



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20220678
Location	218 Rochester Road Gravesend Kent DA12 4TY
Proposal:	Application for a Lawful Development Certificate in respect of the proposed erection of a rear dormer, installation of rooflights in the front elevation, roof alterations and conversion of the roof space to form habitable rooms.
Applicant:	Mr Mark Pooley
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 21/06/2022;
Drawing no 19/082/001 (Site Location and Block Plan);
Drawing no 19/082/002 (Plans and Elevations – Existing); and
Drawing no 19/082/003 Plans and Elevations – Proposed.

Property Type

218 Rochester Road is a semi-detached bungalow.

Material Consideration

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

Relevant Planning History

Application No.	Description	Status	Decision
20191334	Erection of a single storey rear extension.	Permitted	17.02.2020

Officer Assessment

Procedural Note

It appears that the property has previously constructed a single storey rear extension inclusive of extension to the roof to the rear elevation and hip to gable alterations, but there is no planning history relating to this. The

application will be assessed on the original roof which can be seen on 1990 google street view image as below:



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;	N/A Y 57.568m3
(e)	It would consist of or include –	

	the construction or provision of a verandah, balcony or raised platform or	N
	the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or	Y Class G
(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;	N This information was not provided
(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	Y N N
(c)	Any window inserted on 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.	Y Y

Class C - Any other alteration to the roof of a dwellinghouse.

C.1	Development is not permitted by Class C if -	Y/N
(a)	permission to use the dwelling 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 alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;	N
(c)	it would result in the highest part of the alteration being higher than the highest part of the original roof;	N
(d)	it would consist of or include –	

	(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or	Y
	(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	N
C.2	Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be-	
	(a) obscure-glazed; and	Y
	(b) 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.	Y

Class G – chimneys, flues etc on a dwellinghouse

The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

G.1	Development is not permitted by Class G if –	G.1
(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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or	N
(c)	In the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which	
	(i) fronts a highway, and	N/A
	(ii) forms either the principal elevation or a side elevation of the dwellinghouse.	N/A
(d)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N

Conclusion

The proposal fails Under Class B.1(d) which requires the cubic content of the resulting roof space not to exceed the cubic content of the original roof space by more than 50 cubic metres in the case of a semi-detached dwelling. The proposal calculates a total volume of 57.568m³.

The proposal also fails under Class B.2 (a) which proposes that external materials for additions or alterations to the roof to be similar to those used in construction of the exiting dwellinghouse and no information was provided to confirm the proposal complies.

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 Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	17 th August 2022	Dated:	18th August 2022