



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20230461
Location	49 Nursery Road Meopham Gravesend Kent
Proposal:	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey rear extension and part conversion of garage to utility room.
Applicant:	Mr @ Mrs V Seedeehul
Site Visit	N/A Desktop Assessment

Plans & Documents

- Application Form
- Site Location Map
- Drawing No: 2303/02BP (Existing/Proposed Block Plans)
- Drawing No: 2303/02 (Existing/Proposed Plans and Elevations)

Property Type

The property comprises a two storey semi detached house in use as a single family dwelling.



Material Consideration

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

Relevant Planning History

Reference	Description	Outcome	Decision Date
19580304	Erection of four semi detached and two detached houses with private garages (type C1), four semi detached houses (type E2) and two semi detached bungalows (type A1)	Permitted	29.05.1958

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 – 3.7m
(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 – 2.6m
(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 N
(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	Y – 3.6m Semi Detached dwelling N – 3.7m

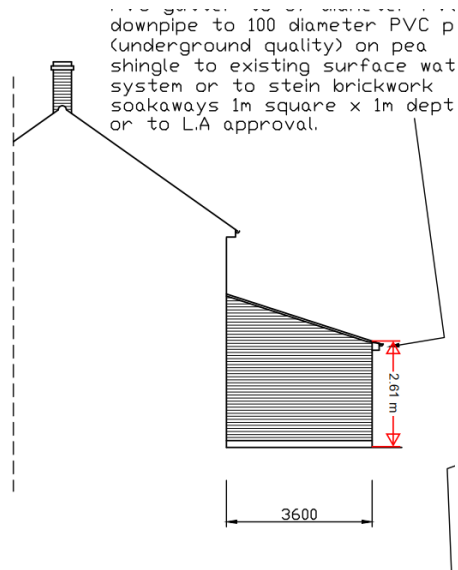
	(ii) exceed 4 metres in height	
(g)	for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height;	N – 3.6M N – 3.7M
(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 N
(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 2.6M
(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 N N
(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
(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 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 – Confirmed on Drawing 2303/02 (Existing/Proposed Plans and Elevations)
(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

Officer Analysis

The proposed partial garage conversion is not prohibited by any existing planning conditions to the original dwelling.

The below proposed elevations show the proposed single storey rear extension as having a depth of 3.6 meters.



Under paragraph A.1 (f) I of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) a maximum projection of 3 meters is permitted for a semi detached dwelling.

The proposed development is therefore contrary to A1 (f) (i), as it exceeds the 3m depth allowance for a semi detached dwelling. Whilst it might then fall within A1 (g), to benefit from this section, the development would need to benefit from Prior Approval. No such Prior Approval has been sought or gained.

Conclusion

The proposed development does not meet the criteria set out in paragraph A.1 (f) I of Class A of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such the proposal would require planning permission.

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	26th July 2023	Dated:	26 th July 2023