

Delegated Report

Prior Approval Extensions Application

Application no:	20240952
Location	12 Lennox Road Gravesend Kent DA11 0EP
Proposal:	Prior approval application for a single storey rear extension with a depth of 6.00 metres, maximum height of 3.005 metres and eaves height of 2.785 metres.
Applicant:	Mr Petar Penev
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form;
 Drawing No.01 – Elevations and Floor Plans – Existing;
 Drawing No.02 – Elevations and Floor Plans – Proposed;
 Drawing No.03 – Site Location Plan; and
 Drawing No.04 – Block Plans – Existing and Proposed.

Property Type

12 Lennox Road is a semi-detached bungalow.

Relevant Planning History

Reference	Description	Decision	Decision Date
19770677	Erection of one pair of semi detached bungalows for occupation by old people	Permitted	19.12.1977

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

The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (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.

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;

- 10 Lennox Road
- 12A Lennox Road

The consultation period expired on 11.11.24 and no representations were received.

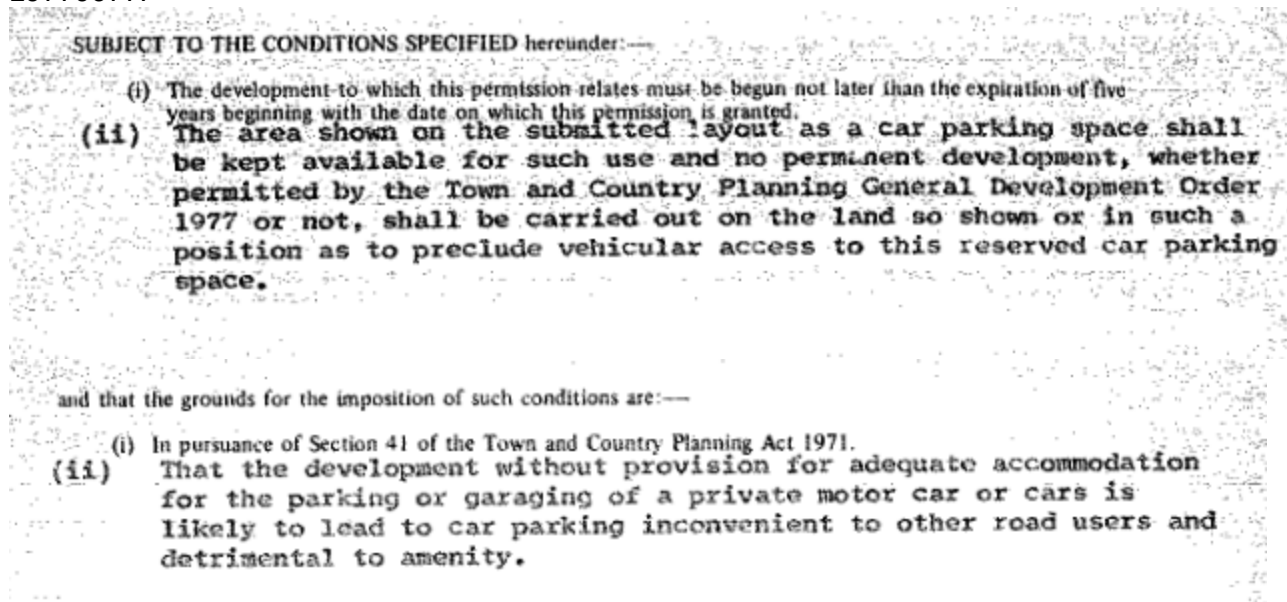
Officer Assessment

Permitted Developments Rights Restrictions

Article 2 (3) Land (AONB, Conservation Area)	N
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	Y

Permitted Development Rights Removed/Restricted

Permitted Development Rights have been restricted for the property as per the decision notice for application 19770677:



However, this restriction is in relation to a car parking space. As such, this application is not impacted by this condition.

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

A.1	Development is not permitted by Class A if –	Y/N
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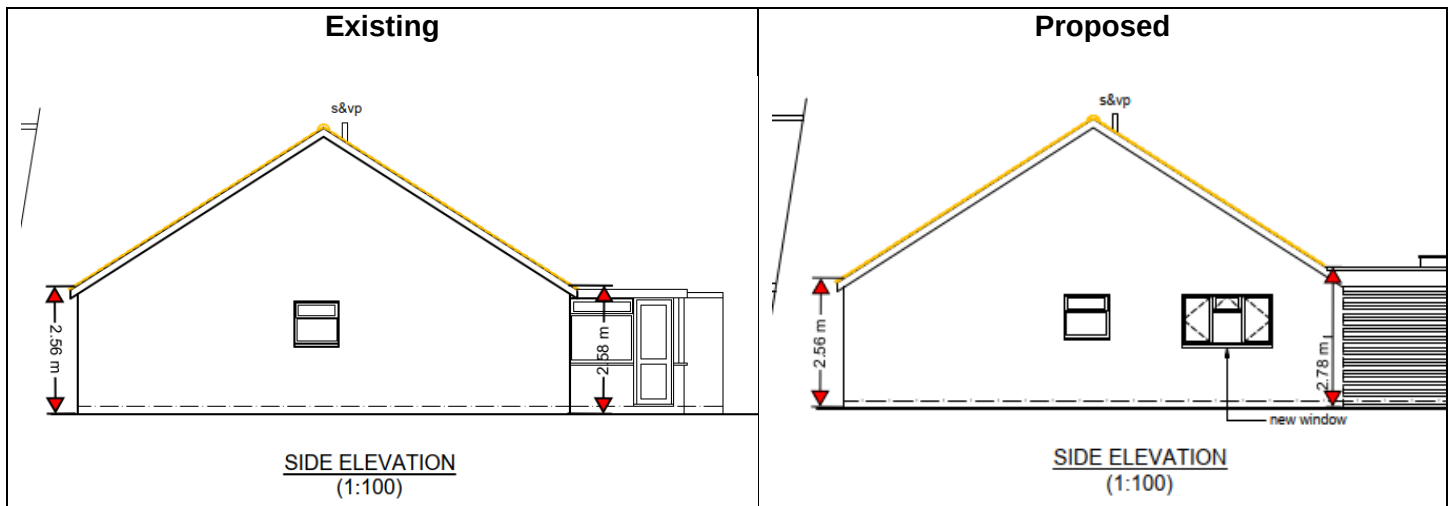
(a)	permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use)	N
(b)	as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the 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	Y See below
(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 6.00m (see (g) below)
(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 3.00m
(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 Eaves are 2.78m
(j)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –	N/A

	(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	
(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 Conservatory o be demolished
(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 per plan)
(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
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Officer's Assessment

The proposed extension would fail under A.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended) as 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. This is apparent as per the plan measurements below:



As such the proposed development is not lawful and should be refused, as evidenced by appeal ref: APP/K2230/D/22/3292207 (54 St James's Avenue, Gravesend) (Appendix 1) and appeal ref: APP/Q5300/D/14/2214758 (306 Hertford Road, Lower Edmond, Enfield N9 7HD) (Appendix 2) whereby the proposals would not accord with the order and were dismissed.

Therefore, 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 6 metres in the case of a semi-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 single storey rear extension is within the parameters set out in the GDPO; 6.00 metres deep, a maximum height of 3.00 metres, with an eave height of 2.78 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 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended) as 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. As such the application should be refused.

Conclusion

The proposed development would fail under A.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) (as amended) as 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. 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:	L Hankin	Signed:	<i>R Hart</i>
Dated:	20th November 2024	Dated:	21st November 2024