



Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20220564
Location	53 Hollybush Road Gravesend Kent DA12 5QG
Proposal:	Application for a Lawful Development Certificate in respect of the proposed erection of a rear dormer, conversion of the roof space into habitable rooms and installation of front rooflights.
Applicant:	Amrik Photay
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 24 May 2022;
Drawing no. 01 (Site Location Plan);
Drawing no. 02 (Block Plan);
Drawing no. 03 (Existing Floorplans and Elevations);
Drawing no. 04 (Proposed Floorplans and Elevations);
Drawing no. 04A-3D (3D Views);
Photographs; and
Supplementary Document to Evidence Compliance with Permitted Development.

Property Type

The property comprises a two storey end of terrace dwelling.

Material Consideration

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

Relevant Planning History

20220558	Erection of a part single, part two storey side extension, conversion of the existing garage to form habitable rooms	Pending Consideration
20220085	Erection of a part single, part two storey side extension, conversion of the existing garage to form habitable rooms, erection of a rear dormer, installation of rooflights in the front roof slope and conversion of the roofspace to form habitable rooms.	Refused 28/04/2022

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 25.9m ³
(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	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 (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	Y Y (0.3m) Y

	face of any external wall of the original dwelling house; and	
(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.	NA

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.	NA

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	NA

	(i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the dwellinghouse.	
(d)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	NA

The proposed roof alterations fall within the parameters set out in Schedule 2, Part 1, Class B, C and Class 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:	Miss Faye Hobbs	Team Leader:	Richard Hart
Signed:		Signed:	<i>R Hart</i>
Dated:	22nd July 2022	Dated:	22 nd July 2022