

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20240934
Location	Broadwood House, Pondfield Lane Shorne Gravesend
Proposal:	Application for a Proposed Lawful Development Certificate for the erection of a garden building.
Applicant:	Mr & Mrs F Whitehead
Site Visit	N/A Desktop Assessment

Plans & Documents

Application form
Cover letter
Drawing no. 24/454/01 rev A (proposed plans)

Property Type

The property comprises a two storey detached dwelling.

Material Consideration

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

Consultations

As this is an application for a proposed lawful development certificate there is no requirement to consult on the application. However, the Dickens' Country Protection Society have written a letter of representation that requested that the building is conditioned not to be used for residential use which is not possible for a lawful development certificate.

Relevant Planning History

20240921	Demolition of first floor balcony store cupboard, removal of balcony railings and replacement of french door with windows. Erection of a single storey side extension.	Under consideration
20240920	Application for a Proposed Lawful Development Certificate for the demolition of the existing conservatory and erection of a	Under consideration

single storey rear extension.

20240478	Demolition of existing conservatory and existing first floor patio store; removal of balcony balustrade and erection of a single storey side/rear extension with a Sedum roof covering. Juliet balcony bar to be installed across existing door opening on first floor.	Refused	18.07.2024
20020287	Erection of two storey rear extension and single storey side extension to form utility room, w.c., clean room and living room at ground floor level with enlarged bedroom and balcony at first floor level; erection of a conservatory at the rear, detached double garage at the front and detached tractor shed at the side; alterations to the front elevations involving construction of an open porch, pitched roofs over existing ground floor flat roofs and construction of 2 gable fronts.	Permitted	31.05.2002
20020014	Erection of two storey rear extension and single storey extensions on both side elevations to form living room, utility room, w.c., clean room, double garage and tractor shed at ground floor level with an enlarged bedroom and balcony at first floor level; erection of a conservatory at the rear; alterations to front elevation involving construction of open porch, pitched roofs over existing ground floor flat roofs and construction of 2 gable fronts.	Refused	06.03.2002
19990577	Erection of a conservatory at the rear.	Refused	12.10.1999
19880923	Erection of s/s extension on northeast elevation to form snooker rm/jacuzzi/sauna/shower & changing rm, s/s extension on southwest elev to form double garage/refuse store/boiler rm/lobby, s/s extension on east	Permitted	06.03.1989

elev to form enlarged living rm &
conservatory, erec.of verandah at
front & pergola at rear

19820553	Erection of a detached double garage	Permitted	16.09.1982
19560214	Erection of private rest home	Permitted	19.09.1956

Officer Assessment

Permitted Developments Rights Restrictions

Article 2 (3) Land (AONB, Conservation Area)	Y
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	N

Class E - The provision within the curtilage of the dwellinghouse of –

(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.

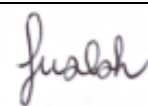
E.1	Development is not permitted by Class E if –	Y/N
(a)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);	N
(b)	The total area of ground covered by building, enclosures and containers within the curtilage (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)	Any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;	N
(d)	The building would have more than a single storey;	N
(e)	The height of the building, enclosure or container would exceed – (i) 4 metres in the case of a building with a dual-pitched roof, (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of dwellinghouse, or (iii) 3 metres in any other case;	N (the highest part of the building is measured from the highest ground level immediately adjacent to the building. Here the building

		measures 2.4m)
(f)	The height of the eaves of the building would exceed 2.5 metres;	N/A (no eaves)
(g)	The building, enclosure, pool or container would be situated within the curtilage of a listed building;	N
(h)	It would include the construction or provision of a verandah, balcony or raised platform;	N
(i)	It relates to a dwelling or a microwave antenna; or	N
(j)	The capacity of the container would exceed 3,500 litres	N/A
(k)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
E.2	In the case of any land within the curtilage of a dwellinghouse which is within – (a) An area of outstanding natural beauty; Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.	N (the building is within 20m of the dwellinghouse)
E.3	In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.	N

Conclusion

The proposed rear extension complies with Article 3, Part 1, Class E of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Therefore, the development proposed comprises Permitted Development, and a Lawful Development Certificate can be granted.

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mrs Alison Webster	Team Leader:	Mrs Faye Walsh
Signed:		Signed:	
Dated:	27th November 2024	Dated:	28 November 2024