

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20250872
Location	34 Brice Road Higham Rochester Kent
Proposal:	Application for a Proposed Lawful Development Certificate; Installation of a drop kerb.
Applicant:	Mr Jack Smith
Site Visit	N/A Desktop Assessment

Plans & Documents

- Application Form
- Site Location Map
- Proposed Site Plan

Property Type

The property comprises a semi-detached dwelling.



Material Consideration

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

Relevant Planning History

No relevant planning history.

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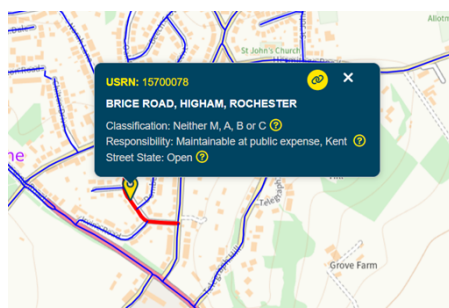
Officer Assessment

The purpose of this assessment is to ascertain whether the installation of a vehicular access is lawful and therefore Class B of Part 2 to Schedule 2 of the GPDO (2015) (as amended) is applicable as is Class F of Part 1 Schedule 2 of the GPDO (2015) (as amended).

Class B of Part 2 to Schedule 2 of the General permitted Development Order states that development is permitted providing:

B. The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

Brice Road, Higham is not a Trunk Road nor a Classified Road and therefore satisfies Class B of Part 2 to Schedule 2 of the General permitted Development Order.



The above also states:

where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

Therefore the submission will also be assessed Class F of the Schedule 2 Part 1 of the GPDO.

Permitted Developments Rights Restrictions

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

Class F - The provision within the curtilage of the dwellinghouse of hard surfaces incidental to the enjoyment of a dwellinghouse

Development consisting of -

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
 (b) the replacement in whole or in part of such a surface.

F.1	Development is not permitted by Class F 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 dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
F.2	Development is permitted by Class F subject to the condition that where	Y/N
(a)	The hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and	Y
(b)	The area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,	Y
	Either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.	Y – See Officer Analysis

Officer Analysis

Schedule 2, Part 1, Class F.2(b) of the Town and Country (General Permitted Development) (England) Order 2015 requires the hard surface to be made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

The details provided in the application form which support this submission state:

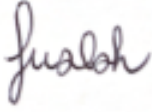
*The proposed vehicle crossover is onto an unclassified residential road and therefore qualifies as permitted development under Schedule 2, Part 2, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. **The front garden will be converted to either a gravel or block paved driveway, a permeable surface that allows rainwater to drain naturally within the property.** No engineering works beyond the standard dropped kerb construction are proposed, and the site is not within a conservation area, does not affect any listed buildings, and contains no protected trees.*

Conclusion

The proposed development complies with Schedule 2, Part 1, Class F and Class B of Part 2 to Schedule 2 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 Sharon Sahota	Team Leader:	Mrs Faye Walsh
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Signed:		Signed:	
Dated:	15 th October 2025	Dated:	20 October 2025