

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20230240
Location	Furzy Lea Bowesden Lane Shorne Gravesend
Proposal:	Application for a Proposed Lawful Development Certificate in respect of the erection of a Gym.
Applicant:	Mr Yadwinder Gill
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 07/03/2023;
Drawing Number 001 (Location Plan with Block Plan – Existing);
Drawing Number 002 (Location Plan with Block Plan – Proposed); and
Drawing Number 003 Revision B (Amended Elevations and Floor Plan – Proposed).

Property Type

Furzy Lea, Bowesden Lane is a detached two storey dwellinghouse.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20221191	Single storey rear extension with a depth of 8.00 metres, maximum height of 3.50 metres and eaves height of 2.40 metres.	Prior Approval Not Required	29.11.2022
20220995	Single storey rear extension with a depth of 8.00 metres, maximum height of 3.50 metres and eaves height of 2.40 metres.	R3 - Prior Approval is Required and Refused	12.10.2022
20071061	Construction of new pitched roof to replace existing flat roof at rear and installation of new window in rear elevation at first floor level.	Permitted	18.01.2008

19940321	Erection of a conservatory at the rear.	Permitted	28.07.1994
19510115	Erection of a dwellinghouse and garage	Permitted	07.09.1951

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 E - The provision within the curtilage of the dwellinghouse of –

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

E.1	Development is not permitted by Class E 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)	The total area of ground covered by building, enclosures and containers within the curtilage (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)	Any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;	N
(d)	The building would have more than a single storey;	N
(e)	The height of the building, enclosure or container would exceed – (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of dwellinghouse, or (iii) 3 metres in any other case;	N 4m N/A N/A
(f)	The height of the eaves of the building would exceed 2.5 metres;	N 2.2m
(g)	The building, enclosure, pool or container would be situated within the curtilage of a listed building;	N
(h)	It would include the construction or provision of a verandah, balcony or raised platform;	N

(i)	It relates to a dwelling or a microwave antenna; or	N
(j)	The capacity of the container would exceed 3,500 litres	N
(k)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
E.2	In the case of any land within the curtilage of a dwellinghouse which is within – (a) An area of outstanding natural beauty; Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.	N/A
E.3	In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.	N/A

Incidental to the dwellinghouse

The plans show the outbuilding is to be used a home gym. Therefore, although the outbuilding has a relatively large footprint, due to the information submitted and detail on the plans, the outbuilding is considered incidental to the enjoyment of the dwellinghouse.

Conclusion

The proposed development complies with Schedule 2, Part 1, Class E 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 Nina Goodbody	Team Leader:	Miss Faye Hobbs
Signed:	<i>N Goodbody</i>	Signed:	
Dated:	9 th May 2023	Dated:	10 May 2023