

Delegated Report

Application no:	20211138
Location	40 Goodwood Crescent, Gravesend, Kent DA12 5EL
Proposal:	Single storey rear extension with a depth of 6.00 metres, maximum height of 3.60 metres and eaves height of 3.00 metres.
Applicant:	Mr Sanjeet Parmar
Site Inspection?	Desktop Assessment

Plans & Documents

- Application Form Received 15/09/2021;
- DKM/3400/03 (Existing Block Plan) Received 15/09/2021;
- DKM/3400/01 (Proposed Block Plan) Received 15/09/2021;
- DKM/3400/04 (Existing Plans and Elevations) Received 15/09/2021;
- DKM/3400/03 (Site Location Map) Received 15/09/2021;
- DKM/3400/06 (Proposed Plans and Elevations) Received 15/09/2021;

Property Type

Semi Detached Bungalow



Relevant Planning History

Reference	Description	Outcome	Decision Date
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20150945	Single storey rear extension with a depth of 4.5 metres, maximum height of 3.45 metres and eaves height of 3 metres.	Prior Approval Not Required	19.11.2015
20211137	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey side extension.	Certificate Refused	01.10.2021

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)

Consultation, 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;

- 42 Goodwood Crescent Gravesend DA12 5EL
- 20 Goodwood Crescent Gravesend Kent DA12
- 22 Goodwood Crescent Gravesend Kent DA12
- 38 Goodwood Crescent Gravesend Kent DA12

The expiry date for comments was 7th October 2021 and one representation was received.

The main points raised in the objection were:

- Removal of fencing which belongs to an adjoining occupier
- 45 degree test relating to light levels
- Party Wall Act

Officer Assessment*Permitted Developments Rights Restrictions*

Article 2 (3) Land (AONB, Listed Building 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
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(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 – 3.3M
(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 – 3M (EXISTING EAVES 2.4M)
(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	N/A Y – Permitted under part (g)
(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/a N – 6m N – 3.3m
(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	N N

	dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;	
(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 N N
(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 subparagraphs (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
A.2	In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –	
(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
(b)	the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or	N
(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
(d)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will	N

	be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).	
A.3	Development is permitted by Class A subject to the following conditions –	
(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;	Materials to match as confirmed by agents email dated 12/10/2021
(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

Analysis

Under Class A.1 (g) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (GPDO) (England) Order 2015, as amended, a single family dwelling can be extended beyond the rear wall by 6 metres in the case of a semi-detached/terraced property, as long as it does not exceed 4 metres in height and meets the relevant criteria as set out above.

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

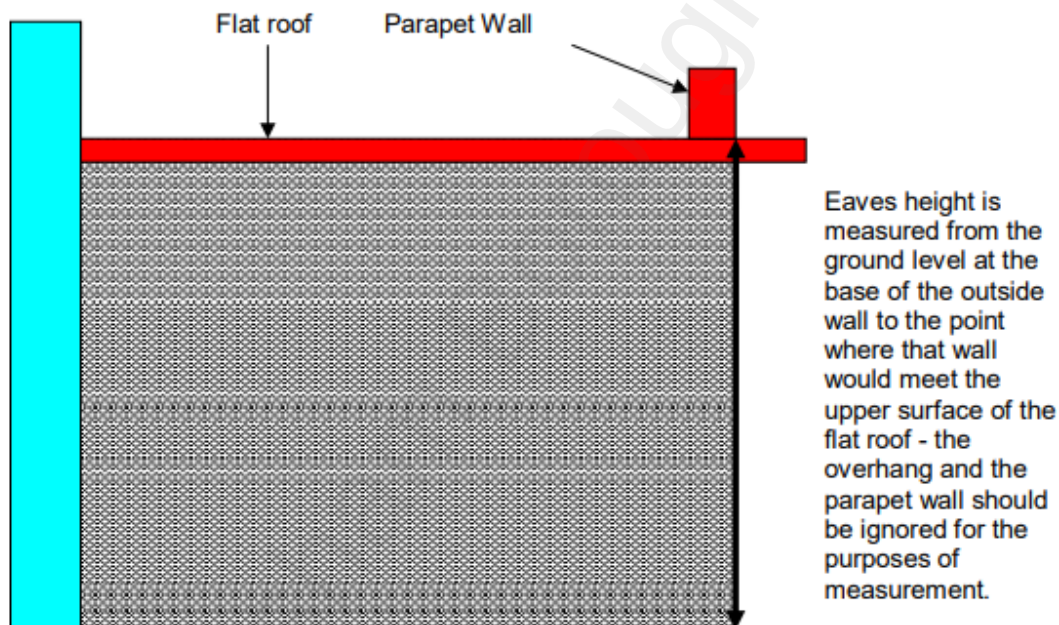
- 45 Degree Test and Impact on Light Levels – Due to the application already failing on Part A.1, SECTION D to CLASS 1, PART 2, SCHEDULE 3 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED an in depth assessment is not needed.

- Party Wall Agreement - This is not a planning issue and would require affected parties to seek independent advice
- Removal of fence panels – This is not a material planning consideration

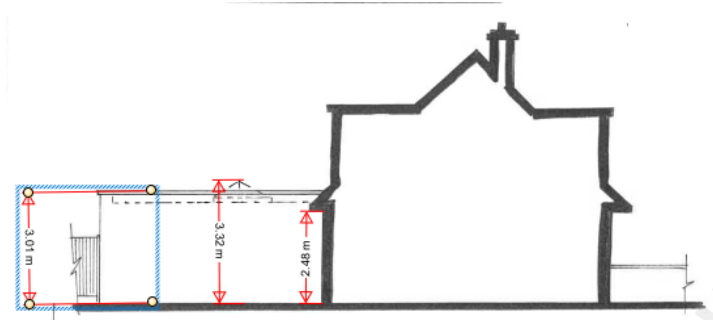
The proposed single storey rear extension fails to comply with paragraph A1 D Class A of the GDPO as amended and prior approval is required.

Development is not considered permitted by Class A if 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

Below is an extract from the technical guidance, which shows how the eaves are measured:



As can be seen below the existing eaves measure approx 2.4m and the proposed eaves measure approx 3m. It is evident the existing eaves are not maintained



The applicant is reliant upon a previous permission granted under reference 20150945. Whilst this permission may have been granted under previous policies it is not compliant with existing policies.

Recommendation: PRIOR APPROVAL IS REFUSED		
	Name/Signature	Date
Planning Officer		13 th October 2021
Principal Planner/ Manager		