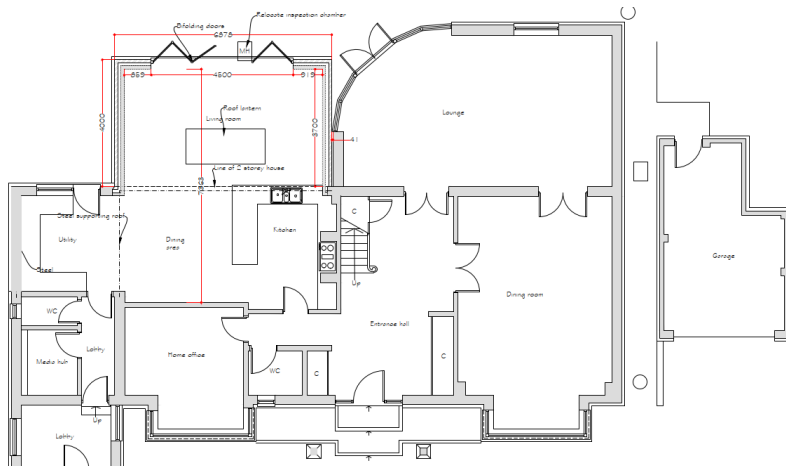
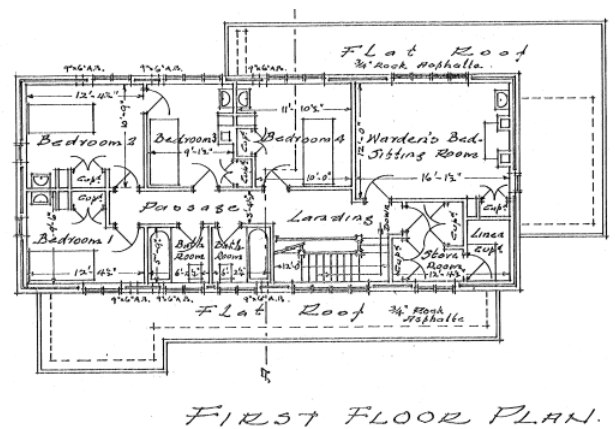
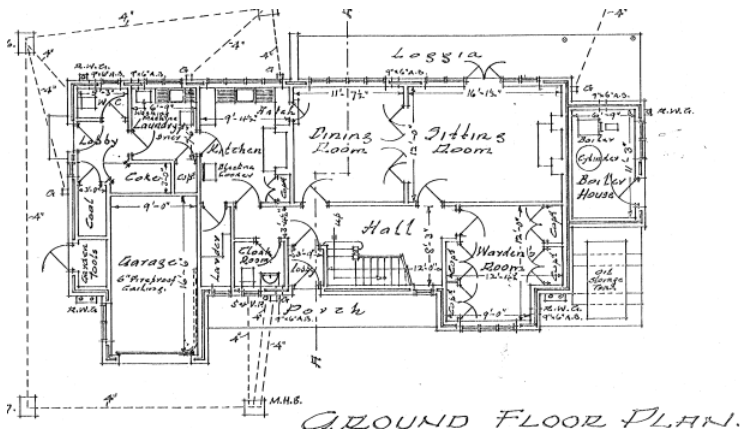


S. W. ELEVATION.



N. E. ELEVATION.

Floor plans:

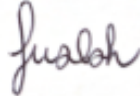


As can be seen from the plans above, the original rear wall currently forms the rear dining room/entrance hall and dining area wall. The proposed extension will attach to this rear wall leaving a small space between it and the lounge extension. It will therefore be an independent extension projecting from the original rear wall and consequently meets the provisions of Class A1 (f) of Schedule 2 (Article 3) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Conclusion

The proposed rear extension complies with Article 3, Part 1, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Therefore, the development proposed comprises Permitted Development, and a Lawful Development Certificate can be granted.

Recommendation: <u>Grant</u> Lawful Development Certificate
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Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	27th November 2024	Dated:	28 November 2024