

Delegated Report

Lawful Development Certificate (Proposed)

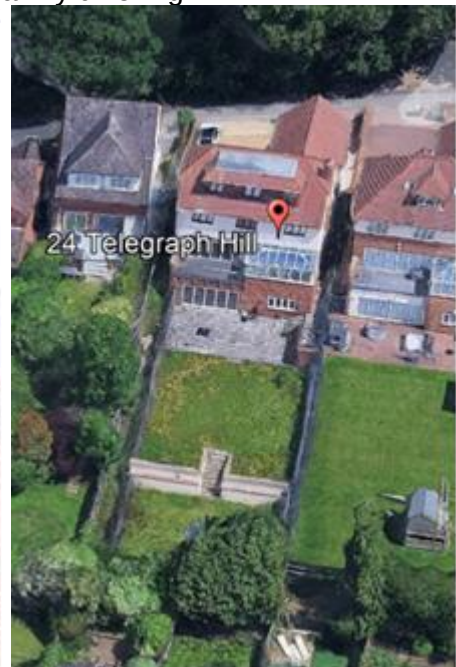
Application no:	20250271
Location	24 Telegraph Hill Higham Rochester Kent
Proposal:	Application for a Proposed Lawful Development Certificate; erection of an outbuilding with roof lights.
Applicant:	Mr Les Woollends
Site Visit	N/A Desktop Assessment

Plans & Documents

Planning Application Form;
Site Location Plan; and
Drawing No. 250306-P-001 – Site Plans, Floor Plan and Elevations Location Plan.

Property Type

The property comprises a detached two storey 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	Decision	Decision Date
20170539	Application for minor material amendment to planning permission reference no. 20040589 allowed on appeal reference no. APP/K2230/A05/1191438 for the demolition of existing dwelling and sub-division of site into 2 plots with separate vehicular access and erection of a detached two/three storey dwelling with detached double garage at the front, on the proposed northern-most plot; to allow the alterations to the front elevation of the property relating to a two storey gable and revised porch design (retrospective) and revised window arrangement at first floor level.	Permission	16.08.2017
20040589	Demolition of existing dwelling and sub-division of site into 2 plots with joint vehicular access and erection of a detached two/three storey dwelling with detached double garage at the front, on the proposed northern-most plot.	Refused Allowed on Appeal	19.05.2005 07.04.2006
20040588	Demolition of existing dwelling and sub-division of site into 2 plots with joint vehicular access and erection of a detached two/three storey dwelling with attached double garage at the front, on the proposed southern-most plot.	Refused Allowed on Appeal	19.05.2005 07.04.2006

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.

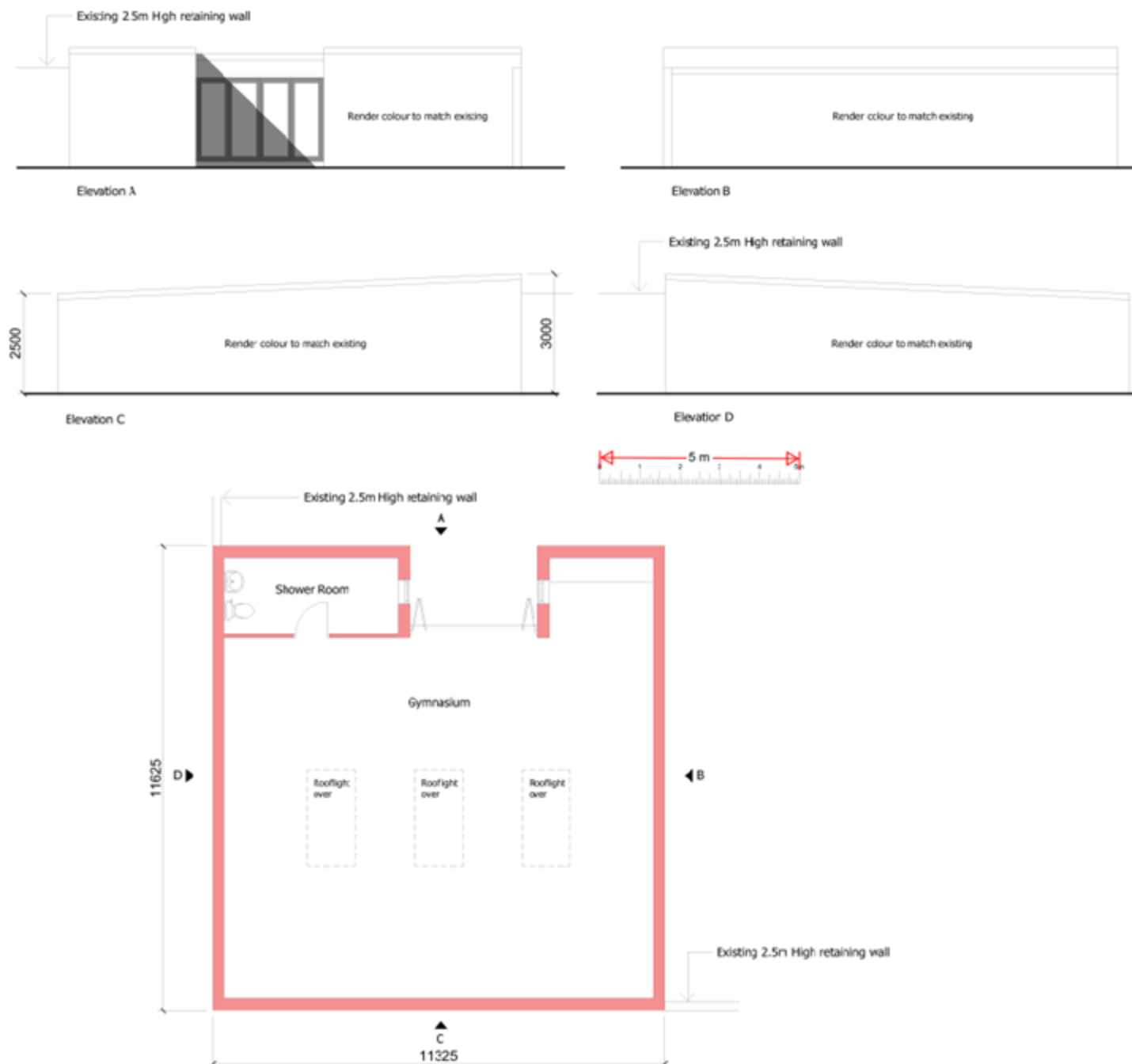
E.1	Development is not permitted by Class E if –	Y/N
(a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);	N
(b)	The total area of ground covered by building, enclosures and containers within the 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, (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;	N/A NA as set in from boundary N – 2.5- 3m
(f)	The height of the eaves of the building would exceed 2.5 metres;	N – 2.5m at boundary
(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
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

Officer Analysis

The proposed outbuilding will be situated to the rear boundary of the property, the common boundary with Nos 21 and 23 The Braes, however it will not exceed 2.5m at the rear and has a shallow monopitch roof that does not exceed 3m at the front of the proposed outbuilding.



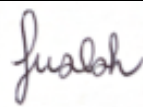


Although the footprint is large, many properties now have home gymnasiums. Any alternative use of the outbuilding for perhaps a business or residential accommodation, would require permission in its own right.

Conclusion

The proposed erection of an outbuilding falls within Schedule 2, Part 1, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015. A Lawful Development Certificate can be granted.

Recommendation: Grant Lawful Development Certificate

Case Officer:	Ms Amanda Cue	Team Leader:	Mrs Faye Walsh
Signed:	<i>A Cue</i>	Signed:	
Dated:	19th May 2025	Dated:	19 May 2025