

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20250420
Location	10 Court Lodge Shorne Gravesend Kent
Proposal:	Application for a Proposed Lawful Development Certificate; Erection of a single storey side/rear extension with a flat roof and associated works.
Applicant:	Mr and Mrs J. Cassidy
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 27/04/2025;
Supplementary Information – Cover Letter;
Supplementary Information – Site Photos – Existing;
Drawing Number 1000 (Site Location Plan);
Drawing Number 1001 (Block Plan – Existing);
Drawing Number 1010 (Ground Floor Plan – Existing);
Drawing Number 1011 (First Floor Plan – Existing);
Drawing Number 1013 (Roof Plan – Existing);
Drawing Number 1030 (Elevations – Existing);
Drawing Number 1101 (Block Plan – Proposed);
Drawing Number 1110 (Ground Floor Plan – Proposed);
Drawing Number 1111 (First Floor Plan – Proposed);
Drawing Number 1113 (Roof Plan – Proposed);
Drawing Number 1130 (Elevations – Proposed);
Drawing Number 1120 Rev A (Sections AA and BB – Proposed); and
Drawing Number 1120 Rev A (Sections AA and BB – Existing).

Property Type

10 Court Lodge, Shorne is a detached dwellinghouse

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
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19570171	Erection of dwellings	Permitted	28.11.1957
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Consultations, Publicity and Representations

This is an application for a Lawful Development Certificate that is considered on its facts and relevant planning law. As confirmed in national planning guidance, views expressed by third parties on the planning merits of such cases are irrelevant. Accordingly, unlike planning applications, there is no statutory requirement to undertake publicity or consultation. However, responses have been received as follows:

Shorne Parish Council

The Parish Council has no objection in principle to this proposal but considers that a full planning application may be needed.

The existing house is 4-bedroom but relatively small for the size of the plot. Internal reconfiguration will reduce the number of bedrooms to three. There will be enough on-site parking remaining.

The proposal is for flat-roofed, single storey extensions at the west side (extending back beyond the rear wall) and the rear, however the rear extension is offset, being partly behind the linked garage (link-detached to neighbouring property). The designs are similar to the existing side structures although a little taller.

The side extension includes a large storeroom with a garage-type door at the front, which is an unusual feature for a residential property. Conditions about business use may be needed.

It is noted that several trees are being removed (three each at front and rear), but reasons for this have not been given. A planting plan may be appropriate showing planting of replacement trees and bushes to maintain biodiversity on the site.

Due to the amount of the proposed increase in floor area, permitted development rights should be withdrawn.

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

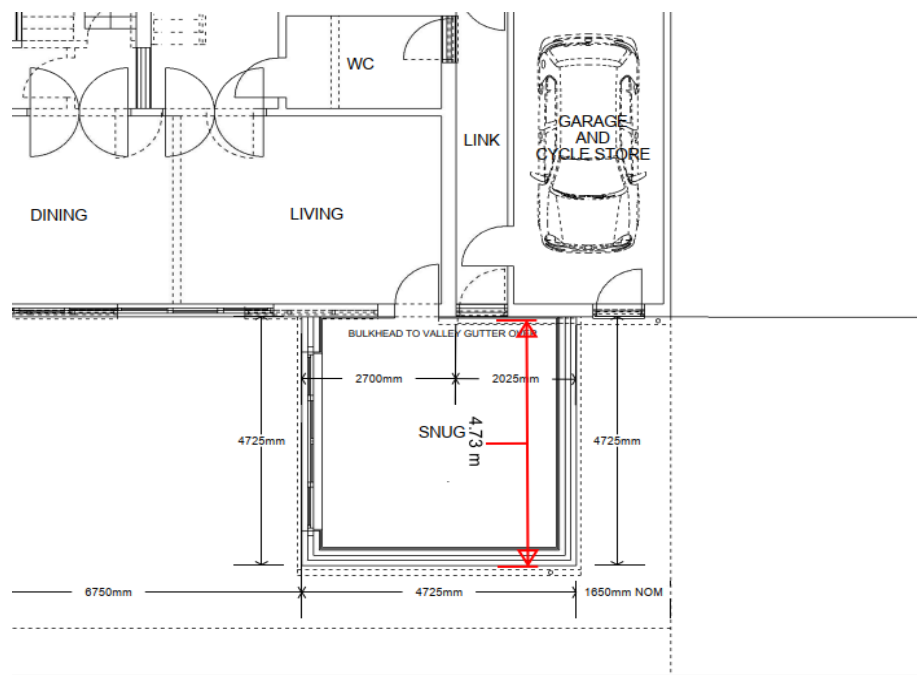
A.1	Development is not permitted by Class A if –	Y/N
(a)	permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use)	N
(b)	as a result of the works, the total area of ground covered by buildings within the 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 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	Y 4.73m N
(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 4.73m N
(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	
(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/A
(k)	it would consist of or include –	

	(i) the construction or provision of a verandah, balcony or raised platform,	N
	(ii) the installation, alteration or replacement of a microwave antenna,	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
(I)	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 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

Analysis

The proposed single storey rear extension would extend beyond the rear wall of the original dwellinghouse by more than 4.73 metres and is therefore contrary to Class A.1 (f) i of the Town and Country Planning (General Permitted Development) (GDPO) (England) Order 2015, as amended:



Conclusion

The proposed extension would extend beyond the rear wall of the original dwellinghouse by more than 4 metres and as such is contrary to the requirements of Class A.1 (f) i. Therefore, the proposed development fails to comply with **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and the **LAWFUL DEVELOPMENT CERTIFICATE is REFUSED**.

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	<i>L Hankin</i>	Signed:	<i>R Hart</i>
Dated:	17 June 2025	Dated:	23 rd June 2025