

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240082
Location	28 Cross Lane West Gravesend Kent DA11 7PY
Proposal:	Application for a Lawful Development Certificate for proposed loft conversion with rear/side dormer extension and four rooflights.
Applicant:	Mr Jasbinder Viridi
Site Visit	03 April 2024

Plans & Documents

Application form for a Lawful Development Certificate for a Proposed Use or Development;
Drawing no. 2323-EX-300 Existing site and location plans;
Drawing no. 2323-PR-301 Proposed site and location plans;
Drawing no. 2323-EX-100 Existing ground, first and loft layouts, roof plan and front and rear elevations;
Drawing no. 2323-PL-300 Rev. B Proposed ground, first and loft layouts, roof plan and front and rear elevations;
Drawing no. 2323-PL-301 Rev. A Existing and proposed side elevations;
Fire Strategy Statement 25 January 2024;
Evidence Statement; and
Email from the agent received 05 April 2024.

Superseded Documents/Plans

Drawing no. 2323-PL-300 Proposed ground, first and loft layouts and proposed front and rear elevations.
Drawing no. 2323-PL-300 Rev. A Proposed ground, first and loft layouts, roof plan and front and rear elevations; and
Drawing no. 2323-PL-301 Existing and proposed side elevations.

Procedural issues

The applicant was requested to amend the proposed elevation drawing to clarify the location of the bottom of the proposed dormer on the main roof.

The applicant was also requested to amend the elevation/layout drawings so that they consistently illustrate the proposed set backs for the dormer.

Property Type

The property comprises of a two storey, mid- terraced dwelling with front and rear gardens.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20240073	Erection of a single storey side return extension.	Permitted	10.04.2024

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;	N (circa 28m ³)
(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 (Juliet balcony is acceptable) 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

(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 Y 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.	N/A

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;	Y
(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 (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	N 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 (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.	N/A

The proposed development falls within the parameters set out in Schedule 2, Part 1, Classes B and C of the

Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Therefore, planning permission is not required and a lawful development certificate (LDC) can be granted.

It should be noted that, at the site visit, the case officer saw that a partially constructed dormer was in place, which does not comply with the drawings submitted for this application. The agent has since confirmed that the dormer will be constructed with a 200mm set back from the eaves. Therefore, this LDC can be granted. To ensure compliance with the approved drawings, the application site will be referred to the GBC Planning Enforcement Team.

Recommendation: <u>Grant</u> Lawful Development Certificate
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Case Officer:	Mrs Kelly Joyce	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	10th April 2024	Dated:	11 th April 2024