



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20220251
Location	10 Wombwell Gardens Northfleet Gravesend Kent
Proposal:	Application for a Lawful Development Certificate in respect of the proposed demolition of the existing conservatory and erection of a single storey rear extension.
Applicant:	Mrs Balvinder Virk
Site Visit	Desktop Assessment

Preliminary Matters

A.3(a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) requires materials used in proposed exterior work to be similar to the existing dwellinghouse. There was no indication on the plans or application form that the proposal would comply with this. The agent was emailed regarding A.3(a) on 13.05.22 and a response was received 19.05.22 to confirm the proposal would comply.

Plans & Documents

Application Form;
E-mail dated 19.5.22 confirming materials;
Drawing No. Y1081/2021/01 - Site Location Plan with Proposed 3D Images;
Drawing No. Y1081/2021/02 - Block Plan – Proposed;
Drawing No. Y1081/2021/03 - Ground Floor Plan – Existing and Proposed;
Drawing No. Y1081/2021/04 - Roof Plan – Existing and Proposed;
Drawing No. Y1081/2021/05 - Front and Rear Elevations – Existing and Proposed;
Drawing No. Y1081/2021/06 - Side Elevations – Existing and Proposed; and
Drawing No. Y1081/2021/07 – Sections – Existing and Proposed.

Property Type

10 Wombwell Gardens is a two storey detached dwellinghouse.

Material Consideration

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

Relevant Planning History

Application No.	Description	Status	Decision
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20120773	Conversion of the integral garage into a family room.	Permitted	30.10.2012
19890424	Details pursuant to GR/88/1015 for erection of 76 two storey dwellings with integral garages, the laying out and formation of estate roads and construction of vehicular access onto Coldharbour Road	Approval of details	13.10.1989
19890423	**** AMENDED APPLICATION **** Details pursuant to GR/88/1015 for the erection of 77 two storey dwellings with integral garages and the laying out and formation of estate roads and construction of vehicular access onto Coldharbour Road.	Approval of details	13.10.1989
19881015	Outline application for residential development. KCC GRANTED PERMISSION 13.2.1989 (CONDITIONS)	NOOBJ Observations Sent	13.02.1989

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 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
(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
(e)	the enlarged part of the dwellinghouse would extend beyond a wall which –	

	(i) forms the principal elevation of the original dwellinghouse; or	N
	(ii) fronts a highway and forms a side elevation of the original dwellinghouse	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 4.00m N 3.00m
(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/A
(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/A
(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 2.50m
(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/A
(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 Existing conservatory to be replaced
(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 (iv) an alteration to any part of the roof of the dwellinghouse	N N N N

(I)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
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/A
(b)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	N/A
(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/A
(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
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
(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/A

Conclusion

The proposed development complies with Schedule 2, Part 1, Class A 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 Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	19th May 2022	Dated:	19th May 2022