



# Delegated Report

## Prior Approval Larger Home Application

**Planning Application No:** 20240807

**Location:** Tanners Grange Tanyard Hill Shorne Gravesend

**Description:** Prior approval application for a single storey rear extension with a depth of 8.00 metres, maximum height of 3 metres and eaves height of 2.90 metres.

**Applicant:** Mr Stuart Grist

**Site Visit Date:** N/A Desktop assessment

### Submitted Documents/Plans

Prior approval for a larger home extension application form;  
Drawing no. 4639\_100 Existing block plan and site location plan;  
Drawing no. 4639\_101 Existing ground floor layout;  
Drawing no. 4639\_102 Existing first floor layout;  
Drawing no. 4639\_103 Existing northern and eastern elevations;  
Drawing no. 4639\_104 Existing southern and western elevations;  
Drawing no. 4639\_105 Proposed ground floor layout;  
Drawing no. 4639\_106 Proposed first floor layout;  
Drawing no. 4639\_107 Proposed northern and eastern elevations;  
Drawing no. 4639\_108 Proposed southern and western elevations;  
Drawing no. 4639\_109 Proposed block plan; and  
Design & Access Statement September 2024.

### Property Type

The property comprises of a detached, two storey dwelling set in a large plot.

### Relevant Planning History

| Reference | Description                                                                                                                                               | Decision               | Decision Date |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|---------------|
| 20240585  | Application for a Proposed Lawful Development Certificate in respect of erection of a single storey rear extension.                                       | Certificate refused    | 29.08.2024    |
| 20240069  | Prior approval application for a single storey rear extension with a depth of 8.00 metres, maximum height of 2.60 metres and eaves height of 3.00 metres. | Prior approval refused | 07.03.2024    |

### Proposal

The application seeks prior approval under Class A, Part 1 Schedule 2 and Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of

a single storey rear extension with a depth of 8 metres, a maximum height of 3 metres and an eaves height of 2.9 metres.

## **Development Plan**

Due to the nature of this application, the adopted plan and national planning policies are not relevant since it relates to whether the proposed single storey extension requires prior approval.

## **Planning Legislation**

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

## **Consultation, Publicity and Representations**

In accordance with the amendments in relation to home extensions under paragraph A.4 (5) of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (GPDO) the following adjoining neighbouring properties were notified of this application;

- Over Blow Lodge, Tanyard Hill; and
- Over Blow House, Tanyard Hill.

The expiry date for comments was 25 September 2024 - no representations were received.

As no comments were received, section A.4 (7) of the GPDO has not been triggered and it is therefore not necessary to consider the impact on the amenity of any adjoining premises.

There is no statutory requirement to undertake consultations on larger homes prior approval applications. However, representations have been received from Shorne Parish Council and the Dickens' Country Protection Society. These are set out as follows;

### Shorne Parish Council

The Parish Council notes that the same plans are submitted as under application ref 20240585 which was recently refused a lawful development certificate.

Accordingly, we submit the same comments as previously submitted for ref 20240585:

The application is for an 8m deep, square profiled, flat roofed single storey extension behind the rear wall position of the original building.

As such, it might conform to present permitted development.

However, the proposal will further increase the floor area and is in combination with other previously permitted rear extensions:

- 1) This property has been subject to a considerable number of planning applications, and we consider that the main house and the overall property are being over-developed.
- 2) The Parish Council has on several occasions previously requested that permitted development rights for the whole site should be withdrawn, and it is disappointing that these requests were not actioned by GBC.
- 3) The floor area of the original dwelling appears to have been only about 100sqm, and the house has already been extended very considerably beyond the one-third rule.
- 4) Other built forms have also been constructed on the property (pool house, stables, residential accommodation over garage without planning permission, barn/office building with retrospective planning permission), the area of all of which should also be taken into account.

### Dickens' Country Protection Society

In the Society's view, in view of the Green Belt location and the quantum of previous extensions the

application should be the subject of a planning application.

## Officer Assessment

### *Permitted Developments Rights Restrictions*

|                                                 |    |
|-------------------------------------------------|----|
| Article 2 (3) Land (AONB, Conservation Area)    | No |
| Article 4 Direction                             | No |
| Permitted Development Rights Removed/Restricted | No |

## **Class A - The enlargement, improvement or other alteration of a dwellinghouse**

| <b>A.1</b> | <b>Development is not permitted by Class A if –</b>                                                                                                                                                                                                                                                                                                                                          | <b>Y/N</b>   |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| (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)        | as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (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)        | the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse                                                                                                                                                                                                                              | N            |
| (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                                                                                                                                                                                                                                    | N            |
| (e)        | the enlarged part of the dwellinghouse would extend beyond a wall which –<br><br>(i) forms the principal elevation of the original dwellinghouse; or<br>(ii) fronts a highway and forms a side elevation of the original dwellinghouse                                                                                                                                                       | N            |
| (f)        | subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and -<br>(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or<br>(ii) exceed 4 metres in height                                                                   | Y 8m<br>N 3m |
| (g)        | for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and -<br>(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or<br>(ii) exceed 4 metres in height; | N 8m<br>N 3m |
| (h)        | the enlarged part of the dwellinghouse would have more than a single storey and –<br>(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or<br>(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;                                                          | N/A          |
| (i)        | the enlarged part of the dwellinghouse would be within 2 metres of the boundary of                                                                                                                                                                                                                                                                                                           |              |

|            |                                                                                                                                                                                                                                                                                                                                                                       |                                 |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
|            | the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres                                                                                                                                                                                                                                                            | N/A                             |
| (j)        | the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –<br><br>(i) exceed 4 metres in height,<br>(ii) have more than a single storey, or<br>(iii) have a width greater than half the width of the original dwelling; or                                                                 | N/A                             |
| (ja)       | any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);                                                                                                                                              | N                               |
| (k)        | it would consist of or include –<br><br>(i) the construction or provision of a verandah, balcony or raised platform,<br>(ii) the installation, alteration or replacement of a microwave antenna,<br>(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or<br>(iv) an alteration to any part of the roof of the dwellinghouse | N<br>N<br>N<br>N                |
| (l)        | the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)                                                                                                                                                                                                                                                                        | N                               |
| <b>A.2</b> | <b>In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –</b>                                                                                                                                                                                                                                                              | <b>Y/N</b>                      |
| (a)        | it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;                                                                                                                                                                                             | N/A                             |
| (b)        | the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or                                                                                                                                                                                                                                          | N/A                             |
| (c)        | the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.                                                                                                                                                                                                                            | N/A                             |
| (d)        | any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).                                                                                                                                             | N/A                             |
| <b>A.3</b> | <b>Development is permitted by Class A subject to the following conditions –</b>                                                                                                                                                                                                                                                                                      | <b>Y/N</b>                      |
| (a)        | the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;                                                                                                                                            | Y<br>(render to match existing) |
| (b)        | any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be –<br><br>(i) obscure-glazed, and<br>(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; and                                                       | N/A                             |

|     |                                                                                                                                                                                                                                                                                              |     |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| (c) | where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse. | N/A |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|

Under Class A.1 (g) of the GPDO, a single family dwelling can extend beyond the rear wall by 8 metres in the case of a detached property, as long as the extension does not exceed 4 metres in height.

As set out in the GDPO, Class A.4 (2), the developer has provided sufficient information to support the application.

The information provided shows that the proposed development would be within the parameters set out in the Class A.1 (g) of the GPDO; 8 metres deep, a maximum height of 3 metres, with an eaves height of 2.9 metres.

The neighbouring properties were consulted in accordance with A.4 (5) of the GPDO and no representations were received. Therefore A.4 (7) of the GPDO has not been triggered and impact on neighbouring amenity does not require consideration.

It is considered that the details and documents provided with the application are sufficient and no further information is required under A.4 (8) of the GPDO to determine the proposed development.

The comments of Shorne Parish Council and the Dickens' Country Protection Society are noted but cannot be taken into account, in the determination of this application because the decision must be made only in accordance with the requirements of paragraph A.4 of Class A, Part 1, Schedule 2 of the GPDO.

## Conclusion

The proposed development complies with paragraph A.4 of Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, and prior approval is not required. The decision shall be subject to the imposition of informatives relating to the extent of this prior approval, the plans and documents on which the decision has been made and the requirement to comply with Building Regulations and the Party Wall Act.

## Recommendation: PRIOR APPROVAL IS NOT REQUIRED

|                      |                  |                     |                              |
|----------------------|------------------|---------------------|------------------------------|
| <b>Case Officer:</b> | Mrs Kelly Joyce  | <b>Team Leader:</b> | Richard Hart                 |
| <b>Signed:</b>       | <i>K Joyce</i>   | <b>Signed:</b>      | <i>R Hart</i>                |
| <b>Dated:</b>        | 9th October 2024 | <b>Dated:</b>       | 9 <sup>th</sup> October 2024 |