

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20250513
Location	40 Oaklands Road Northfleet Gravesend Kent
Proposal:	Application for a Proposed Lawful Development Certificate; widening of existing dropped kerb.
Applicant:	Mr Lee Buckley
Site Visit	N/A Desktop Assessment

Preliminary Matters

The development is described as a “widening of existing dropped kerb”. In this instance it is considered the description of the proposal relates to the vehicular access, rather than the dropped kerb itself as these are dealt with by application to the Highway Authority and not Gravesham Borough Council. As such, this assessment be made to establish whether the **proposed vehicular access** is lawful.

Plans & Documents

Application Form Dated 22/05/2025;
OS Plan;
OS Plan showing Dropped Kerb;
Block Plan – Existing; and
Block Plan – Proposed.

Property Type

40 Oaklands Road is a two storey semi-detached dwellinghouse.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
19970016	Erection of 1st. floor side extension to form bedroom & bathroom incorporating lean to roof at the front and construction of pitched roof over existing rear extension.	Permitted	26.02.1997
19780248	Erection of a single storey extension at rear to form an enlarged kitchen and dining room and the erection of a	Permitted	17.05.1978

	single storey extension at front to form an enlarged lounge and porch		
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Officer Assessment

To establish whether the proposed vehicular access is lawful, the proposal will be assessed under; *Class B of Part 2 to Schedule 2* of the GPDO (2015) (as amended) and *Class F of Part 1 to Schedule 2* of the GPDO (2015) (as amended) below:

Class B of Part 2 to Schedule 2 of the GPDO states that development is permitted providing:

B. The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

Oaklands Road is not a classified road or a trunk road and therefore complies with this part of the order.

Permitted Developments Rights Restrictions

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

Class F of Part 1 to Schedule 2- The provision within the curtilage of the dwellinghouse of hard surfaces incidental to the enjoyment of a dwellinghouse

Development consisting of -

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

F.1	Development is not permitted by Class F 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 dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
F.2	Development is permitted by Class F subject to the condition that where	Y/N
(a)	The hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and	Y
(b)	The area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,	Y 64.29m ²
	Either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.	Y

Conclusion

The proposed development complies with Schedule 2, Part 1, Class F and Schedule 2, Part 2, Class B of THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED, and the LAWFUL DEVELOPMENT CERTIFICATE is GRANTED.

Recommendation: <u>Grant</u> Lawful Development Certificate
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Case Officer:	Mrs Nina Goodbody	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	4 th August 2025	Dated:	04 August 2025