

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20221236
Location	23 Parrock Avenue Gravesend Kent DA12 1QG
Proposal:	Application for a Lawful Development Certificate in respect of the construction of a single storey rear extension.
Applicant:	Mr Paul Dawson
Site Visit	Desktop Assessment

Preliminary Matters

The agent was contacted on 04.01.23 to confirm if the colour of the window frames in the proposed extension will match the existing dwelling, in accordance with A.3(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, which states the use of similar materials is required. Confirmation was received on 04.01.23.

Plans & Documents

Application Form;
Supplementary Information – Email from agent confirming materials (received 04.01.23);
Drawing No. P010 – OS Plan;
Drawing No. P001 – Floor Plans and Elevations – Existing and Proposed; and
Drawing No. P020 – Block Plan.

Plan Note

Drawing No. P001 – Floor Plans and Elevations – Existing and Proposed shows the floor plans and elevations at different scales, however only 1:50 is stated on the drawing. As such, the written dimensions on the plans have been used to assess the application.

Property Type

23 Parrock Avenue is a two storey semi-detached property.

Policies & Representations

As this is an application for a Lawful Development Certificate under Section 192 of the Town & Country Planning Act 1990 (as amended) consultation is not required and any representations received are not relevant to the assessment of the proposal. However, a neighbour representation has been received for this Lawful Development Certificate Application. The representation raised concerns regarding:

- the fact that the shared vehicular access is not shown on the plans

- the existing recess of the conservatory provides vehicle turning and access
- the proposed extension will prevent existing vehicular access

As aforementioned above, this is not a consideration under this type of application. Furthermore, Class A under the Town and Country Planning (General Permitted Development) (England) Order has not been removed or restricted for this property.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
19810037	Erection of detached garage at rear	Permitted	09.03.1981
TH/2/49/299 (19490709)	Erection of four garages to new houses	Permitted	11.01.1950

Planning History Note

According to the block plan and google aerial images, it appears there is not/no longer a garage on site. As such the 19810037 condition, relating to vehicular access is not relevant to this assessment.

Google Earth Image



The condition and reason on the 19810037 decision notice, is copied below for information:

Condition:

- (ii) The garage hereby permitted shall be used only for the parking of a private motor car or cars and no development, whether permitted by the Town and 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 garage.

Reason:

- (ii) 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.

Furthermore, had the garage still been in existence, it should be noted that this application would not be affected by the above condition. The single storey rear extension is of a similar size to the existing conservatory, it will not project beyond the side wall of the existing dwelling and has a depth of 3.00m. Furthermore, it is noted the adjacent neighbour at no.21 has an existing deeper single storey rear extension that does not appear to preclude access.

Google Image

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 A - The enlargement, improvement or other alteration of a dwellinghouse

A.1	Development is not permitted by Class A 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)	as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (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)	the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse	N
(d)	the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse	N
(e)	the enlarged part of the dwellinghouse would extend beyond a wall which – (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse	N/A
(f)	subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height	N 3.00m N 3.00m
(g)	for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height;	N/A
(h)	the enlarged part of the dwellinghouse would have more than a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;	N/A

(i)	the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres	N 2.75m
(j)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would – (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwelling; or	N/A
(ja)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);	N/A
(k)	it would consist of or include – (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse	N N Y See Class G N
(l)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
A.2	In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –	Y/N
(a)	it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;	N/A
(b)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	N/A
(c)	the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.	N/A
(d)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).	N/A
A.3	Development is permitted by Class A subject to the following conditions –	Y/N
(a)	the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y

(b)	any upper-floor window located in 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; and	N/A
(c)	where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.	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
(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/A

Conclusion

The proposed development complies with Schedule 2, Part 1, Classes A 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 Certificate

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	R Hart
Dated:	4 th January 2023	Dated:	4 th January 2023