

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20230853
Location	60 Armoury Drive Gravesend Kent DA12 1NB
Proposal:	Application for a Lawful Development Certificate in respect of the proposed single storey rear extension, loft conversion with rear dormer, erection of an outbuilding, proposed porch and conversion of garage to habitable room.
Applicant:	Mr Singh
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 22/07/2023;
OS Plan – Existing – Received 29/11/2023;
Block Plan – Proposed – Received 20/11/2023;
Drawing Number HK/02 (Outbuilding Floor Plans – Proposed);
Drawing Number HK/09 (Outbuilding Elevations – Proposed);
Drawing Number HK/03 (First Floor Plan – Existing);
Drawing Number HK/01 (Ground Floor Plan – Existing);
Drawing Number HK/06 (Roof Plan – Existing);
Drawing Number HK/12 (Front Elevations – Existing and Proposed);
Drawing Number HK/10 (Outbuilding Roof Plan – Proposed);
Drawing Number HK/04 (First Floor Plan – Proposed);
Drawing Number HK/02 (Ground Floor Plan – Proposed);
Drawing Number HK/05 (Loft Plan – Proposed);
Drawing Number HK/07 (Roof Plan – Proposed);
Drawing Number HK/11 (Rear Elevations – Existing and Proposed); and
Drawing Number HK/13 (Side Elevations - Existing and Proposed).

Property Type

60 Armoury Drive is an end of terraced two storey dwelling house.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
19790660	Residential development by the erection of 35 houses with integral garages together with 87 houses and 36 flats with 123 garages	Permitted	06.09.1979

Officer Assessment

Permitted Developments Rights Restrictions

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

Application 19790660 details the following condition:

(iv). The areas shown on the submitted layout plan as car parking spaces shall be used only for the parking of a private motor car (or cars) or for uses ordinarily incidental to the enjoyment of the occupiers of the domestic dwellings hereby permitted and no development, whether permitted by the Town & Country Planning General Development Order 1977 or not, shall be carried out on the site in such a manner or in such a position as to preclude vehicular access into the reserved car parking spaces.

The reason for this condition is:

(iv). That the development without provision for adequate accommodation for the parking or garaging of a private motor car or cars is likely to lead to car parking inconvenient to other road users and detrimental to amenity.

As such the above condition is sufficiently clear to exclude the conversion of the garage into habitable room from the Town and Country Planning (General Permitted Development) Order 2015 (as Amended) and to prevent any alterations to the garage without the prior written permission of the Local Planning Authority having first been obtained.

Conclusion

The proposed conversion of garage into habitable room does not meet the criteria found within the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended by virtue of condition (iv) of planning permission 19790660 which requires its use for car parking or for uses ordinarily incidental to the enjoyment of the dwelling. The proposed use as a habitable room would not conform with the requirements of the condition and therefore the Lawful Development Certificate is refused and planning permission is required.

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
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Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	10th January 2024	Dated:	12th January 2024