



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20230262
Location	Distarti, Rhododendron Avenue, Meopham, Gravesend, Kent, DA13 0TT
Proposal:	Application for a Lawful Development Certificate in respect of the proposed erection of a detached outbuilding
Applicant:	Mr C Martin
Site Visit	N/A Desktop Assessment

Plans & Documents

- Application Form - dated 17/03/2023;
- Planning Statement (3704.PN) - dated 03/2023;
- Drawing no. BDS-RA-P01 - Existing Plans, Elevations and Block Plan;
- Drawing no. BDS-RA-P03 - Site Location Plan (scale 1:1250);
- Drawing no. BDS-RA-P100 - Rev. A - Existing and Proposed Block Plans, with Outbuilding Plans and Elevations.

Property Type

Distarti is a detached bungalow.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20230260	Prior approval application for a single storey rear extension with a depth of 7.90 metres, maximum height of 4.00 metres and eaves height of 2.20 metres.	PRIOR APPROVAL IS NOT REQUIRED	27.04.2023
20221357	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey side extension and a detached outbuilding	CERTIFICATE REFUSED	16.02.2023

20221359	Application for prior approval of a proposed: Enlargement of a dwellinghouse by construction of additional storeys under Schedule 2, Part 1, Class AA.	PRIOR APPROVAL IS REQUIRED AND REFUSED	07.02.2023
20221358	Single storey rear extension with a depth of 8.00 metres, maximum height of 4.00 metres and eaves height of 2.20 metres.	PRIOR APPROVAL IS REQUIRED AND REFUSED	31.01.2023
20210319	Demolition of existing chalet bungalow and erection of a replacement 3 bed bungalow.	PERMITTED	02.06.2021
19790429	Retention of single storey extension to form kitchen at rear	REFUSED	28.06.1979
19550280	Erection of dwellinghouse	REFUSED	07.12.1955
19520150	Erection of chalet	PERMITTED	30.05.1952

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 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 M, 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,	N (3.587m)
	(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	N
	(iii) 3 metres in any other case;	N
(f)	The height of the eaves of the building would exceed 2.5 metres;	N (2.225m)
(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	N
(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; 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.	N/A
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

Conclusion

The proposed outbuilding complies with the parameters set out in Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. As such a lawful development certificate can be granted.

Recommendation: <u>Grant</u> Lawful Development Certificate		
	Name/Signature	Date
Planning Officer		10/05/2023
Team Leader		12 May 2023