

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20221177
Location	5 Arnold Road Gravesend Kent DA12 5PU
Proposal:	Application for a Lawful Development Certificate in respect of the proposed construction of dormer extensions in both side roof slopes incorporating a hip to gable roof alteration and conversion of the roof space into habitable rooms
Applicant:	Ms Ruta Aisthorpe
Site Visit	08 December 2022

Plans & Documents

Application form for a lawful development certificate for a proposed use or development;
 Drawing no. 01A Existing layout and elevations;
 Drawing no. 02B Proposed layout and elevations;
 Drawing no. 03 Red line site boundary plan;
 Drawing no. 04B Existing and proposed block plans;
 Drawing no. 05A Proposed elevations with dimensions; and
 Justification for lawful development certificate.

Property Type

The property comprises of a detached bungalow with front and rear gardens.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20221178	Erection of single storey rear extension	Pending	
20220939	Application for a Lawful Development Certificate in respect of the erection of single storey rear extension and construction of dormer extensions in both side roof slopes incorporating a hip to gable roof alteration and conversion of the roof space into habitable rooms	Certificate Refused	17.10.2022
20220479	Erection of single storey rear extension and construction of dormer extensions in both side roof slopes	Refused	13.06.2022

	incorporating a hip to gable roof alteration and conversion of the roof space into habitable rooms.		
19490484	Detached bungalow	Permitted	08.06.1949

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 detached (41m ³ see calculation below)
(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 (confirmed on plan)
(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	For the dormers; Y

	(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	Y (+0.2m)
	(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
(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 1.7 metres above the floor of the room in which the window is installed.	Y Y

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
(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 Y

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
(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

Calculations

Hip to Gable Volume Calculation

Base Area Calculation = $0.5(\text{Length} \times \text{Depth})$

$$0.5(7.5 \times 3.2) = 12\text{m}^2$$

Hip to Gable Volume Calculation = $0.33(\text{Base} \times \text{Height})$

$$0.33(12 \times 3.6) = \mathbf{14.26\text{m}^3}$$

Dormer Volume Calculation

Dormer Volume Calculation = $0.5(\text{Height} \times \text{Depth} \times \text{Width})$

$$\text{Dormer 1 Volume } 0.5(1.72 \times 2.17 \times 7.13) = \mathbf{13.31\text{m}^3}$$

$$\text{Dormer 2 Volume } 0.5(1.72 \times 2.17 \times 7.13) = \mathbf{13.31\text{m}^3}$$

Total Volume Calculation

Total Volume Calculation = Hip to gable + Dormer 1 + Dormer 2

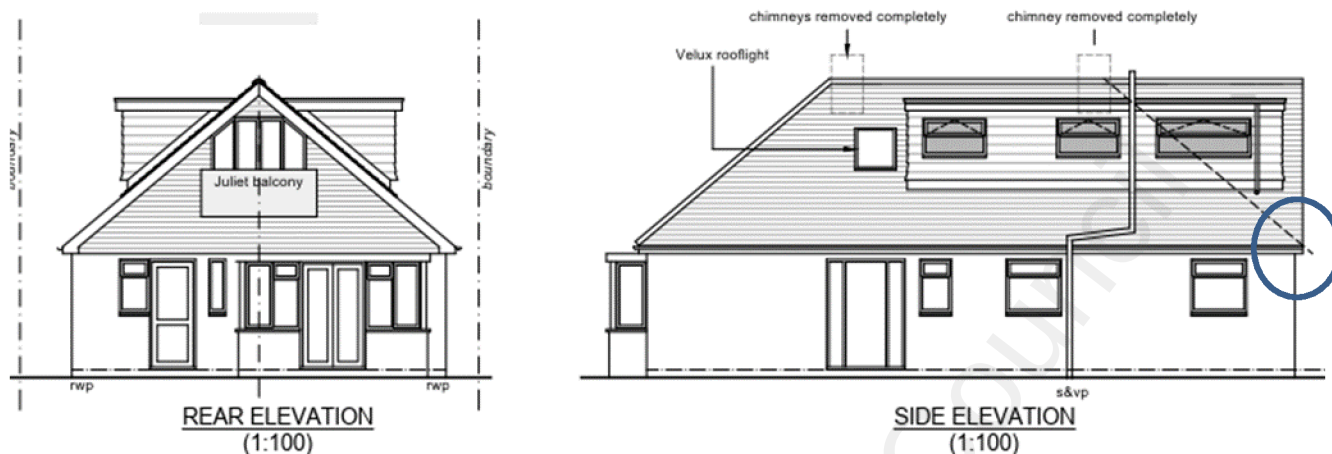
$$\text{Total Volume } 14.26 + 13.31 + 13.31 = \mathbf{40.88\text{m}^3}$$

Construction Issue

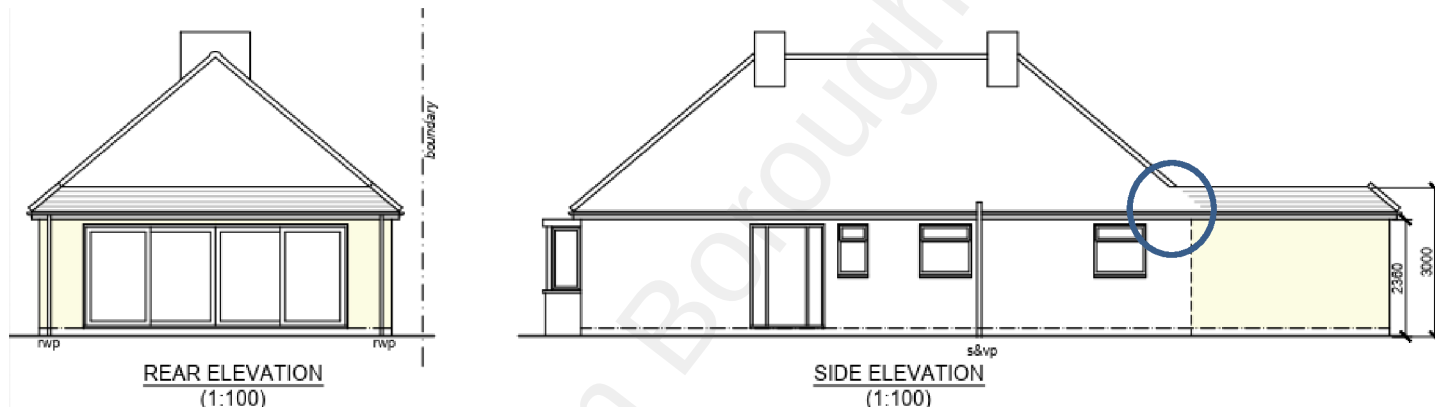
The current LDC application has been submitted with a planning application (reference 20221178) for the erection of a single storey rear extension. That planning application is likely to be permitted.

It is noted that the proposed developments shown in the current application and in application 20221178 could not both be built as shown on the submitted drawings. The following images show that the roof of the rear extension would impinge upon the bottom of the proposed hip to gable enlargement;

20221177 LDC proposed rear and side elevations



20221178 planning application rear and side elevations



Furthermore, if both developments are proposed to be constructed together, then planning permission would be likely to be required for the resulting development as a whole. This issue will be brought to the attention of the applicant by way of an informative on any certificate granted.

Conclusion

The proposed development falls within the parameters set out in Schedule 2, Part 1, Classes B, C and G of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Therefore planning permission is not required and a lawful development certificate can be granted.

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	14th December 2022	Dated:	14 December 2022

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Gravesham Borough Council