

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240110
Location	5 Elm Close Higham Rochester Kent
Proposal:	Application for a Proposed Lawful Development Certificate in respect of the installation of a loft conversion with 6 roof lights.
Applicant:	Mr & Mrs O Mathis
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 04/02/2024;
 Site Location Plan;
 Drawing Number EBP/5EC/V1 (Block Plan – Existing);
 Drawing Number A1/PDLOFTEXT/5EC/V1 (Plans and Elevations – Existing); and
 Drawing Number A1/PDLOFTEXT/5EC/V1 (Plans, Elevations and Section – Proposed).

Property Type

5 Elm Close is a detached dwellinghouse.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
19790699	Erection of a car port at side	Permitted	30.10.1979

Preliminary Matters

The information initially provided within the submitted application did not address if the proposed flank windows would be '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.' This was subsequently confirmed by the Agent via email dated 19/03/2024.

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 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);	Y
(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 (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.	N N
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.	Y As confirmed by Agent

Conclusion

The proposed development complies with **Schedule 2, Part 1, 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:	Miss Faye Hobbs
Signed:	<i>N Goodbody</i>	Signed:	
Dated:	25th March 2024	Dated:	26 March 2024