

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20231253
Location	12 Mungo Park Road Gravesend Kent DA12 5DF
Proposal:	Application for a Lawful Development Certificate for a proposed vehicle crossover and creation of hard standing.
Applicant:	Alexandru Ungurean
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 05/12/2023;
Supplementary Information – CIL Form – received 06/12/2023;
Supplementary Information – Planning Statement – received 06/12/2023;
Drawing Number P5 (Visibility Splay Block Plan – Proposed);
Drawing Number P6 (Block Plans – Existing and Proposed);
Drawing Number P1 (Front Layout Plan – Existing);
Drawing Number P2 (Front Layout Plan – Proposed);
Drawing Number P3 (Boundary Wall Elevation – Existing and Proposed); and
Drawing Number P4 (Site Section A-A – Existing and Proposed).

Property Type

12 Mungo Park 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

No relevant history

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 F - The provision within the curtilage of the dwellinghouse of hard surfaces incidental to the enjoyment of a dwellinghouse

Development consisting of -

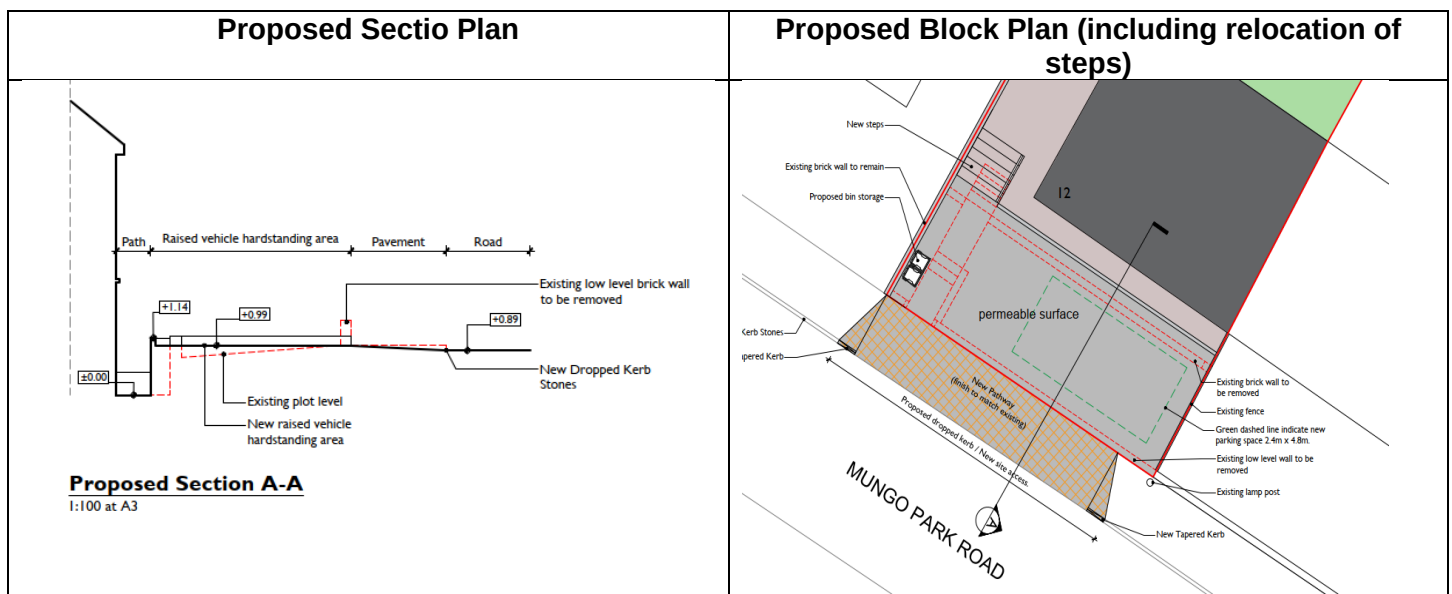
- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

F.1	Development is not permitted by Class F if –	Y/N
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(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
	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

Analysis

The plans provided show significant changes in the ground levels to accommodate for the development.



The application proposes to relocate the existing steps which would require an excavation and result in permanent changes to the land-form. This level of re-profiling the ground level is considered to constitute an engineering operation, for which no Permitted Development allowances exist. Therefore, the proposal is development and would require a full planning application.

Conclusion

The proposed development incorporates engineering operations which require full planning permission, and is therefore not compliant 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 Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	12th January 2024	Dated:	12th January 2024