

# Delegated Report

## *Lawful Development Certificate (Proposed)*

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|------------------------|--------------------------------------------------------------------------------------------------|
| <b>Application no:</b> | 20250597                                                                                         |
| <b>Location</b>        | 47 Istead Rise Gravesend Kent DA13 9JE                                                           |
| <b>Proposal:</b>       | Application for a Proposed Lawful Development Certificate;<br>Installation of vehicle crossover. |
| <b>Applicant:</b>      | Mr Daniel O Keeffe                                                                               |
| <b>Site Visit</b>      | N/A Desktop Assessment                                                                           |

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### **Preliminary Matters**

The applicant was contacted to request further information to determine the application including the hardstanding materials to be used to facilitate the crossover, along with whether there would be any land level changes. A plan was submitted indicating that the existing concrete would be removed, and porous tarmac would be used. In addition, the applicant confirmed via email there would be no land level changes.

### **Plans & Documents**

Application Form;  
Plan Views- Existing and Proposed;  
Block Plan – Proposed;  
Block Plan – Existing; and  
Site Location Plan.

### **Property Type**

47 Istead Rise is a semi-detached chalet bungalow style property.

### **Material Consideration**

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

### **Relevant Planning History**

No relevant history.

### **Officer Assessment**

In order to be permitted development, the proposal needs to comply with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This assessment is made below.

*Permitted Developments Rights and Restrictions*

|                                                   |                                                        |
|---------------------------------------------------|--------------------------------------------------------|
| Article 2 (3) Land (AONB, Conservation Area)      | N                                                      |
| Article 4 Direction                               | N                                                      |
| Permitted Development Rights Removed/Restricted   | N                                                      |
| Would the works involve an engineering operation? | N<br>As<br>applicant<br>has<br>confirmed<br>in writing |
| Is the road a trunk road or a classified road?    | N                                                      |
| Is the hardstanding area existing?                | Y<br>However<br>new is<br>proposed                     |

It is noted that there is an existing concrete hardstanding area in the property frontage, which is proposed to be replaced with porous tarmac. This must comply with the requirements of the Town and Country Planning (General Permitted Development) (GPDO) (England) Order 2015 (as amended) in order for the development to be considered Lawful. This assessment shall be made below.

**Schedule 2, Part 2, Class B – means of access to a highway****Permitted Development**

**The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).**

In the case of this application, Istead Rise is not a trunk road or a classified road and the means of access to a highway is required in connection with a hardstanding area. As such, it stands to be assessed whether the area of hardstanding accords with the specifications of the GPDO 2015 (as amended).

**Schedule 2, Part 1, Class F – hard surfaces incidental to the enjoyment of a dwellinghouse****Development consisting of -**

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or
- (b) the replacement in whole or in part of such a surface.

| <b>F.1</b> | <b>Development is not permitted by Class F if –</b>                                                                                                                     | <b>Y/N</b> |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>(a)</b> | Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use); or | N          |
| <b>(b)</b> | the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)                                                                          | N          |
| <b>F.2</b> | Development is permitted by Class F subject to the condition that where-                                                                                                | Y/N        |
| <b>(a)</b> | the hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and                                       | (Y)        |

|            |                                                                                                                                                                                                             |                             |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| <b>(b)</b> | the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,                                                                                         | (Y)                         |
|            | either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse. | Y<br>The material is porous |

### Conclusion

As established in the above assessment, the access is required in connection with a hardstanding area. The hardstanding area would be constructed using permeable materials and therefore complies with the GPDO (2015) (as amended). As such the proposed access is Lawful and a Certificate should be Granted.

The proposed development complies with Schedule 2, Part 2, Class B and Schedule 2, Part 1, Class F 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

|                      |                                                                                     |                     |                                                                                       |
|----------------------|-------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------|
| <b>Case Officer:</b> | Mrs Lucy Hankin                                                                     | <b>Team Leader:</b> | Richard Hart                                                                          |
| <b>Signed:</b>       |  | <b>Signed:</b>      |  |
| <b>Dated:</b>        | 11 <sup>th</sup> September 2025                                                     | <b>Dated:</b>       | 11 <sup>th</sup> September 2025                                                       |