

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20211282
Location	13 Hollybush Road Gravesend Kent DA12 5QG
Proposal:	Application for Lawful Development Certificate for the proposed loft conversion.
Applicant:	Ms Carol Coleman
Site Visit	N/A Desktop Assessment

Plans & Documents

Application form dated 6 October 2021

Drawing no. H556 – 01 Existing Ground Floor Plan (Received 12/10/2021);
 Drawing no. H556 – 02 Existing First Floor Plan (Received 12/10/2021);
 Drawing no. H556 – 03 Existing Roof Void and Roof Plan (Received 12/10/2021);
 Drawing no. H556 – 04 Existing Elevations (Received 12/10/2021);
 Drawing no. H556 – 05 Proposed First Floor Plan (Received 12/10/2021);
 Drawing no. H556 – 06 Proposed Second and Roof Plan (Received 12/10/2021);
 Drawing no. H556 – 07 Proposed Elevations (Received 12/10/2021);
 Drawing no. H556 – 08 Sections and Volume (Received 12/10/2021);
 Drawing no. H556 – LB1 Location & Block Plan (Received 12/10/2021).

Property Type

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

Material Consideration

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

Relevant Planning History

None.

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 B - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

B.1	Development is not permitted by Class B 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)	Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;	N
(c)	Any part of the dwellinghouse would, as a result of the works, extend, beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;	N
(d)	The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than – (i) 40 cubic metres in the case of a terrace house, or (ii) 50 cubic metres in any other case;	Y (Total volume 75.04m3)
(e)	It would consist of or include – the construction or provision of a verandah, balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or	N
(f)	The dwellinghouse is on article 2 (3) land	N
B.2	Development is permitted by Class B subject to the following conditions –	Y/N
(a)	The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y (as per plans)
(b)	The enlargement must be constructed so that – (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side – extension (aa) the eaves of the original roof are maintained or reinstated; and (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwelling house; and	N/A N/A N/A
(c)	Any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be –	

	(i) obscure-glazed, and	N/A
	(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.	N/A

Conclusion

As noted above, the property is a semi-detached dwelling which has an existing part two storey addition to the rear of the property. Under section B.1, it has been identified that the proposed dormer exceeds the 50 cubic metres for semi-detached properties primarily because the dormer extends onto the existing rear addition and comprises of a volume of 75.04m³, as confirmed by drawing no. H556 – 08 Sections and Volume.

Therefore full planning permission is required to erect a dormer that extends onto the two store addition to the rear.

Recommendation

Refuse Certificate of Lawfulness – Proposed Development

See draft Decision.

Recommendation: Refuse Lawful Development Certificate		
	Name/Signature	Date
Planning Officer	Genna Henry	24/11/2021
Principal Planner/ Manager	Richard Hart / <i>R Hart</i>	26 th November 2021