

Delegated Report

Prior Approval Extensions Application

Application no:	20230464
Location	17 Kemsley Close Northfleet Gravesend Kent
Proposal:	Single storey rear extension with a depth of 6.00 metres, maximum height of 3.00 metres and eaves height of 3.00 metres.
Applicant:	Mrs Sherly Hillarious
Site Visit	08.06.23

Plans & Documents

Application Form;
Drawing No. 101 – Floor Plans – Existing and Proposed;
Drawing No. 102 – Roof Plans – Existing and Proposed;
Drawing No. 103 – Front and Rear Elevations – Existing and Proposed;
Drawing No. 104 – Both Side Elevations – Existing and Proposed;
Drawing No. 105 – Sections – Existing and Proposed;
Drawing No. 106 – Site Plan – Existing;
Drawing No. 107 - Site Plan – Proposed; and
Drawing No. 108 – OS Plan.

Property Type

17 Kemsley Close is a two storey terraced property located to the north east of the highway.

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 6.00 metres, a maximum height of 3.00 metres and an eaves height of 3.00 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)
Town and Country Planning Act (1990)

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;

- 6 Baker Hill Close Northfleet Gravesend
- 8 Baker Hill Close Northfleet Gravesend
- 19 Kemsley Close Northfleet Gravesend
- 15 Kemsley Close Northfleet Gravesend

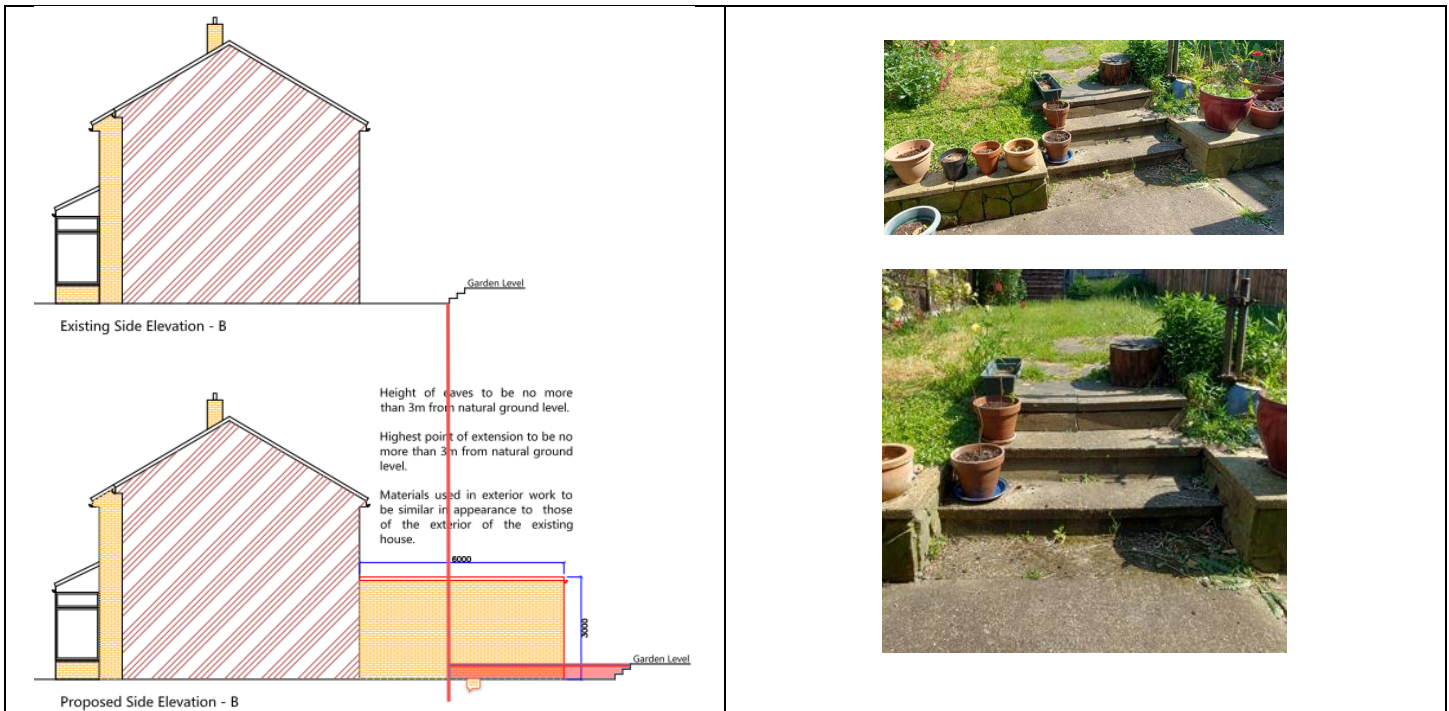
The expiration date for comments was 31.05.23 and two representations were received. The representations objected the proposed development expressing the following concerns:

- The depth of the extension
- Reduction in view
- Impact on light
- The extension would not be in keeping with the depth of extensions at neighbouring properties
- Loss of privacy
- Time given to give comments in writing is insufficient
- It would greatly impact the enjoyment of my property and garden
- Extensions at neighbouring properties do not extend more than 3.00m from the main dwelling and none of these have a flat roof
- Out of place with existing builds and not aesthetically pleasing
- Not enamoured to look at a brick wall when in the garden

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. Furthermore, the plans showed an engineering operation involving excavation of part of the rear garden would need to be carried out in order to facilitate the development. Therefore, a site visit was carried out on 08.06.23.

Officer Assessment

Section 55 of the Town and Country Planning Act (1990) defines development as carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.



The plans and photos show that an engineering operation to excavate part of the rear garden would be required for the erection of the single storey rear extension. The annotations in red gives an approximate indication of the extent of excavation that would be required to carry out the development (approximately 11.94m³, and additionally, the steps measure at approximately 0.45m. As such, this application would not fall under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and **planning permission would be required.**

As such, further assessment of this Larger Homes Prior Approval Application has not been carried out and planning permission would be required for the development.

Conclusion

Section 55 of the Town and Country Planning Act (1990) defines development as carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. Any change in land levels particularly when it would be at 0.3m or greater, would be considered an engineering operation requiring planning consent. Therefore, Planning Permission would be required for the proposal as a result of the engineering operations. 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: Refusal

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>

Dated:	13th June 2023	Dated:	13th June 2023
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