

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240193
Location	Perry Dene, Pear Tree Lane Shorne Gravesend
Proposal:	Application for a Proposed Lawful Development Certificate in respect of a single storey side extension creating a utility room.
Applicant:	Mr Pete Cleary
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 28/02/2024;
Supplementary Information – Cover Letter Dated 28/02/2024; and
Drawing Number 3484-001 Rev C (All Plans – Site Location Plan and Block Plan – Existing and Proposed).

Property Type

Perry Dene, Pear Tree Lane is a detached dwellinghouse

Material Consideration

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

Consultees

Shorne Parish Council

The Parish Council has **no objection in principle** to this application, subject to there not being any valid significant objections from neighbouring properties.

Perry Dene is sited at an angle to the roadway, in a large curtilage. It has been greatly enlarged (further to planning applications in 2017) at the rear. Within the curtilage there has been considerable land clearance with large areas of hardstanding installed, and building of a large detached garage (without planning permission).

The “existing rear elevation” does not match with Google aerial views currently available. This application appears to be an extension to the kitchen rather than just an attached utility room. The extension faces the highway but is subsidiary in design and should have relatively little impact on the street scene or the neighbouring property to the north-east.

We consider that a full planning application is likely to be required.

Relevant Planning History

Reference	Description	Decision	Decision Date
20170665	Application for a Lawful Development Certificate in respect of the proposed two storey rear extension, conversion of the garage into a habitable room, construction of a dormer extension in the rear roof slope and conversion of roof space into a habitable room, installation of velux roof lights in the roof front roof slope.	Certificate Granted	17.07.2017
20170664	Erection of a single storey side extension and erection of a detached double garage.	Refused	25.08.2017
20170322	Application for a Lawful Development Certificate in respect of the proposed two storey rear extension, single storey side extension, conversion of the garage into a habitable room, construction of a dormer extension in the rear roof slope and conversion of roof space into a habitable room, installation of velux roof lights in the roof front roof slope and erection of a detached garage.	Certificate Refused	23.05.2017
19570227	erection of house and garage	Permitted	02.12.1957

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 –	N

	(i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse	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 (ii) exceed 4 metres in height	N/A
(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
(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 3.93m 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,	N N

	(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or	N
	(iv) an alteration to any part of the roof of the dwellinghouse	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

Conclusion

The proposed development complies with Schedule 2, Part 1, Class A 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 Nina Goodbody	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	9th April 2024	Dated:	12 April 2024