



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20220418
Location	2 Spring Grove Gravesend Kent DA12 1LL
Proposal:	Application for a Lawful Development Certificate in respect of the proposed loft conversion with alterations to roofline, rear dormer and three rooflights to front roofslope.
Applicant:	Mr And Mrs Jenns
Site Visit	Desktop Assessment

Plans & Documents

Application Form;
Drawing No. 001 – Site Location Plan;
Drawing No. 002 – Elevations Floor Plans and Section – Existing;
Drawing No. 003 REV C – Floor Plans and Section A-A Plan – Proposed;
Drawing No. 004 REV B – Elevations – Proposed; and
Drawing No. 005 – Block Plan – Existing and Proposed.

Property Type

2 Spring Grove is a semi-detached chalet bungalow.

Material Consideration

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

Relevant Planning History

Application No.	Description	Status	Decision
20220168	Application for a Lawful Development Certificate in respect of the proposed Loft conversion with alterations to roofline, rear dormer and three rooflights to front roofslope.	Certificate Refused	31.03.2022
20211277	Application for Lawful Development Certificate for proposed loft	Certificate Refused	10.11.2021

conversion with alterations to roofline, rear dormer and three rooflights to front roofslope.

20070396	Erection of detached two storey, three bedroom dwelling with an attached pair of garages, one for new dwelling and one for existing dwelling. Refused 21.02.2008 allowed on appeal 15.07.2008 (APP/K2230/A/08/2068248)	Refused	21.02.2008
20070062	Erection of a detached two storey, three bedroom dwelling and an attached pair of garages one for new dwelling and one for existing dwelling.	Refused	28.03.2007
20070044	Erection of single storey rear extension to form living room and kitchen.	Permitted	19.03.2007

Planning History Note

Within the appeal decision for 20070396 (APP/K2230/A/08/2068248), permitted development rights are removed as shown below:

6. Notwithstanding the provisions of The Town and Country (General Permitted Development) Order 1995, or any order amending or replacing that Order, no enlargement of the dwelling house, including alterations or additions to its roof, shall be carried out without the prior permission, in writing, of the local planning authority.
7. Notwithstanding the provisions of The Town and Country (General Permitted Development) Order 1995, or any order amending or replacing that Order, no additional window, door or other opening shall be formed in any external wall of the dwelling hereby permitted without the prior permission, in writing, of the local planning authority.

However, this application relates to the dwelling in the former side garden of 2 Spring Grove, now known as 2A Spring Grove and is therefore not relevant to this proposal.

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 B - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

B.1	Development is not permitted by Class B 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)	Any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;	N
(c)	Any part of the dwellinghouse would, as a result of the works, extend, beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;	N
(d)	The cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than – (i) 40 cubic metres in the case of a terrace house, or (ii) 50 cubic metres in any other case;	N/A N 49.29m3
(e)	It would consist of or include – the construction or provision of a verandah, balcony or raised platform or the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or	N Y See Class G
(f)	The dwellinghouse is on article 2 (3) land	N
B.2	Development is permitted by Class B subject to the following conditions –	Y/N
(a)	The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y
(b)	The enlargement must be constructed so that – (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side – extension (aa) the eaves of the original roof are maintained or reinstated; and (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwelling house; and	Y Y Dormer is set back N It does not
(c)	Any window inserted on 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	N/A

	1.7 metres above the floor of the room in which the window is installed.	N/A
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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);	N
(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 No protrusion shown on plans
(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.	Y See Class G 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.	N/A

Class G – chimneys, flues etc on a dwellinghouse**The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.**

G.1	Development is not permitted by Class G if –	G.1
(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 height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more; or	N Chimney removal
(c)	In the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which (i) fronts a highway, and	

	(ii) forms either the principal elevation or a side elevation of the dwellinghouse.	N/A
(d)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N

Conclusion

The proposed development complies with Schedule 2, Part 1, Classes B, C and G 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:	09.06.22	Dated:	9th June 2022