

Delegated Report

Prior Approval Extensions Application

Application no:	20220768
Location	14 Istead Rise Gravesend Kent DA13 9JF
Proposal:	Single storey rear extension with a depth of 5.64 metres, maximum height of 4.00 metres and eaves height of 3.40 metres.
Applicant:	Mr Anthony Tomkins
Site Visit	Desktop Assessment

Preliminary Matters

The agent was contacted regarding a depth discrepancy between the plans and the application form. The agent responded by email and confirmed the depth will be 5.64m. The agent also advised there are some fenestration changes and submitted revised plans. The description has therefore been amended accordingly and was confirmed as acceptable by email (18/07/2022).

Plans & Documents

Application Form;

Drawing No. AT – 14 – 21 (B) – REVISED Rear Elevations and Floor Plans – Existing and Proposed

Drawing No. AT – 14 – 22 (B) – REVISED Side Elevations – Existing and Proposed;

Drawing No. AT – 14 – 23 (A) – Site Location Plan; and

Drawing No. AT – 14 – 24 (A) – Block Plan.

~~Drawing No. AT – 14 – 21 (A) – Rear Elevations and Floor Plans – Existing and Proposed – SUPERSEDED;~~

~~Drawing No. AT – 14 – 22 (A) – Side Elevations – Existing and Proposed – SUPERSEDED.~~

Plan Note

The red line shown on Drawing No. AT – 14 – 24 (A) – Block Plan does not follow the boundary line of the property and therefore the Site Location Plan red line boundary shall be used for this assessment.

Property Type

14 Istead Rise is a two storey chalet style property with dormers in the front and rear roof slope.

Proposal

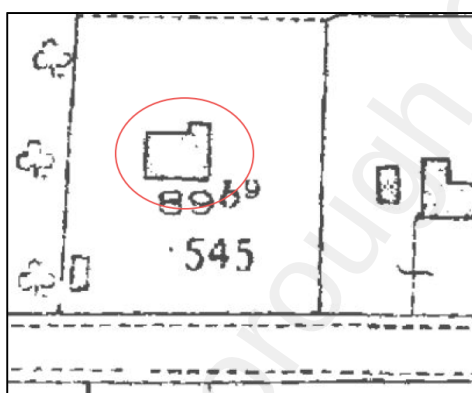
The application seeks prior approval under Class A, Part 1 Schedule 2 and Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of a single storey rear extension with a depth of 5.64 metres, a maximum height of 4.00 metres and an eaves height of 3.40 metres.

Relevant Planning History

Reference	Description	Decision	Decision Date
20220449	Erection of single storey side extension	Refused	14.06.2022

Planning History Note

The planning history for the property is limited and fails to show the two storey rear extension, which is considered to be an addition constructed after 1948. An investigation into historic plans (1929-1952) demonstrates that the single storey rear store constructed pre-1952, however does not show the two storey extension.



Therefore, the two storey projection is considered to be an extension and not an original part of the property and will form part of the assessment for this prior approval larger homes extension.

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;

- Blue Springs, Brookside Road.
- 16 Istead Rise.

No representations were received from the neighbouring properties consulted in this prior approval application. The consultation period expired 2nd August 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	Y
(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	N/A
(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 5.64m Y (7.1m) see A.1 (ja)
(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	Y

	(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;	(5.64m) Y (5.05m) See A.1 (ja)
(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
(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
(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 See A.1 (g) / A.1 (h)
(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

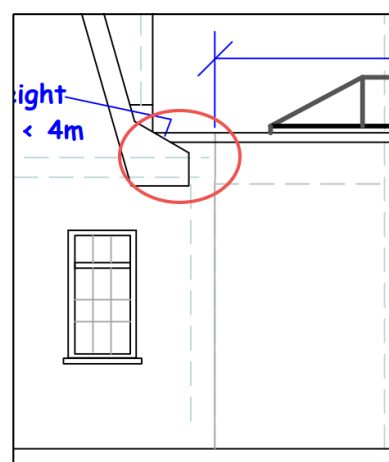
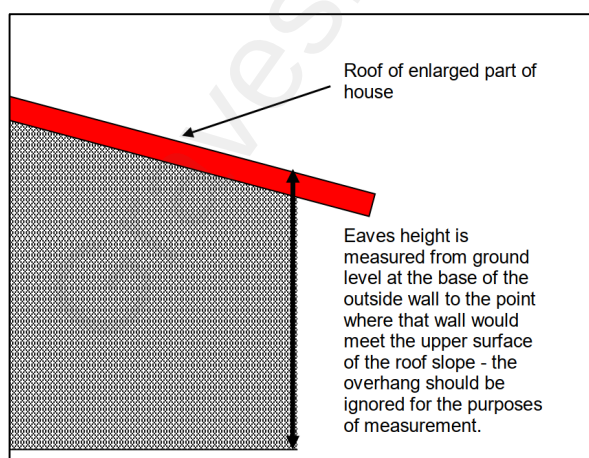
A.3	Development is permitted by Class A subject to the following conditions –	Y/N
(a)	the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;	Y (Green roof permitted under the Government Technical Guidance)
(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

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.

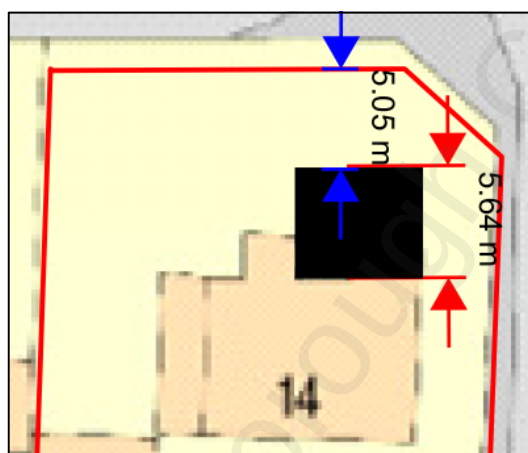
The proposed extension will exceed the height of the eaves of the existing dwellinghouse and fail Class A.1 (d) of the GPDO. The eaves of the property are low, by virtue of its mansard roof design, and the extension is considered to exceed the height of the eave as shown in the screenshot, below.

The plan submitted shows a dashed line along the outside edge of the roof overhang, which is indicative of the original rear wall of the property. An eave height is measured from the ground level at the base of the external wall, to the lowest point where the wall would meet the upper surface of the roof slope - the overhang should be ignored for the purposes of measurement.



Therefore, in this case the height of the eave is clearly exceeded by the extension and it would fail Class A.1 (d) of the GPDO.

In addition, the proposed extension would join to the existing two storey rear extension which means that an assessment under Class A.1 (ja) must be made. Class A.1 (ja) states that “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)”. Therefore, the proposed extension and existing extension must be considered as one development, which means that the proposal would fail A.1 (g) and A.1 (h) of the GPDO. The extension would fail A.1 (g) by virtue of the height of the combined extension exceeding 4m, with the two storey extension having a height of 7.1m. In regards to A.1 (h), the development fails both (i) and (ii), where the combined depth of the extension with a first floor level would be 5.64m, and would be within 7m of the rear boundary (see image below).



The blank annotation shows the extension at a depth of 5.64m, adjoining the two storey rear extension, and would clearly be within 7m of the rear boundary. Therefore, as the extension is joined to the existing two storey rear extension Class A.1 (ja) is relevant and the development therefore fails Class A.1 (g) and Class A.1 (h) (i) and (ii).

Conclusion

The proposed development does not comply with **THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and it is considered **PRIOR APPROVAL IS REQUIRED AND REFUSED**

Therefore full planning permission is required for the development.

Recommendation: <u>PRIOR APPROVAL IS NOT REQUIRED</u>			
Case Officer:	Mrs Lucy Hankin	Team Leader:	Miss Faye Hobbs
Signed:	L Hankin	Signed:	
Dated:	18 th August 2022	Dated:	18 August 2022