

Delegated Report

Prior Approval Extensions Application

Application no:	20240225
Location	145 High Street Northfleet Gravesend Kent
Proposal:	Prior approval application for a single storey rear extension with a depth of 6.00 metres, maximum height of 3.27 metres and eaves height of 3.00 metres.
Applicant:	Mr Oluwasegun Ajayi
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form;
Drawing No. 01 – Ground Floor Plan – Existing;
Drawing No. 02 – Ground Floor Plan – Proposed;
Drawing No. 03 – Roof Plans – Existing;
Drawing No. 04 – Roof Plan – Proposed;
Drawing No. 05 – Elevations – Existing;
Drawing No. 06 – Side Elevations – Existing;
Drawing No. 07 – Front and Rear Elevations – Proposed;
Drawing No. 08 – Side Elevations – Proposed;
Drawing No. 09 – Section AA – Proposed;
Drawing No. 10 – Block Plan; and
Drawing No. 11 – OS Plan.

Plan Note

The scale bar on the proposed floor plans state 1:100, however the stated scale on the drawings is 1:50. The depth dimension is included on the proposed ground floor plan, as such, this does not impact the determination of this prior approval larger homes application.

Property Type

145 High Street is a detached property located on the corner of High Street and Station Road.

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 (GPDO) 2015 (as amended) for the erection of a single storey rear extension with a depth of 6.00 metres, a maximum height of 3.27 metres and an eaves height of 3.00 metres.

Relevant Planning History

Reference	Description	Decision	Decision Date
19760152	Erection of 10 houses and 118 flats in two and three storey units	Permitted	05.04.1976

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 (GPDO) (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;

- 147 High Street Northfleet Gravesend
- Flat 8 Ebbsfleet Court 133 High Street
- Flat 3 Ebbsfleet Court 133 High Street
- Flat 4 Ebbsfleet Court 133 High Street
- Flat 12 Ebbsfleet Court 133 High Street
- Flat 10 Ebbsfleet Court 133 High Street
- Flat 11 Ebbsfleet Court 133 High Street
- Flat 9 Ebbsfleet Court 133 High Street
- Flat 7 Ebbsfleet Court 133 High Street
- Flat 6 Ebbsfleet Court 133 High Street
- Flat 5 Ebbsfleet Court 133 High Street
- Flat 2 Ebbsfleet Court 133 High Street
- Flat 1 Ebbsfleet Court 133 High Street

No representations were received from the neighbouring properties consulted in this prior approval application. The consultation period expired on 02.04.24.

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 Y (see below assessment)
(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 6.00m (see (g) below) N 3.27m (including roof lantern)
(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;	N 6.00m N 3.27m (including roof lantern)
(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 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 Eaves are 3.00m
(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 (3.27m including roof lantern) N Y (see below assessment)
(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/A
(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
(l)	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 shown on the plans
(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

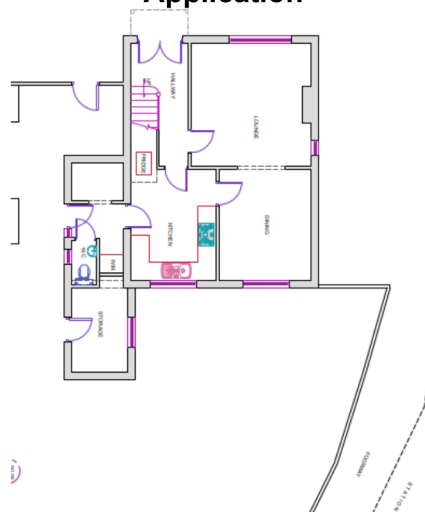
Assessment

The Site Location Plan for application reference number 19760152 indicates that the single storey side/rear projection forms part of the original dwelling.

19760152 plan with property highlighted (X)



Existing Floor Plan included for this Application



As such, it is noted the application would fail under A.1 (e)(ii) because the development fronts a highway and forms a side elevation of the original dwellinghouse. In addition it fails to comply with A.1 (j) (iii), as the proposal would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwelling. It is noted that part of the single storey element is to be demolished, however, as ascertained by dismissed appeal ref: APP/K2230/D/22/3292207 (54 St James's Avenue, Gravesend) (Appendix 1), the determination would be the same, as the projection would still form part of the original dwelling. As such the proposal **would not be lawful**. As evidenced by dismissed appeal ref: APP/Q5300/D/14/2214758 (306 Hertford Road, Lower Edmond, Enfield N9 7HD) (Appendix 2) whereby the scheme would result in ***an extension that would be greater than half the width of the original dwellinghouse***; this Prior Approval Application should be **refused**.

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 other plans.

The information provided show the proposed single storey rear extension is within the parameters set out in the GPDO; 6.00 metres deep, a maximum height of 3.27 metres, with an eave height of 3.00m 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.

Notwithstanding the above, the proposal as indicated within the assessment section of this report would fail under A.1 (e)(ii) because the development fronts a highway and forms a side elevation of the original dwellinghouse. Additionally the proposal fails under A.1 (j) (iii), as the proposal would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwelling. As such the application should be refused.

Conclusion

The proposed development would fail under A.1 (e)(ii) because the development fronts a highway and forms a side elevation of the original dwellinghouse, and, A.1 (j) (iii), as the proposal would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwelling. As such, the proposed development does not benefit from the provisions of Class A, Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and Planning Permission would be required.

Recommendation: <u>Refusal</u>

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:		Signed:	

Dated:	17th April 2024	Dated:	18th April 2024