

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240028
Location	19 Cross Lane West Gravesend Kent DA11 7PZ
Proposal:	Application for a Lawful Development Certificate in respect of the proposed erection of a dormer extension in the rear roof slope and 3no velux to front roof slope.
Applicant:	Mr Kevin Light
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 12/01/2024;
Drawing Number D01 (Block Plans as Existing and Proposed with Site Location Plan);
Drawing Number D02 Rev 01 (Floor and Roof Plans as Existing);
Drawing Number D03 Rev 01 (Floor and Roof Plans as Proposed);
Drawing Number D06 Rev 01 (Section AA and BB as Proposed);
Drawing Number D04 Rev 01 (Elevations As Existing); and
Drawing Number D05 Rev 01 (Elevations as Proposed).

Property Type

19 Cross Lane West is a two storey terraced dwellinghouse.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20220117	Erection of an attached 2 bedroom house with parking.	Refused	17.05.2022
20210415	Erection of a side extension to create 2 self contained flats (1 x 1 bedroom and 1 x 2 bedroom) and creation of cycle and refuse storage	Refused	27.05.2021
19900517	AMENDED APPLICATION. Erection of a detached double garage at the rear.	Permitted	17.12.1990
19890942	Erection of detached double garage with access onto Woodfield Avenue.	Refused	17.01.1990

19810157	Erection of a single storey rear extension to form a new kitchen	Permitted	30.03.1981
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Preliminary Matters

A representation was received on 23/02/2024 to inform works to the roof of the application site have commenced, contrary to the Application Form. The proposal is considered lawful and as such no further action is required.

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.

1, Original Roof Volume (m ³)	N/A
2. Existing Roof Extensions (m ³)	N/A
Remaining Roof Volume (m ³) formula: (1 minus 2) = X 40m³ or 50m³ minus X =remaining volume Officer to show calculations in case notes (indexed on NEC)	N/A No alterations to original roof. 40m3 remains

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 24.27m3
(e)	It would consist of or include – the construction or provision of a verandah, balcony or raised platform or	N N

	the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or	
(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
(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 outside face of any external wall of the original dwelling house; and	Y Y 0.42 N
(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.	N/A N/A

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	N N

	(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	
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.	N/A N/A

Conclusion

The proposed development complies with Schedule 2, Part 1, Class B and Class C of **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and the **LAWFUL DEVELOPMENT CERTIFICATE** is GRANTED.

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mrs Nina Goodbody	Team Leader:	
Signed:	<i>N Goodbody</i>	Signed:	
Dated:	26th February 2024	Dated:	