

# Delegated Report

## *Prior Approval Extensions Application*

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|------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <b>Application no:</b> | 20220569                                                                                                                 |
| <b>Location</b>        | 6 Orchard Avenue Gravesend Kent DA11 7NX                                                                                 |
| <b>Proposal:</b>       | Single storey rear extension with a depth of 5.10 metres, maximum height of 3.00 metres and eaves height of 3.00 metres. |
| <b>Applicant:</b>      | Mr & Mrs S Dhillon                                                                                                       |
| <b>Site Visit</b>      | Desktop Assessment                                                                                                       |

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### Preliminary Matters

The agent was emailed 26.05.22 due to discrepancies between the measurements on the plans and the measurements stated on the application form. The agent responded by email 01.06.22 to confirm maximum height of the proposed extension will be 3.00m and the depth will be 5.10m. Revised/additional plans were received 13.06.22 to reflect the updated dimensions. The description has therefore been amended accordingly.

### Plans & Documents

Application Form;  
Site Location Plan (received 25.05.22);  
Block Plan - Existing (received 25.05.22);  
Block Plan – Proposed (received 13.06.22);  
Drawing No. 1 – Floor Plan – Existing;  
Drawing No. 2: Option One REV D – REVISED Elevations – Existing & Proposed; and  
Drawing No. 3: Option One REV C – Ground Floor Plan – Proposed; and  
Supplementary information – email from agent stating the maximum height is 3.00m and the depth is 5.10m (received 01.06.22.)

### *Superseded Plans*

~~Drawing No. 2: Option One REV C – Elevations – Existing & Proposed.~~

### Plan Note

The proposed block plan received 13.06.22 has a scaling issue, however the depth of the proposed extension is under 5.10m and therefore the dimensions provided by email (01.06.22) and shown on the revised elevations will be used for this application assessment.

### Property Type

6 Orchard Avenue is a two storey detached property.

## 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 5.10 metres, a maximum height of 3.00 metres and an eaves height of 3.00 metres.

## Relevant Planning History

No relevant history.

## 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)

## Consultations, 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) the following adjoining neighbouring properties were notified of this application;

- 4 Orchard Avenue
- 8 Orchard Avenue
- 6 Brenchley Avenue - This was not listed on the application form, however the council note this is an adjoining neighbour according to our maps.
- 4 Brenchley Avenue - This was not listed on the application form, however the council note this is an adjoining neighbour according to our maps.

No representations were received from the neighbouring properties consulted in this prior approval application. The consultation period expired 16th June 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 A - The enlargement, improvement or other alteration of a dwellinghouse

| A.1 | Development is not permitted by Class A 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) | 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/A                                        |
| (f)  | subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and –<br><b>(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</b><br><br>(ii) exceed 4 metres in height                                                                | <b>Y</b><br><b>5.10m</b><br><br>N<br>3.00m |
| (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><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><br>(ii) exceed 4 metres in height; | N<br>5.10m<br><br>N<br>3.00m               |
| (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<br>3.00m                                 |
| (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 –                                                                                                                                                                                                                                                                                                                                                                     |                                            |

|            |                                                                                                                                                                                                                                                                                                                 |            |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|            | (i) the construction or provision of a verandah, balcony or raised platform,                                                                                                                                                                                                                                    | N          |
|            | (ii) the installation, alteration or replacement of a microwave antenna,                                                                                                                                                                                                                                        | N          |
|            | (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe,<br>or                                                                                                                                                                                                               | N          |
|            | (iv) an alteration to any part of the roof of the dwellinghouse                                                                                                                                                                                                                                                 | N          |
| (I)        | 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;                                                                                      | N/A*       |
| (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        |

\*Assessment Note – there was no information provided to enable this question to be answered. However, it is not directly related to the Prior Approval Extension Application itself. The proposed single storey rear extension would need to adhere to all of the above to be considered permitted development and further information would be required in the event of a submission to obtain a Lawful Development Certificate.

## Analysis

Under Class A.1 (g) of the Town and Country Planning (General Permitted Development) (GDPO) (England) Order 2015, as amended, a single family dwelling can extend beyond the rear wall by 8 metres in the case of a detached property, as long as it 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; application form, site location plan and additional plans.

The information provided show the proposed development is within the parameters set out in the GPDO; 5.10 metres deep, a maximum height of 3.00 metres, with an eave height of 3.00 metres.

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

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

### Conclusion

The proposed development complies with **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and it is considered **PRIOR APPROVAL IS NOT REQUIRED**, subject to the imposition of informatives relating to the extent of this prior approval, the development to accord with the information provided, the time limit for completion, notification of completion and requirement to comply with Building Regulations and Party Wall Act.

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| <b>Recommendation:</b> <u><b>PRIOR APPROVAL IS NOT REQUIRED</b></u> |
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| <b>Case Officer:</b> | Mrs Lucy Hankin            | <b>Team Leader:</b> | <b>Richard Hart</b>              |
| <b>Signed:</b>       | L Hankin                   | <b>Signed:</b>      | <i>R Hart</i>                    |
| <b>Dated:</b>        | 17 <sup>th</sup> June 2022 | <b>Dated:</b>       | <b>17<sup>th</sup> June 2022</b> |