

Delegated Report

Prior Approval Extensions Application

Application no:	20220237
Location	High Ridge Pear Tree Lane Shorne Gravesend
Proposal:	Single storey rear extension with a depth of 6.00 metres, maximum height of 4.00 metres and eaves height of 2.95 metres.
Applicant:	Mr & Mrs Molloy
Site Visit	Desktop Assessment

Preliminary Matters

The 1940 and 2015 aerial photographs below (Google Earth) suggest that the existing rear extension was added sometime before 1940. The existing extension is therefore considered original.



Extension of time

The agent was contacted regarding an extension of time until 03.05.2022. This was confirmed as acceptable on 11.04.2022.

Plans & Documents

Application Form;
Drawing No. SP-480-P-10-01 – Site Location Plan;
Drawing No. SP-480-P-10-02 – Floor Plans – Existing;
Drawing No. SP-480-P-10-03 – Front and Side Elevations – Existing;
Drawing No. SP-480-P-10-04 – Rear and Side Elevations – Existing;

Drawing No. SP-480-P-10-05 – Site Plan – Existing;
 Drawing No. SP-480-P-10-06 – Floor Plans – Proposed;
 Drawing No. SP-480-P-10-07 – Front and Side Elevations – Proposed;
 Drawing No. SP-480-P-10-08 – Rear and Side Elevations – Proposed; and
 Drawing No. SP-480-P-10-09 – Site Plan – Proposed.

Property Type

High Ridge, Pear Tree Lane, is a two storey detached property.

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 4.00 metres and an eaves height of 2.95 metres.

Relevant Planning History

Application No.	Description	Status	Decision
20211409	Single storey rear extension with a depth of 8.00 metres, maximum height of 4.00 metres and eaves height of 3.80 metres.	Withdrawn	18.11.2021
20211219	Demolition of existing side extension, chimneys, lower front bay and part of study roof. Erection of a two storey side extension, first floor bay over study and section of new pitched roof over first floor flat roof. Rendering over of existing brickwork. Replacement of windows and doors.	Permitted	15.12.2021
20171068	Application for a Lawful Development Certificate in respect of the proposed erection of single storey rear and both side extensions.	Certificate Refused	12.02.2018
20170717	Erection of a replacement five bedroom detached dwelling and associated parking. Refused 6.09.2017. Dismissed on appeal 24.09.2018. (2018/00012/REF)	Refused	06.09.2017
19960371	Erection of a two storey extension on the western elevation to form	Refused	12.07.1996

snooker room and bed-sitting room
at ground floor level with 2 no
bedrooms over, one with ensuite
bathroom and dressing room.

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

Consultees

Shorne Parish Council - "The Parish Council has no objection in principle to this proposal, provided that there are not any significant objections from neighbours, but has the following comments:

We note previous application 20211219 for a side extension which was permitted, it is not clear whether the applicant proposes to implement both applications (if this one is permitted) or whether this application supersedes the previous one.

In view of the considerable total extension that may be made to the property we request that permitted development rights should be withdrawn for the whole site."

There is an extant permission on site which can be implemented alongside this application if approved. It is not possible to remove Permitted Development Rights with a Prior Approval Householder Application.

Neighbouring Properties

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;

- The Willows, Pear Tree Lane
- White House, Pear Tree Lane

No representations were received from the neighbouring properties consulted in this prior approval application. The consultation period expired on 02.05.2022.

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	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 6.31m N
(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 6.31m N
(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
(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,	

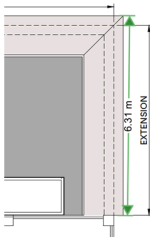
	(ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwelling; or	N/A
(ja)	any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);	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
(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	N/A

	dwellinghouse.	
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*Assessment Note – no information was provided to enable this question to be answered. However, it is not directly related to the Prior Approval Extension Application itself. 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.

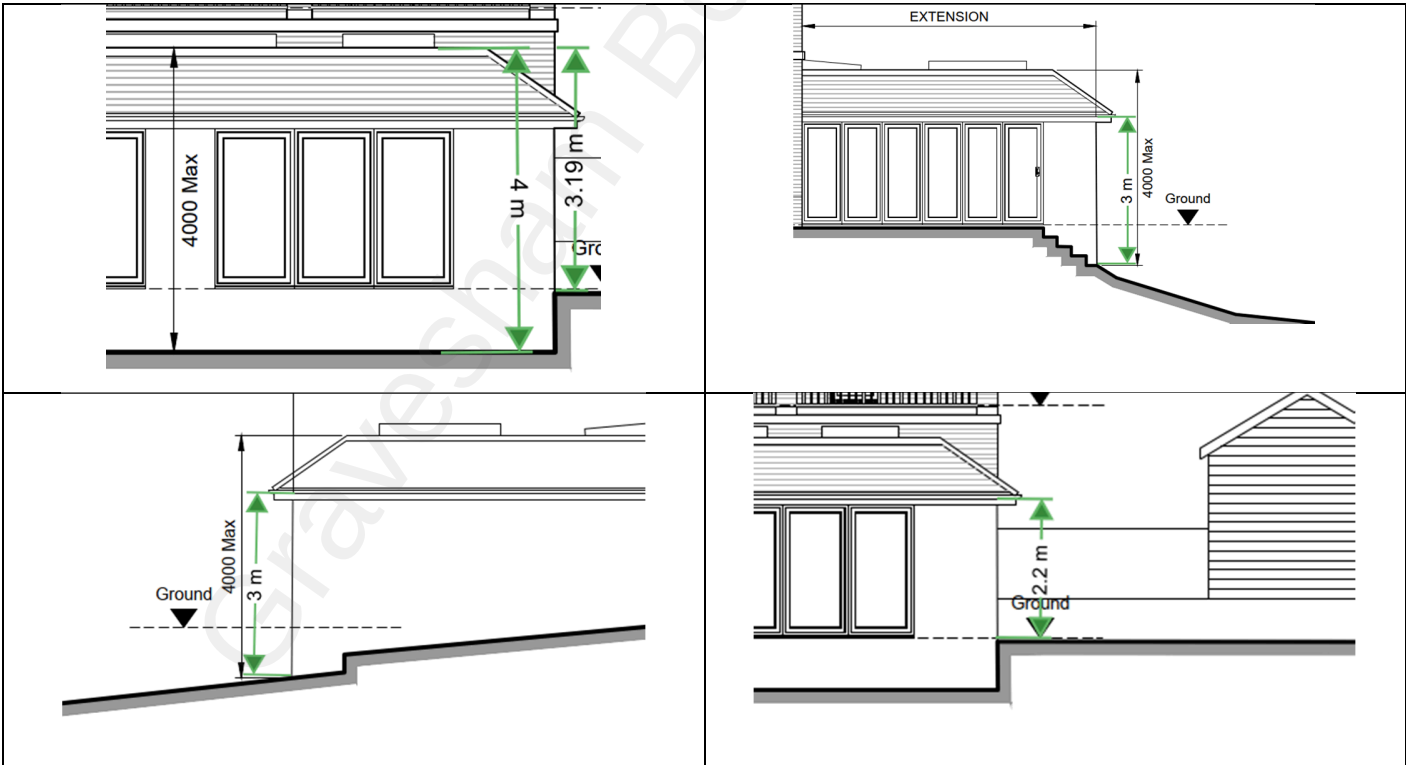
Plan Note:

The application form and floor plan show that the proposed depth is 6.00m, however the first floor plan shows the depth at 6.31m as shown below:

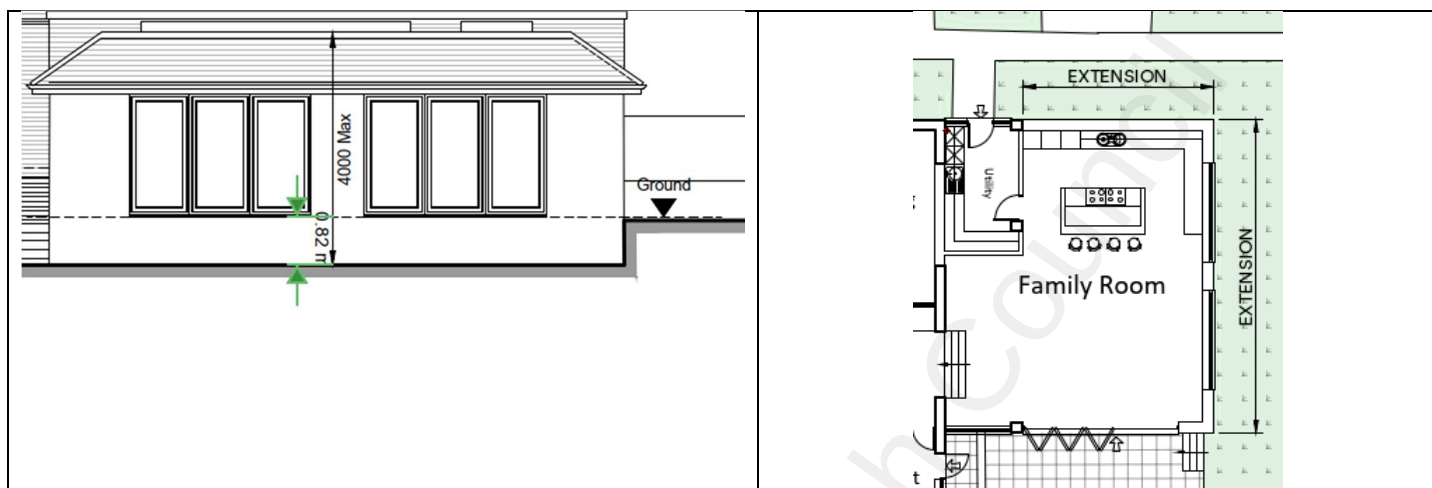


However, this still complies with A.1 (g) (i), as detached dwellinghouses can have a depth up to 8.00m.

The eaves height on the application form is 2.95m. As the ground levels are different, there are different height and eaves measurements on the plans, but these do not exceed 4.00m in height or 3.00m eaves height and so this complies with A.1 (g)(ii) and A.1 (i), shown below:



According to the plans, no engineering operations are proposed as the extension is proposed to be built on the patio. The proposed rear elevation appears to show bi-fold doors on the plan. If these are doors, then any raised platform constructed for access may require planning permission, as the drop to the ground is 0.82m:



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.

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 development is within the parameters set out in the GPDO; 6.31 metres deep, a maximum height of 4.00 metres, with an eave height of 3.00 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.

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 NOT REQUIRED**, 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: PRIOR APPROVAL IS NOT REQUIRED

	Name/Signature	Date
Planning Officer	L Hankin	03.05.2022
Principal Planner/ Manager		3 rd May 2022

	Richard Hart / <i>R Hart</i>	
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Gravesham Borough Council