

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20260060
Location	68 Windsor Road Gravesend Kent DA12 5BN
Proposal:	Application for a Lawful Development Certificate for a construction of an outbuilding.
Applicant:	Mr Singh
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form

001 A – Location Plan, Existing Block Plan and Proposed Block Plan

002 A – Proposed Outbuilding

Property Type

The property comprises a two-storey, detached dwellinghouse with an integrated garage. It is brick built, with concrete roof tiles and upvc framed openings.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20260063	Erection of a two storey front extension, a two storey side extension, and a single-storey rear extension.	Pending Consideration	
20260061	Formation of an additional dropped kerb to provide an in-and-out driveway arrangement.	Pending Consideration	
19860246	Erection of single storey rear extension to form utility room	Permitted	28.04.1986
19490692	Erection of a detached house	Permitted	02.02.1950

Officer Assessment

Permitted Developments Rights Restrictions

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

Class E - The provision within the curtilage of the dwellinghouse of –

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

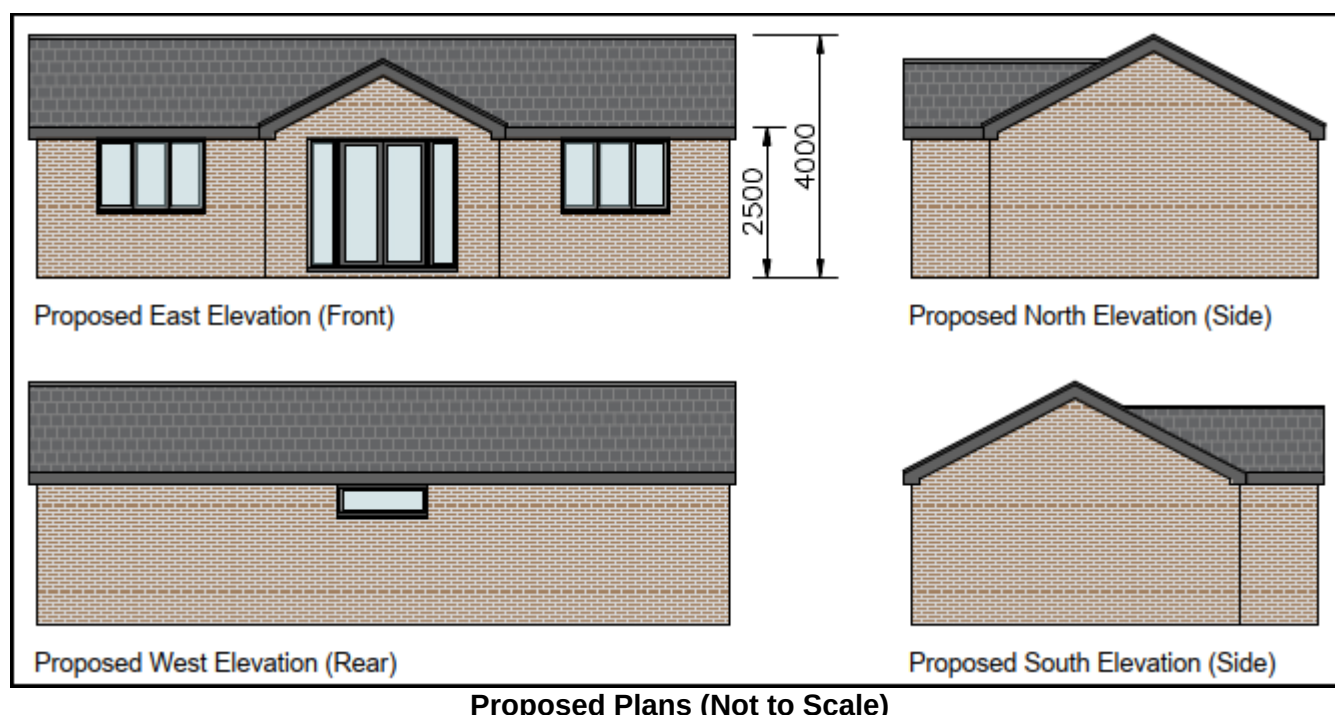
(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

E.1	Development is not permitted by Class E if –	Y/N
(a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);	N
(b)	The total area of ground covered by building, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);	N
(c)	Any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;	N
(d)	The building would have more than a single storey;	N
(e)	The height of the building, enclosure or container would exceed – (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of dwellinghouse, or (iii) 3 metres in any other case;	Y Roof is not dual pitched and exceeds 3 metres
(f)	The height of the eaves of the building would exceed 2.5 metres;	N
(g)	The building, enclosure, pool or container would be situated within the curtilage of a listed building;	N
(h)	It would include the construction or provision of a verandah, balcony or raised platform;	N
(i)	It relates to a dwelling or a microwave antenna; or	N
(j)	The capacity of the container would exceed 3,500 litres	
(k)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
E.2	In the case of any land within the curtilage of a dwellinghouse which is within – (a) An area of outstanding natural beauty; (b) The broads (c) A National Park; or	N



	(d) A World Heritage Site Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.	
E.3	In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.	N

In this case, the proposed outbuilding would have a combined hipped and gable fronted roof as per the below plan:



A similar instance occurred under appeal reference APP/J1915/X/13/2207465 (Appendix A). East Hertfordshire District Council considered that the building proposed in that case was not 'dual pitched', as it incorporated a gable element. The inspector in that case stated:

'The Technical Guidance provides an explanation of the rules on permitted development for householders, what these mean and how they should be applied in particular sets of circumstances. It explains that the guide cannot cover all possible situations that might arise. The guidance does not specifically deal with the scenario under consideration in this appeal where both a hipped and gable roof form has been introduced. In this case, the proposed roof would, as a matter of fact, comprise more than four different slopes. Whilst the guide indicates that "hipped" roofs (slopes on all four sides) fall within the definition of "dual-pitched" roofs, that is not the situation in this instance. I do not consider that the meaning of "dual-pitched" roofs can be stretched to include schemes which incorporate centrally positioned gables in this way.'

For reference the outbuilding in that case was as shown below:



APP/J1915/X/13/2207465 – Refused and Dismissed at appeal (Not to Scale)

The proposed outbuilding fails to comply E.1 (e) of Schedule 2, Part 1, Class E of THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED, as the proposed outbuilding would not be dual-pitched and would exceed 3 metres in height.

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Lisa Fisher	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	26th February 2026	Dated:	2nd March 2026