

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20230752
Location	90 Central Avenue Gravesend Kent DA12 5BH
Proposal:	Application for a Lawful Development Certificate in respect of the proposed erection of an outbuilding.
Applicant:	Mr Robin Bull
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 13/07/2023;
 Supplementary Information – Photo Of Land;
 Supplementary Information – Indicative Elevations;
 Supplementary Information – Indicative Floor Plans ;
 Supplementary Information – Evidence for LDC;
 OS Plan – Received 14.07.2023;
 Layout Plan – Existing – Received 14.07.2023;
 Layout Plan – Proposed – Received 14.07.2023; and
 Section Plans Existing and Proposed – Received 26.07.2023.

Property Type

90 Central Avenue is a two storey semi-detached dwellinghouse.

Material Consideration

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

Relevant Planning History

No Relevant History

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 2.62m N/A N/A
(f)	The height of the eaves of the building would exceed 2.5 metres;	N 2.15m
(g)	The building, enclosure, pool or container would be situated within the curtilage of a listed building;	N/A
(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/A
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 Supplementary Information – Indicative Floor Plans - show the outbuilding is to be used as a summer house. Therefore, 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:		Signed:	
Dated:	12th September 2023	Dated:	12 September 2023