



Delegated Report

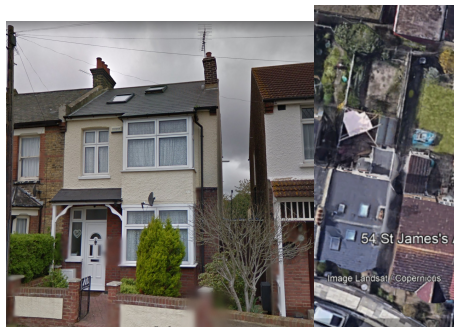
Application no:	20211329
Location	54 St James Avenue, Gravesend Kent DA11 0EY
Proposal:	Single storey rear extension with a depth of 4.32 metres, maximum height of 3.16 metres and eaves height of 3.00 metres.
Applicant:	Mr And Mrs Dezider And Andrea Horvath And Jackova
Site Inspection?	Desktop Assessment

Plans & Documents

- Application Form Received 22/10/2021
- Drawing No: J21 08.PD-01 (Site Location Map & Existing/Proposed Block Plans) Received 25/10/2021
- Drawing No: J21 08.PD-02 (Existing Plans/Elevations & Section AA) Received 25/10/2021
- Drawing No: J21 08.PD-03 (Proposed Ground Floor Plan) Received 25/10/2021
- Drawing No: J21 08.PD-04 (Proposed First Floor Plan) Received 25/10/2021
- Drawing No: J21 08.PD-05 (Proposed Loft Floor Plan) Received 25/10/2021
- Drawing No: J21 08.PD-06 (Proposed Roof Plan) Received 25/10/2021
- Drawing No: J21 08.PD-07 (Proposed Section AA) Received 25/10/2021
- Drawing No: J21 08.PD-08 (Proposed Elevations) Received 25/10/2021
- Drawing No: J21 08.PD-09 (Site Photos) Received 25/10/2021

Property Type

End of Terrace House



Relevant Planning History

Reference	Description	Outcome	Decision Date
20210449	Erection of a single storey and part two storey rear extension.	Refused	08.06.2021

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

- 49 St James Road Gravesend Kent DA11 0HF
- 40 St James Avenue Gravesend Kent DA11 0EY
- 52 St James Avenue Gravesend Kent DA11 0EY
- 13 Lennox Avenue Gravesend Kent DA11 0HA
- 56 St James Avenue Gravesend Kent DA11 0EY

The expiry date for comments was 16th November 2021 and no comments 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.

Officer Assessment*Permitted Developments Rights Restrictions*

Article 2 (3) Land (AONB, Listed Building 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 - Max 3.16m
(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 – Max 3m
(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 N
(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 – 4.3M End of Terrace House (Permitted under g) N – 3.1m
(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 – 4.3m N – 3.1m
(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	N N

	(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;	
(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 – Max 3m Eaves
(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 – 3.1m N Y – Full Width At 5.4m
(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 – Exceeds j (iii)
(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, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse	N N N N
A.2	In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –	
(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 –	
(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;	Materials to match confirmed on application form received 25/10/2021
(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 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

Analysis

Under Schedule 2, Part 1, Class A.1 (g) of the Town and Country Planning (General Permitted Development) (GDPO) (England) Order 2015, as amended, a single storey family dwelling can extend beyond the rear wall by 6 metres in the case of a terrace property, as long as it does not exceed 4 metres in height.

As stated in the GPDO, Class A.4 (2), the developer has provided sufficient information to support the application and consolidate the measurements of the proposed extension; 4.3 metres deep, a maximum height of 3.1 metres and an eave height of 3 metres. All within the parameters set out in the GPDO.

The submitted information demonstrates that the extension will have a flat roof with a maximum height of 3.1 metres and a depth of 4.3 metres; all within the parameters specified under Class A.

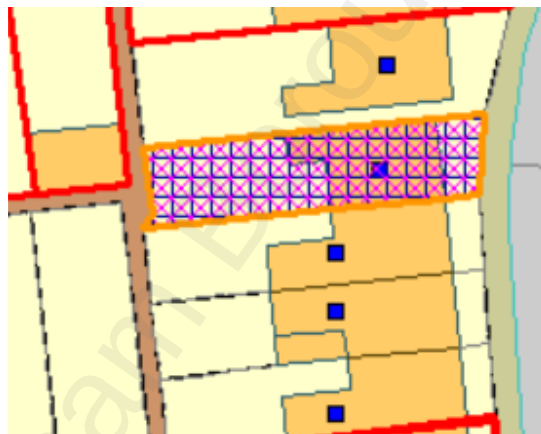
The adjoining properties were consulted in accordance with A.4 (5) and no representations were received. Therefore A.4 (7) has not been triggered and impact on neighbour amenity does not require investigation.

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

However the proposed single storey rear extension fails to comply with paragraph A1 j (iii) Class A of the GDPO as amended and prior approval is therefore required and refused.

Where an extension is beyond any original side wall, the restrictions in (j) will apply. Any extension can only be a single storey, must be less than 4 metres in height and cannot be more than half the width of the original house. The width of the original house should be calculated at its widest point.

A the map below clearly shows the property has an original single storey rear projection which projects approx. 2.5m and has a width of approx. 1.8m; as such the enlarged part of the dwelling would extend beyond a wall forming a side elevation of the original dwelling, and would have a width greater than half the width of the original dwelling.





Conclusion

The proposed development fails to comply with Schedule 2, Part 1 Class A.1 (j) (iii) of THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED, and it is considered PRIOR APPROVAL IS REQUIRED AND REFUSED

Recommendation: PRIOR APPROVAL IS REQUIRED & REFUSED		
	Name/Signature	Date
Planning Officer		26/11/2021
Team Leader		26 November 2021