



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20211280
Location	40 Goodwood Crescent Gravesend Kent DA12 5EL
Proposal:	Application for Lawful Development Certificate for the proposed erection of a single storey side extension.
Applicant:	Mr Sanjeet Parmar
Site Visit	N/A Desktop Assessment

Plans & Documents

- Application Form Received 11/10/2021;
- Drawing No: DKM/3400/01 (Proposed Block Plan) Received 15/10/2021;
- Drawing No: DKM/3400/03 (Existing Block Plan) Received 15/10/2021;
- Drawing No: DKM/3400/04 (Existing Plans & Elevations) Received 11/10/2021;
- Drawing No: DKM/3400/02 (Site Location Map) Received 11/10/2021;
- Drawing No: DKM/3400/05 (Proposed Plans & Elevations) Received 11/10/2021;

Property Type

The property comprises a semidetached house.



Material Consideration

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

Relevant Planning History

Reference	Description	Outcome	Decision Date
20101000	Erection of a detached garage at the rear.	Permitted	23.12.2010
20150945	Single storey rear extension with a depth of 4.5 metres, maximum height of 3.45 metres and eaves height of 3 metres.	Prior Approval Not Required	19.11.2015
20211137	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey side extension.	Certificate Refused	01.10.2021
20211138	Single storey rear extension with a depth of 6.00 metres, maximum height of 3.60 metres and eaves height of 3.00 metres.	Prior Approval Refused	13.10.2021

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

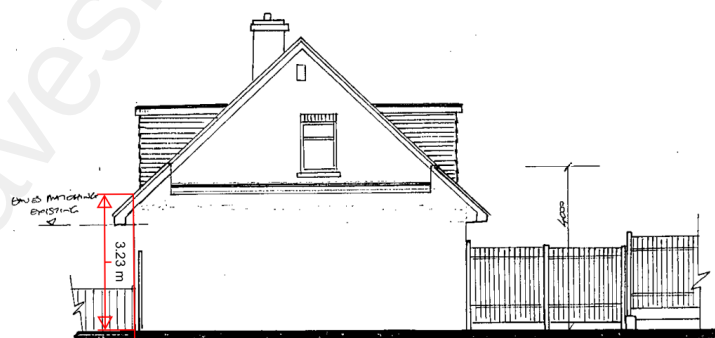
A.1	Development is not permitted by Class A if –	Y/N
(a)	permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use)	N
(b)	as a result of the works, the total area of ground covered by buildings within the 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	Y – 3.2m
(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	N

	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 – 4M
(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	Y – 3.2M
(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- 4m max height N N – 2.6m width
(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 (iv) an alteration to any part of the roof of the dwellinghouse	N N N N N
(l)	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	N/A

	with stone, artificial stone, pebble dash, render, timber, plastic or tiles;	
(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 – as stated in app form
(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

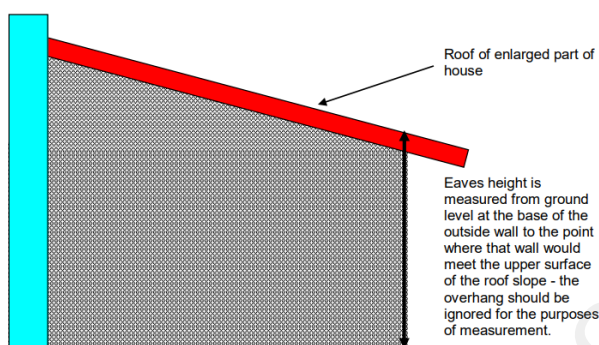
The eaves of the proposed extension exceed 3m and so exceed the permitted parameters of the GPDO.



Proposed Side Elevation

For Clarity the eaves are measured as per the below extract from the permitted development technical guidance.

The following example shows the side view of an extension with a pitched roof:



The proposed side extension fails to comply with Article 3, Part 1, Class A (d) and (i) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, because the height of the eaves of the part of the dwellinghouse enlarged would exceed the permitted parameters of the GPDO. Therefore, the development proposed requires planning permission.

Recommendation: Refuse Lawful Development Certificate

	Name/Signature	Date
Planning Officer		22/11/2021
Principal Planner/ Manager	Richard Hart / <i>R Hart</i>	26 th November 2021