



Delegated Report

Lawful Development Certificate (Proposed)

Planning Application No: 20250459

Location: 37 Lime Avenue, Northfleet, Kent DA11 9PZ

Description: Proposed certificate of lawfulness; conversion of loft space to form habitable rooms with a rear dormer and two rooflights to the front, and the demolition of the existing rear outbuilding and the erection of a new outbuilding

Applicant: Martynas Vitkauskas

Site Visit Date: 26 August 2025

Submitted Documents/Plans

Application form
Plan no A01 Existing Floor Plans and Roof Plan
Plan no A02 Rev A Proposed floor Plans and Roof Plan
Plan no A03 Existing Elevations
Plan no A04 Rev A Proposed Elevations
Plan no A05 Rev A Existing and Proposed Sections
Plan no A06 Rev A Existing and Proposed 3D Visuals
Plan no A08 Rev A Existing and Proposed Site Location Plans and Block Plans
Plan no A08 Rev B Outbuilding as Proposed

Property Type

37 Lime Avenue, Northfleet, is a two storey mid- terrace dwelling is a long and narrow plot that backs onto Plane Avenue.

Following clarification with the applicant, the proposal does not to include the provision of a new platform and steps.

Material Considerations

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20250460	Single storey rear extension with two rooflights	Permitted	04/07/2025



37 Lime Avenue is the mid- terrace dwelling to the right of the pole in the centre of the above image

Development Plan

Due to the nature of this application, the adopted plan and national planning policies are not relevant since the application relates to whether the proposed development may be classed as permitted development or not.

Planning Legislation

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

Officer Assessment

Permitted Development Right 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 alterations 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 front a highway	N
(d)	The cubic content of the resulting roof slope would exceed the cubic content of the original roof space by more than; (i) 40 cubic metre in the case of terrace house, or (ii) 50 cubic metres in any other case	N
(e)	It would consist of or include – (i) the provision of a verandah, balcony or raised platform, or	N

	(ii) the installation, alteration or replacement of a chimney, flue or soil or vent pipe	N
(f)	The dwellinghouse is on Article 2(3) land	
(g)	The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	
(h)	The existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys)	N/A
B2	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 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 0.2m 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 dwellinghouse; and	N/A
(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 windows which can be opened are more than 1.7m above the floor of the roof in which the window is installed.	N/A

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 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 alteration would protrude more than 0.15m beyond the plane of the slope of the roof when measured from the perpendicular with the external surface of the roof	
(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 (ii) the installation, alteration or replacement of solar voltaics or solar thermal equipment	N
(e)	The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	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 1.7m above the floor of the room in which the windows is installed.	

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.

E1	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 buildings 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 the dwellinghouse, or (iii) 3 metres in any other case;	N
(f)	The height of the eaves of the building would exceed 2.5m	
(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
E.2	In the case of any land within the curtilage of the dwellinghouse which is within— (a) an area of outstanding natural beauty; (b) the Broads; (c) a National Park; or (d) a World Heritage Site, 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/A
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/A
E.4	For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.	

While the size of the proposed outbuilding is reasonably large, there is no reason to consider that it would

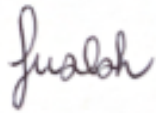
be intended for uses outside of what could be considered as incidental, specifically as a separate dwelling. There is no indication on the plans of any facilities which would enable this, such as a kitchen, WC or shower/ bathroom facilities. It is therefore considered that the proposal would be for a use ancillary to the existing dwelling on the site. As such, it would be permitted development.

Conclusion

The proposed roof alterations comply with Schedule 2, Part 1, Classes B and C of **THE TOWN AND COUNTY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**.

The proposed outbuilding complies with Schedule 2, Part 1, Class E of **THE TOWN AND COUNTY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**.

Recommendation: Grant Lawful Development Certificate

Case Officer:	Mr Thomas Gabriel	Team Leader:	Mrs Faye Walsh
Signed:	TM Gabriel	Signed:	
Dated:	5 th November 2025	Dated:	06 November 2025