

# Delegated Report

## *Lawful Development Certificate (Proposed)*

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|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Application no:</b> | 20250442                                                                                                                                                                  |
| <b>Location</b>        | Woodside Valley Drive Gravesend Kent                                                                                                                                      |
| <b>Proposal:</b>       | Application for a Proposed Lawful Development Certificate;<br>Proposed new 3 rooflights on the rear lower roof. Proposed enlargement of the existing kitchen/dining door. |
| <b>Applicant:</b>      | Mr Amrik Lall                                                                                                                                                             |
| <b>Site Visit</b>      | N/A Desktop Assessment                                                                                                                                                    |

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### Plans & Documents

- Application Form
- Drawing No: 2090.E.01 (Existing Plans Elevation and Sections)
- Drawing No: 2090.CL.01 (Proposed Plans Elevation and Sections)

### Property Type

The property comprises a detached house in use as a single family dwelling.



### Material Consideration

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

### Relevant Planning History

| Reference | Description                                                                                                                                                                                                                           | Outcome   | Decision Date |
|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------|
| 20110012  | Erection of two storey side and front extension to form family room, garage, utility room, study and lobby at ground floor level with two bedrooms, bathroom/wc, two ensuite shower room/wc's and dressing room at first floor level. | Permitted | 03.03.2011    |

## Officer Assessment

### *Permitted Developments Rights Restrictions*

|                                                             |               |
|-------------------------------------------------------------|---------------|
| Article 2 (3) Land (AONB, Conservation Area)                | N             |
| Article 4 Direction                                         | N             |
| Permitted Development Rights <del>Removed</del> /Restricted | Y (see below) |

## Officer Analysis

The proposed alterations relate to the installation of three roof lights and enlargement of the existing kitchen/diner door in the single storey rear extension. The extension was granted planning permission under reference 20110012 and the below planning condition was imposed as part of the permission:

*2. The development hereby permitted shall be carried out only in precise accordance with the approved details, plans and specifications and there shall be no deviation therefrom without the prior permission, in writing, of the Local Planning Authority.*

**Reason:** To ensure a satisfactory standard of development.

The proposed development is therefore not lawful as it falls foul of Section 3.(4) of The Town and Country Planning (General Permitted Development) (England) Order 2015 which states:

*(4) Nothing in this Order permits development contrary to any condition imposed by any planning permission granted or deemed to be granted under Part 3 of the Act otherwise than by this Order.*

Therefore, any alterations to the approved scheme require the benefit of planning permission. However given the modest nature of the changes, these can be considered under a non-material amendment application which the applicant is encouraged to explore. The amendment should also include the retention of the existing three velux windows which have already been added and there is no consent for these;

Planning permitted under 20110012



Existing Development – it appears some skylights have already been installed.



Proposed development.

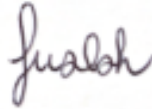


## Conclusion

The proposed changes to the rear extension are restricted by a planning condition attached to application ref. 20110012 which states that there shall be no deviation from the approved details and plans without prior

written approval from the Planning Authority. As such the proposal fails to comply with THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, as amended, and Planning Permission is required from the Local Planning Authority to make alterations to this extension.

**Recommendation: Refuse Lawful Development Certificate**

|                      |                                                                                   |                     |                                                                                     |
|----------------------|-----------------------------------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Mrs Sharon Sahota                                                                 | <b>Team Leader:</b> | Mrs Faye Walsh                                                                      |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 15 <sup>th</sup> July 2025                                                        | <b>Dated:</b>       | 16 July 2025                                                                        |