



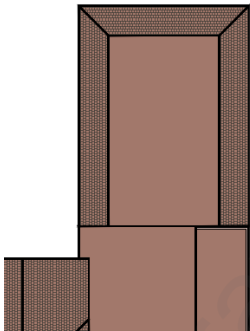
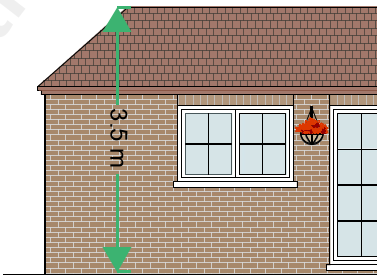
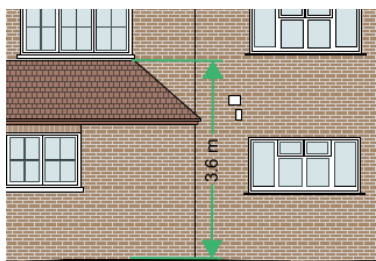
Delegated Report

Prior Approval Extensions Application

Application no:	20220995
Location	Furzy Lea Bowesden Lane Shorne Gravesend
Proposal:	Single storey rear extension with a depth of 8.00 metres, maximum height of 3.50 metres and eaves height of 2.40 metres.
Applicant:	Mr Yadwinder Gill
Site Visit	Desktop Assessment

Preliminary Matters

The eaves height is stated as 2.40m on the application form but measures at 3.50m. Additionally the maximum height is stated as 3.50m on the form, but the plans indicate it is 3.60m. As this Prior Approval Application fails to comply with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), clarification regarding this issue/a change to the description has not been sought.

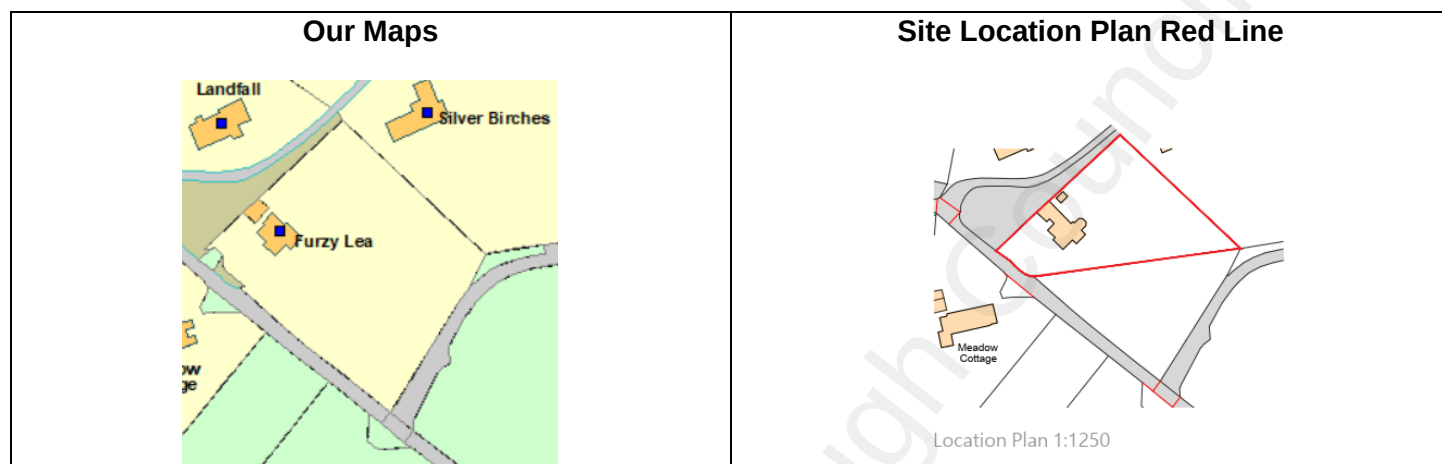
Proposed Roof Plan showing canopy/flat roof	Proposed Elevation showing Eaves measurement	Proposed Elevation showing maximum Height measurement
		

Plans & Documents

Application Form;
 Drawing No. 001 REV A – Block Plan – Existing with Site Location Plan;
 Drawing No. 002 REV A – Block Plan – Proposed with OS plan;
 Drawing No. 003 REV A – Floor Plans – Existing;
 Drawing No. 004 REV A – Elevations – Existing;
 Drawing No. 005 REV A – Floor Plans – Proposed; and
 Drawing No. 006 REV A – Elevations – Proposed.

Plan Note

It is noted that the red line on the Site Location Plan and Block Plans does not match the boundary shown on our maps, however it is noted that previous applications have been submitted with a similar red line to that shown on the plans submitted with this application. As this Prior Approval Application fails to comply with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), clarification regarding this issue has not been sought.



Property Type

Furzy Lea is a detached two storey property.

Policies & Representations

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) requires the Local Planning authority to consult adjoining neighbours for Prior Approval Householder Applications under Class A, Part 1 Schedule 2 and Article 3. Additional consultation is not part of the procedural requirements. A representation from Shorne Parish Council was received however as the representation was not from a neighbouring property, this is not relevant for this application.

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 8.00 metres, a maximum height of 3.50 metres and an eaves height of 2.40 metres.

Relevant Planning History

Reference	Description	Decision	Decision Date
20071061	Construction of new pitched roof to replace existing flat roof at rear and installation of new window in rear elevation at first floor level.	Permitted	18.01.2008
19940321	Erection of a conservatory at the rear.	Permitted	28.07.2022
TH/6/51/115 (19510115)	Erection of a dwellinghouse and garage	Permitted	07.09.1951

TH/6/50/164 (19500164)	the use of the land for the erection of a dwelling	Permitted	28.07.1994
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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;

- The Silver Birches, Bowesden Lane
- Meadow Cottage, Bowesden Lane

No representations were received from the neighbouring properties consulted in this prior approval application. The consultation period expired 30th September 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 –	

	(i) forms the principal elevation of the original dwellinghouse; or (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 - (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 (ii) exceed 4 metres in height	Y N
(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 - (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 (ii) exceed 4 metres in height;	Y (11.73m) N
(h)	the enlarged part of the dwellinghouse would have more than a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (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 Over 2.00m to boundary
(j)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would - (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwelling; or	N N Y
(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);	Y Fails (g)(i) and (j)(iii) – further explanation below
(k)	it would consist of or include – (i) the construction or provision of a verandah, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna,	N N

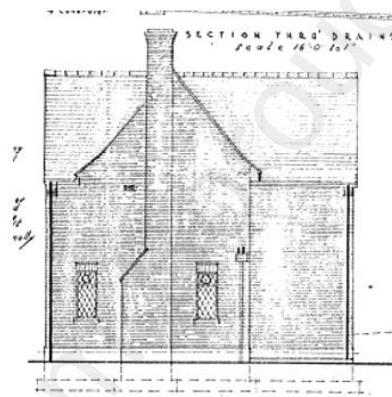
	(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or	N
	(iv) an alteration to any part of the roof of the dwellinghouse	N
(I)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N
A.2	In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –	Y/N
(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
A.3	Development is permitted by Class A subject to the following conditions –	Y/N
(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 As indicated visually by the proposed elevations
(b)	any upper-floor window located in 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; 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

The Local Planning Authority considers that the turquoise shaded area on the plan below represents the original footprint of the property and the purple shaded area indicates the original (open) porch. The remaining areas are all later additions (including the new proposed rear addition).

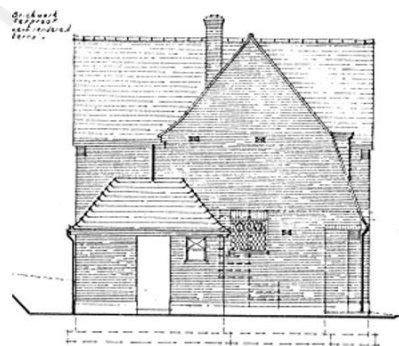


Proposed Ground Floor Plan

This view has been taken by reviewing the original permission for the dwelling – reference TH/6/51/115 (19510115). The plans for this application shows no rear or side projection as part of the development (extracts below).



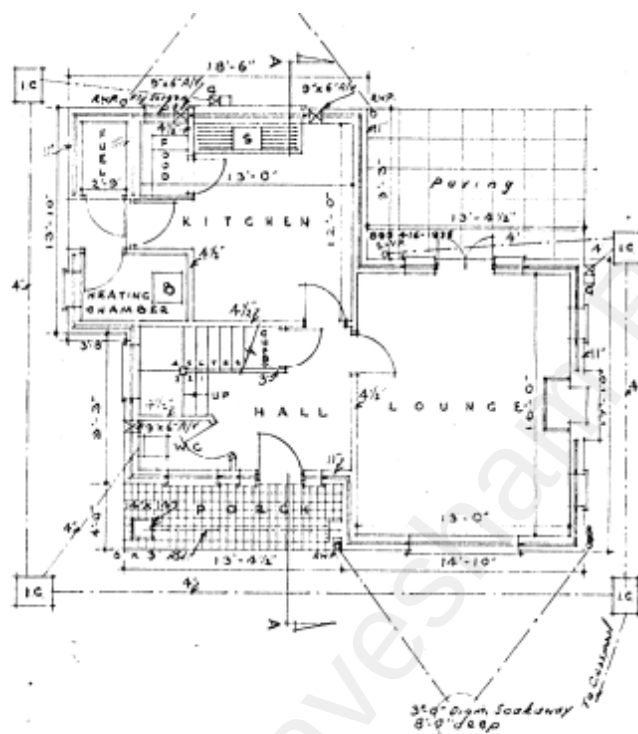
EAST ELEVATION



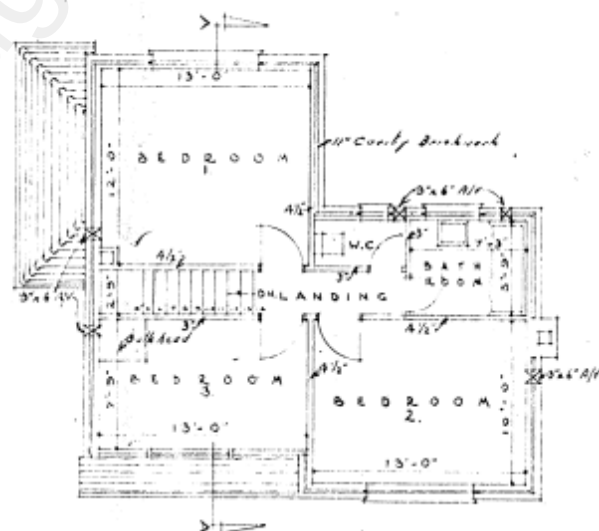
WEST ELEVATION



R E A R E L E V A T I O N



G R O U N D F L O O R P L A N



Scale 8'-0" to 1"

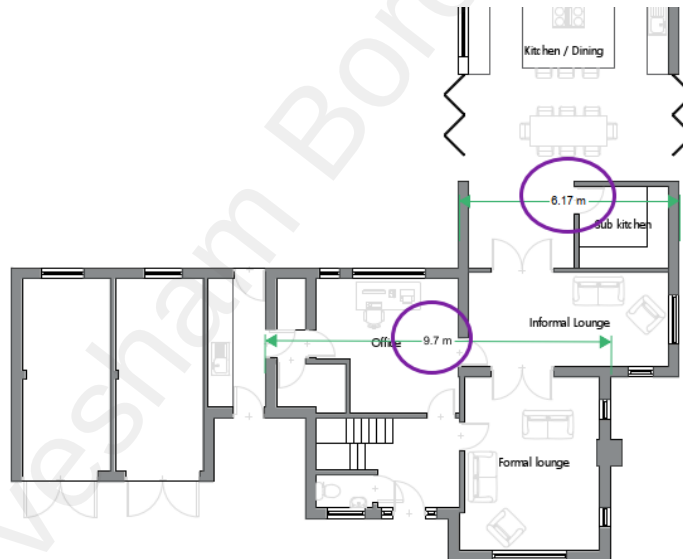
F I R S T F L O O R P L A N

The plans indicate the existing rear/side projections were not part of the original dwelling and are later additions. Therefore, application 20220995 fails on depth under (ja). The technical guidance makes it clear where the proposed extension is to be joined to an existing extension to the original house, whether that was built following a planning application or under permitted development rights, the total enlargement must meet the limits set out in (e) to (j).



As shown on the proposed plan above, this application fails to comply with (ja) as the total enlargement exceeds 8.00m and is 11.73m beyond the original rear elevation.

In addition to this, the extension would also fail under (ja) because it would join existing extensions, meaning the total extension would have a width greater than half the width of the dwelling (6.17m);



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, along with the planning history of the site shows the proposed development fails under (g)(i), (j)(iii) and therefore (ja) of the GPDO because the extension would have a width greater than half the width of the original dwellinghouse and the total enlargement would exceed 8.00m depth.

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 does not accord with Class A, part A.1 (g)(i), (j)(iii) and (ja) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and it is considered that **PRIOR APPROVAL IS REQUIRED AND REFUSED**

Recommendation: <u>PRIOR APPROVAL IS REQUIRED AND REFUSED</u>

Case Officer:	Mrs Lucy Hankin	Team Leader:	
Signed:	L Hankin	Signed:	
Dated:	12th September 2022	Dated:	