

Delegated Report

Lawful Development Certificate (Proposed)

Application no:	20260557
Location	40 Cambria Crescent Gravesend Kent DA12 4NH
Proposal:	Application for a Proposed Lawful Development Certificate; Alteration and enlargement of an existing detached domestic garage.
Applicant:	Mr Carl Robbins
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 27/05/2026;
OS Plan;
Drawing Number 1001 (Site Block Plan – Existing);
Drawing Number 1010 (Plan, Section and Elevations – Existing);
Drawing Number 1101 (Site Block Plan – Proposed); and
Drawing Number 1110 (Plan, Sections and Elevations – Proposed).

Property Type

40 Cambria Crescent is a two-storey semi-detached dwellinghouse.

Material Consideration

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

Relevant Planning History

Reference	Description	Decision	Decision Date
20090152	Erection of two storey rear extension to form enlarged dining room and enlarged kitchen at ground floor level with bedroom and enlarged bedroom at first floor level.	Permitted	24.04.2009
19980018	Erection of a rear extension to the existing garage.	Permitted	05.03.1998
19900246	Erection of a detached garage at the rear.	Permitted	27.04.1990

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 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);	Y
(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;	Y 4.1m As per proposed plans
(f)	The height of the eaves of the building would exceed 2.5 metres;	Y 2.7m
(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
(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/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

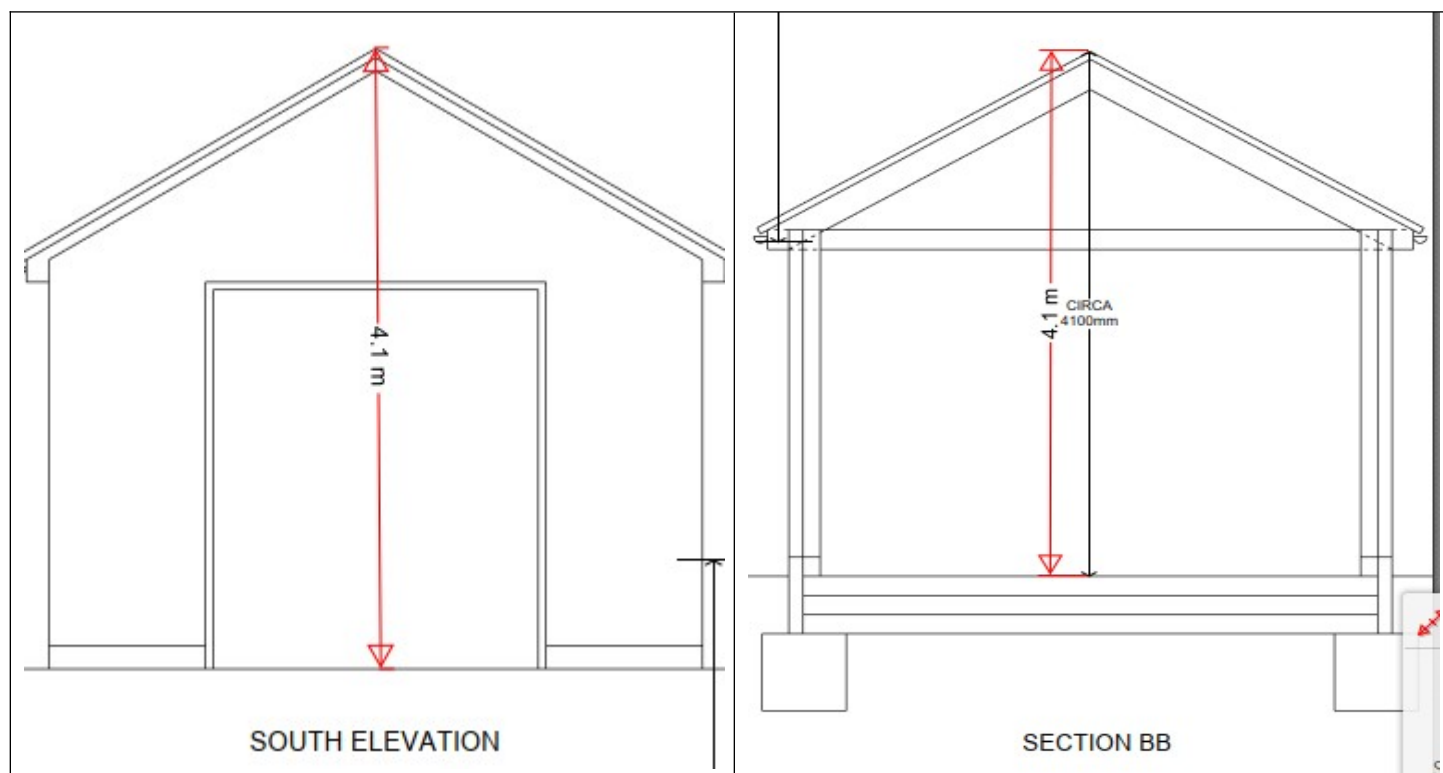
Incidental to the Dwellinghouse

The outbuilding will continue to be used as a garage for vehicular parking with additional domestic and cycle storage. Therefore, the outbuilding is considered incidental to the enjoyment of the dwellinghouse.

Analysis

E.1 (e)

The proposal fails to comply with E.1 (e) as the outbuilding would have a maximum height of 4.1m, as show on officer measurements and agent annotations on the plans below:



E.1 (f)

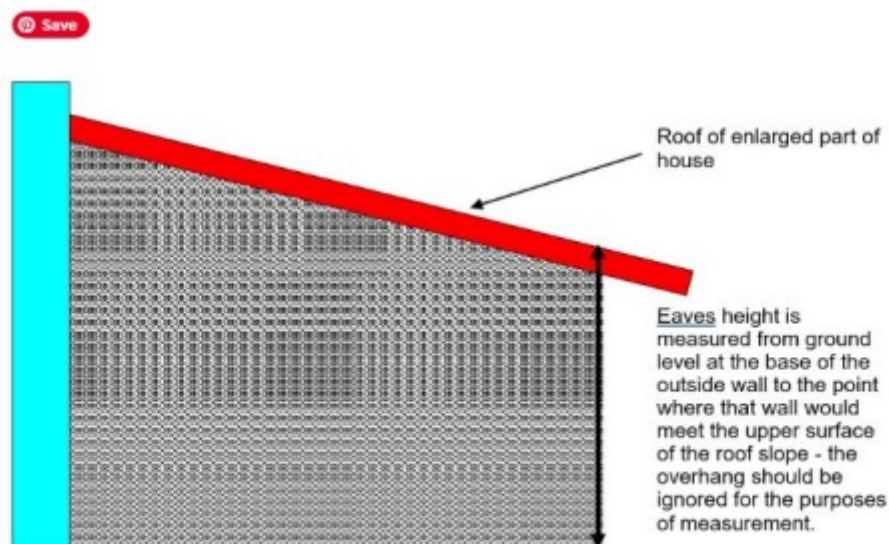
The proposal fails to comply with E.1 (f) as the outbuilding would have an eaves height of 2.79m. As set out in the Permitted Development Technical Guidance below, the eaves height is measured from ground level of the outside wall to where that wall would meet the upper surface of the roof slope:

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse

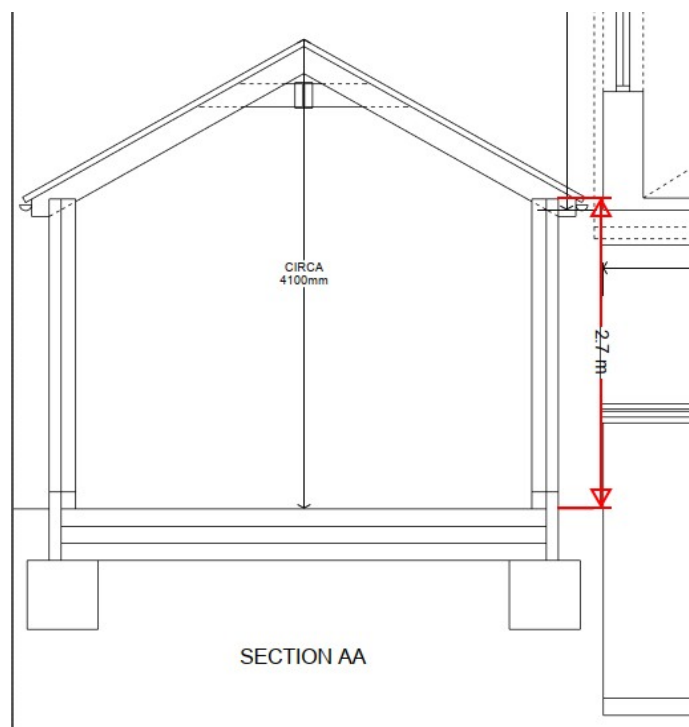
For the purpose of measuring height, the eaves of a house are the point where the lowest point of a roof slope, or a flat roof, meets the outside wall.

The height of the eaves will be measured from the ground level at the base of the external wall of the extension to the point where the external wall would meet (if projected upwards) the upper surface of the roof slope. Parapet walls and overhanging parts of eaves should not be included in any calculation of eaves height.

The following example shows the side view of an extension with a pitched roof:



Proposed Elevations



Therefore, the proposal would have an eaves height of 2.7m and is not within the limitations set out in E.1 (f).

Overall, the application for a Lawful Development Certificate for the alteration and enlargement of the existing garage is not considered to be permitted development.

Conclusion

The proposal would have a maximum height of 4.1m and an eaves height of 2.7m and as such the proposed development fails to comply with Class E.1 (e) and (f) under **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED** and the **LAWFUL DEVELOPMENT CERTIFICATE is REFUSED**.

The **LAWFUL DEVELOPMENT CERTIFICATE** should be **REFUSED**.

Recommendation: Refuse Lawful Development Certificate

Case Officer:	Mrs Nina Goodbody	Team Leader:	
Signed:	<i>N Goodbody</i>	Signed:	
Dated:	13 th July 2026	Dated:	