

Delegated Report

Prior Approval Extension Application

Application no:	20220976
Location	149 Springhead Road Northfleet Gravesend Kent
Proposal:	Single storey rear extension with a depth of 6.00 metres, maximum height of 3.05 metres and eaves height of 2.90 metres.
Applicant:	Mr Neil Middleton
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form Dated 30/08/22;
Site Location Plan;
Existing Rear Elevation; and
Drawing Number: KL/149 (Proposed and Existing Floor Plan and Proposed Rear Elevation with Block Plan).

Property Type

149 Springhead Road is a two storey semi detached dwellinghouse.

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 6 metres, a maximum height of 3.05 metres and an eaves height of 2.90 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;

- 21 Gwynn Road
- 23 Gwynn Road
- 151 Springhead Road
- 147 Springhead Road

One representation was received from the neighbouring properties. Concerns were raised regarding:

- Loss of sunlight;
- Loss of privacy;
- Works having commenced on site;
- Hours of construction.

The consultation period expired 27th September 2022.

In accordance with Class A.4 (7) to Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises. This assessment is made below:

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 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 6m N 3.2m (inclusive of 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 6m N 3.2m (inclusive of 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 2.9m
(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/A N/A 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, (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;	N/A*
(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

*Assessment Note - although there was enough information to assess the Prior Approval Extension Application, some of the table above has been answered N/A as these parts of the GDPO cannot be definitively answered from the documents and plans provided. 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 6 metres in the case of a semi-detached property, as long as it does not exceed 4 metres in height.

As stated 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.

Overall the information provided is in accordance with the parameters set out in the GDPO; 6 metres deep and a maximum height of 3.2 metres, with an eave height of 2.9 meters.

The adjoining properties were consulted in accordance with paragraph A.4 (5) and one representation was received. Under Class A.4 (7) of the GDPO the impact on neighbours' amenity requires investigation; the material planning concerns raised are set out in the Consultations, Publicity and Representations section above.

In terms of the impact of the proposed development on the loss of privacy of neighbouring properties, this single storey rear addition is considered to be minimal. The distance from the proposed rear extension across the private garden space to the adjacent properties on Gwynn Road is above the 26 metres sought in Gravesham's Residential Layout Guidelines (RLG) (1996) and no other impact from overlooking is considered to occur.

In terms of loss of sunlight, the only property that may be impacted by the proposed development would be the adjoined dwelling (147 Springhead Road). This neighbouring property has an existing outbuilding to the rear elevation and the proposed extension is a single storey, only marginally higher than the existing boundary fencing. Therefore, it is not considered that this development would unacceptably overshadow the adjoining property or result in a loss of sunlight which could justify the refusal of the submission.

With regards to the objection regarding noise concerns impacting on the neighbouring properties during construction, it would be unreasonable to withhold a positive decision on the basis of noise during construction where controls under the Environmental Health legislation exist. Therefore, this development is considered to be acceptable when assessed against Local Plan Policy CS19 in this regard.

In terms of works having commenced prior to the application being determined, the site has been visited by the case officer and no ground works for the rear extension have started. Therefore, this development is considered to be acceptable when assessed against Local Plan Policy CS19 in this regard.

Overall, the proposed rear extension is not considered to impact neighbouring properties amenity.

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**

REQUIRED AND APPROVED, 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.

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

Case Officer:	Mrs Nina Goodbody	Team Leader:	Richard Hart
Signed:	<i>N Goodbody</i>	Signed:	<i>R Hart</i>
Dated:	11th October 2022	Dated:	12th October 2022