

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240501
Location	18 The Crescent, Northfleet, Gravesend, Kent
Proposal:	Application for a Lawful Development Certificate for the proposed erection of an outbuilding in the rear garden to be used as a private tattoo studio.
Applicant:	Mr Sam Andrews
Site Visit	N/A Desktop Assessment

Submitted Plans and Documents

Application form
Location Plan
Site/Block Plan
Drawing 'Proposed Garden Room'

Property Type

The property comprises a two storey semi-detached dwellinghouse within the urban boundary.

Material Consideration

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

Relevant Planning History

There is no planning history for the property.

Officer Assessment

Permitted Developments Rights Restrictions

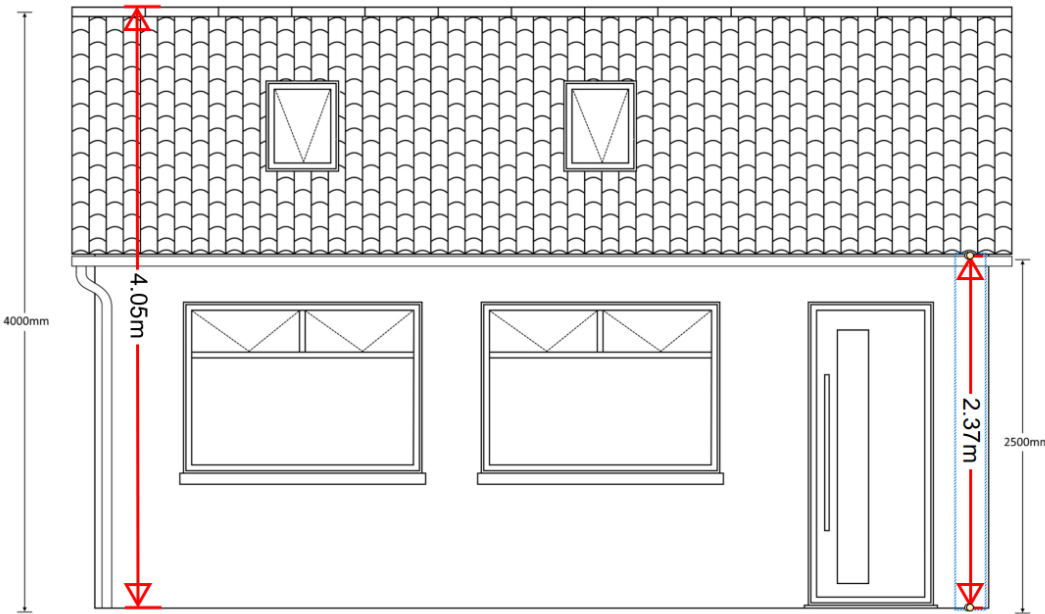
Article 2 (3) Land (AONB, Conservation Area)	N
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	N

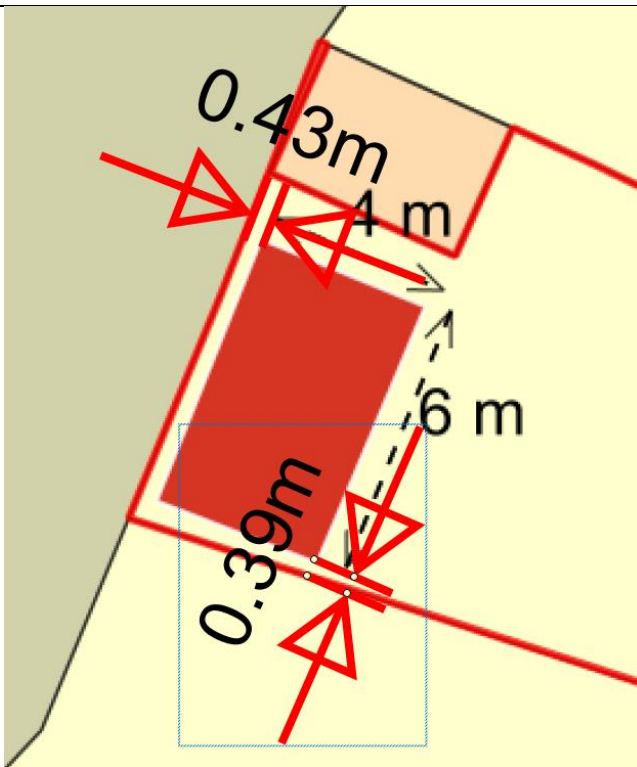
Class E - The provision within the curtilage of the dwellinghouse of –

(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 	Y – 4.05m Y – 4.05m N/a



(iii) 3 metres in any other case;

(f)	The height of the eaves of the building would exceed 2.5 metres;	N – 2.37m
(g)	The building, enclosure, pool or container would be situated within the curtilage of a listed building;	N
(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
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

Conclusion

The proposed outbuilding does not fall within the above limits set out in Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), as it fails to meet criterion (e) in respect of the height of the outbuilding, which is over 2.5m within 2m of the property boundary.

Therefore, planning permission is required, and a Lawful Development Certificate cannot be issued.

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	23 rd July 2024	Dated:	25 July 2024