



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20230631
Location	Three Jays Newlands Lane Culverstone Gravesend
Proposal:	Application for a Lawful Development Certificate in respect of the proposed erection of single storey rear extension to enlarge kitchen.
Applicant:	Mr Karl Martin
Site Visit	N/A Desktop Assessment

Plans & Documents

- Application Form
- Site Location Map
- Drawing No: 170-004A (Proposed Elevations)
- Drawing No: 170-003A (Proposed Plans)
- Drawing No: 170-002A (Existing Elevations)
- Drawing No: 170-001A (Existing Plans)

Property Type

The property comprises a two-storey 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
20100272	Erection of a two storey front extension linking to existing garage to form a family room at ground floor level and a bedroom with ensuite bathroom/wc at first floor level.	Refused	21.05.2010
20100507	Erection of two storey front extension linking to existing garage to form an enlarged family room at ground floor level with a bedroom at first floor level.	Permitted	30.07.2010
20080412	Demolition of existing garage and erection of a replacement detached double garage.	Permitted	02.06.2008
20040470	Erection of two storey front extension linking to the existing double garage at ground floor level to form enlarged study with enlarged bedroom over and single storey rear extension to form family room.	Permitted	24.06.2004
19990790	Erection of 3 no. detached two storey 4-bedroom dwellings, two with integral garages and one with a detached double garage, laying out of 3 no. car parking spaces, alterations to the vehicular access and erection of 600mm high trellis on top of the existing 1.8m high close boarded fence to the rear and side boundaries.	Permitted	10.01.2000
19860215	Erection of two storey rear extension to form utility room lobby kitchen and granny annexe comprised of sitting room bedroom and en suite wc at ground floor with two bathrooms and bedroom at first floor	Permitted	27.05.1986

Officer Assessment*Permitted Developments Rights Restrictions*

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

Class A - The enlargement, improvement or other alteration of a dwellinghouse

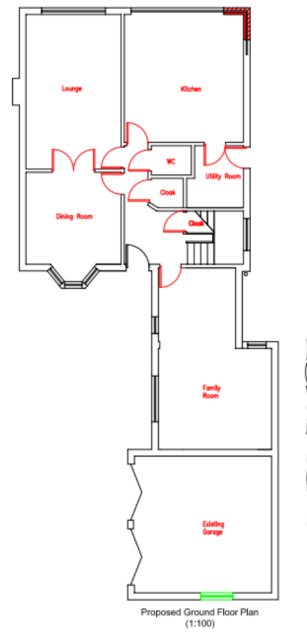
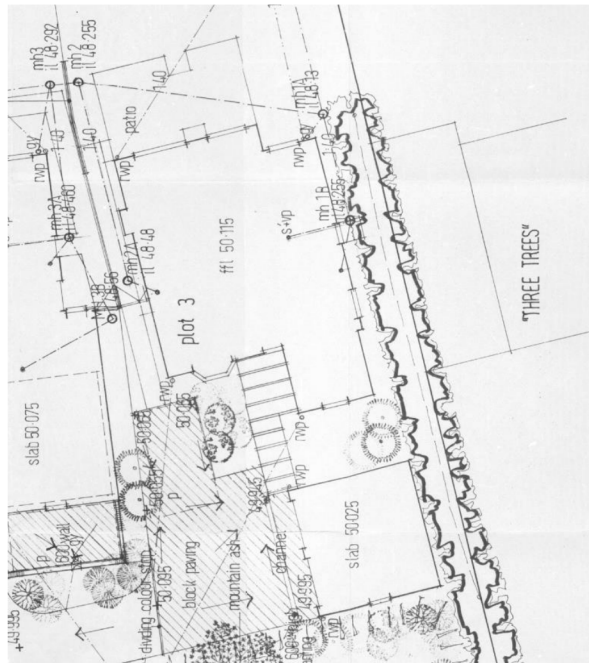
A.1	Development is not permitted by Class A if –	Y/N
(a)	permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use)	N
(b)	as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (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)	the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse	N – 3.3m

(d)	the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse	N – 2.7m
(e)	the enlarged part of the dwellinghouse would extend beyond a wall which – (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse	N N
(f)	subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height	N – 1.2M N - 3.3M
(g)	for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height;	N N
(h)	the enlarged part of the dwellinghouse would have more than a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;	N N
(i)	the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres	N-2.7M
(j)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would – (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwelling; or	N – 3.3M N N
(ja)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);	N
(k)	it would consist of or include – (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or	N N N N

	(iv) an alteration to any part of the roof of the dwellinghouse	
(l)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	
A.2	In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –	Y/N
(a)	it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;	N
(b)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	N
(c)	the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.	N
(d)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).	N
A.3	Development is permitted by Class A subject to the following conditions –	Y/N
(a)	the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y - Confirmed in email from agent
(b)	any upper-floor window located in 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; and	N/A N./A
(c)	where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.	N

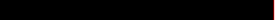
Conclusion

The proposed development is considered to fall within the acceptable parameters of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The below plan shows the original development as constructed and the proposed plans, furthermore it was noted that there were no conditions imposed which removed any permitted development rights.



The proposed rear extension complies with Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Therefore planning permission is not required and a Lawful Development Certificate can be granted.

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mrs Sharon Sahota	Team Leader:	Richard Hart
Signed:		Signed:	
Dated:	24th August 2023	Dated:	25 th August 2023