

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20231072
Location	23 Darenth Drive Gravesend Kent DA12 4TA
Proposal:	Application for a Proposed Lawful Development Certificate in respect of a loft conversion with hip to gable roof extension dormer window to rear elevation & 3 No rooflight windows to front elevation.
Applicant:	Mr Jamie Sutherland
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form;
 Drawing No. 1491-01 – Ground and First Floor Plans – Existing;
 Drawing No. 1491-02 – Elevations – Existing;
 Drawing No. 1491-03 – Elevations – Proposed;
 Drawing No. 1491-04 – Ground Floor Plans – Proposed (No layout changes at this level);
 Drawing No. 1491-05 – First Floor Plans – Proposed;
 Drawing No. 1491-06 – Loft Floor Plan – Proposed;
 Drawing No. 1491-09 – Block Plan – Proposed;
 Drawing No. 1491-09 – Site Location Plan – Existing; and
 Drawing No. 1491-10 – Block Plan – Existing.

Property Type

23 Darenth Drive is a two storey semi-detached property located south of the highway.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20110881	Construction of pitched roof to replace existing flat roof on garage at rear; conversion of this garage into a summerhouse and erection of an attached garage at the side to replace existing car port.	Permitted	03.11.2011

20060113	Erection of single storey rear extension to form a kitchen/diner and erection of a front porch.	Permitted	13.03.2006
19840549	Retention of car port at the side	Permitted	10.08.1984
19790164	Retention of a car port	Permitted	05.06.1979
19740671	Retention of car port.	Permitted	21.01.1975

Planning History Note

Conditions included within the planning history restrict permitted development rights, e.g for application reference number 2006113, the decision notice includes the following:

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, in particular the category of permitted development set out in Class A of Part 1 of Schedule 2 of the order, no window, door or other form of opening and no extract flue or other form of mechanical ventilation shall be installed in the west flank wall of the extension hereby permitted without the prior approval in writing of the Local Planning Authority.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, in particular the category of permitted development set out in Class D of Part 1 of Schedule 2 of the order, no porch shall be erected without the prior approval in writing of the Local Planning Authority.

However, this does not relate to the development proposed by this application under Classes B, C and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such, the application assessment is carried out below.

Officer Assessment

Permitted Developments Rights Restrictions

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

Class B - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

1, Original Roof Volume (m ³)	N/A
2. Existing Roof Extensions (m ³)	N/A
Remaining Roof Volume (m ³)	Full 50m ³ allowance remains available.

B.1	Development is not permitted by Class B 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)	Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;	N

(c)	Any part of the dwellinghouse would, as a result of the works, extend, beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;	N
(d)	The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than – (i) 40 cubic metres in the case of a terrace house, or (ii) 50 cubic metres in any other case;	N/A N 41.50m3
(e)	It would consist of or include – the construction or provision of a verandah, balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or	N N
(f)	The dwellinghouse is on article 2 (3) land	N
B.2	Development is permitted by Class B subject to the following conditions –	Y/N
(a)	The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y
(b)	The enlargement must be constructed so that – (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side – extension (aa) the eaves of the original roof are maintained or reinstated; and (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwelling house; and	Y Y 0.40m from eaves N it does not
(c)	Any window inserted on 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.	N/A

Class C - Any other alteration to the roof of a dwellinghouse.

C.1	Development is not permitted by Class C if -	Y/N
(a)	permission to use the dwelling 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 alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;	N 0.15 max
(c)	it would result in the highest part of the alteration being higher than the highest part of the original roof;	N
(d)	it would consist of or include – (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	N See Class G
C.2	Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be- (a) obscure-glazed; and (b) 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.	N/A

Class G – chimneys, flues etc on a dwellinghouse

The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

G.1	Development is not permitted by Class G if –	G.1
(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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or	N (0.6m)
(c)	In the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which (i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the dwellinghouse.	N/A
(d)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N

Conclusion

The proposed development complies with Schedule 2, Part 1, Classes B, C and G 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

Case Officer:	Mrs Lucy Hankin	Team Leader:	Miss Faye Hobbs
Signed:	L Hankin	Signed:	
Dated:	21st November 2023	Dated:	23 November 2023