

# Delegated Report

## Lawful Development Certificate (Proposed)

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|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application no:</b> | 20220332                                                                                                                                                                                                                                                                  |
| <b>Location</b>        | 23 Napier Road Northfleet Gravesend Kent                                                                                                                                                                                                                                  |
| <b>Proposal:</b>       | Application for a Lawful Development Certificate in respect of the proposed erection of a dormer extension in the rear roof slope with Juliet balcony, conversion of the roofspace to form habitable rooms and installation of 2no velux windows in the front roof slope. |
| <b>Applicant:</b>      | Mr Tony Rooprai                                                                                                                                                                                                                                                           |
| <b>Site Visit</b>      | Desktop Assessment                                                                                                                                                                                                                                                        |

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### Preliminary Matters

The agent was emailed 30.03.22 regarding a description alteration from; *Application for Lawful Development Certificate for proposed construction of a dormer extension in the rear roof slope and conversion of loft to habitable rooms, with 2no velux windows in the front roof slope* to; *Application for a Lawful Development Certificate in respect of the proposed erection of a dormer extension in the rear roof slope with Juliet balcony, conversion of the roofspace to form habitable rooms and installation of 2no velux windows in the front roof slope*. This was confirmed as acceptable on 30.03.22.

Furthermore, the agent was emailed regarding a discrepancy with the red line boundary and absence of outbuildings shown on the Block Plan and Site Location plan. Revised plans were received 30.03.2022 to address this.

### Plans & Documents

Application Form;  
Drawing No. D01 – Floor Plans – Existing;  
Drawing No. D02 – Floor Plans – Proposed;  
Drawing No. D03 – Roof Plans – Existing and Proposed;  
Drawing No. D04 – Elevations – Existing;  
Drawing No. D05 – Elevations – Proposed;  
Drawing No. D07 – Section Plan AA – Proposed;  
Drawing No. D08 REV 1 – REVISED Block Plan;  
Drawing No. D09 REV 1 – REVISED Site Location Plan; and  
Supplementary Information - Drawing No. D06 – Volume Details.

### Property Type

23 Napier Road is a two storey terraced property.

**Material Consideration**

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

**Relevant Planning History**

| Application No. | Description                                                                                                                                   | Status                      | Decision   |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------|
| 20220333        | Single storey rear extension with a depth of 6.00 metres, maximum height of 3.00 metres and eaves height of 3.00 metres.                      | Prior Approval Not Required | 21.04.2022 |
| 20160432        | Erection of a first floor rear extension.                                                                                                     | Permitted                   | 22.06.2016 |
| 20150324        | Application for a Lawful Development Certificate in respect of the proposed loft conversion with the construction of a rear dormer extension. | Certificate Granted         | 18.06.2015 |

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

| 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 –<br><br>(i) 40 cubic metres in the case of a terrace house, or<br><br>(ii) 50 cubic metres in any other case; | 21.89m3*<br><br>N/A |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                            |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| (e)        | It would consist of or include –<br><br>the construction or provision of a verandah, balcony or raised platform or<br><br>the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | N<br><br>N                                 |
| (f)        | The dwellinghouse is on article 2 (3) land                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | N                                          |
| <b>B.2</b> | <b>Development is permitted by Class B subject to the following conditions –</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Y/N</b>                                 |
| (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 –<br>(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<br><br>(aa) the eaves of the original roof are maintained or reinstated; and<br><br>(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<br><br>(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<br><br>Y<br>0.35<br><br>N<br>It does not |
| (c)        | Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –<br><br>(i) obscure-glazed, and<br>(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.**

|            |                                                                                                                                                                                             |                                                |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <b>C.1</b> | <b>Development is not permitted by Class C if -</b>                                                                                                                                         | <b>Y/N</b>                                     |
| (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<br>Plans indicate no projection beyond 0.15m |
| (c)        | it would result in the highest part of the alteration being higher than the highest part of the original roof;                                                                              | N                                              |

|            |                                                                                                                                                                                                                                                                                                                                                                                                                 |                   |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| (d)        | <p>it would consist of or include –</p> <ul style="list-style-type: none"> <li>(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or</li> <li>(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.</li> </ul>                                                                                                             | <p>N</p> <p>N</p> |
| <b>C.2</b> | <p>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–</p> <ul style="list-style-type: none"> <li>(a) obscure-glazed; and</li> <li>(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.</li> </ul> | <p>N/A</p>        |

### \*Plan Note

As indicated below, the proposed section plan measurements differ from the proposed elevation plan measurements, however both results comply with the cubic content limit set out in B.1 (d.)

|                                                                                             |                                                                                                                                                                                                                                                                                                              |
|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                             | <p>Dormer window — flat roof</p> <p>Height (metres): <input type="text" value="2.3"/></p> <p>Depth (metres): <input type="text" value="3.66"/></p> <p>Length (metres): <input type="text" value="5.2"/></p> <p>Total Volume: <b>21.89</b></p> <p><a href="#">Calculate Volume</a> <a href="#">Reset</a></p>  |
| <p>THE MATERIALS USED FOR THE REAR DORMER WILL MATCH THE MATERIALS ON THE HOST DWELLING</p> | <p>Dormer window — flat roof</p> <p>Height (metres): <input type="text" value="2.04"/></p> <p>Depth (metres): <input type="text" value="3.68"/></p> <p>Length (metres): <input type="text" value="5.2"/></p> <p>Total Volume: <b>19.52</b></p> <p><a href="#">Calculate Volume</a> <a href="#">Reset</a></p> |

**Application Note**

Although it has no bearing on this Lawful Development Certificate application, it is noted there is another application pending consideration at this time;

20220324 - Erection of a first floor rear extension.

As of 06.05.2022, this application is pending consideration.

**Conclusion**

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

|                  | Name/Signature                                                                     | Date        |
|------------------|------------------------------------------------------------------------------------|-------------|
| Planning Officer | L Hankin                                                                           | 06.05.22    |
| Team Leader      |  | 09 May 2022 |