

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20221184
Location	83 The Avenue Gravesend Kent DA11 0LX
Proposal:	Application for a Lawful Development Certificate in respect of the proposed construction of a rear/side dormer extension and conversion of the roof space into habitable rooms.
Applicant:	Mr and Mrs Okuta
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 03 November 2022;
Drawing no. 203_PP-001-3 P1 (Site Location Plan);
Drawing no. 209_PP-002-3 P1 (Proposed Block Plan);
Drawing no. 209_PP-101-3 P1 (Existing Second Floor Plan and Roof Plan);
Drawing no. 209_PP-201-3 P1 (Existing North and South Elevations);
Drawing no. 209_PP-200-3 P1 (Existing Front and Rear Elevations);
Drawing no. 209_PP-210-3 P2 (Proposed Front and Rear Elevations);
Drawing no. 209_PP-211-3 P2 (Proposed North and South Elevations);
Drawing no. 209_PP-112-3 P1 (Proposed Second Floor Plan and Roof Plan); and
Drawing no. 209_PP-300-3 P1 (Area Calculation).

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

20220925	Erection of a single storey side and rear extension.	Permitted 11/10/2022
20220658	Erection of a single storey side and rear extension with a loft conversion and two rooflights in the front roof slope.	Refused 08.08.2022

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 19.1m 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 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 (Informative will be added to cover this)
(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	Y Y Y

	outside face of any external wall of the original dwelling house; and	
(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.	NA

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 (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 (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.	NA

The proposed roof alterations fall within the parameters set out in Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

The plans indicate a rear extension but this does not form part of this application, and has been approved as part of 20220925. An informative will be added to cover this.

An informative will be added stating that materials must match the existing property in order to comply with the lawful development certificate.

Therefore planning permission is not required and a lawful development certificate can be granted.

Recommendation: Grant Lawful Development Certificate

Case Officer:	Miss Faye Hobbs	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	5th January 2023	Dated:	5 th January 2023