



Delegated Report

Householder Planning Application

Planning Application No:	20230112
Location:	Bucklebury, Pear Tree Lane, Shorne, Gravesend
Description:	Application for a Lawful Development Certificate in respect of the proposed single storey rear extension to original building
Applicant:	Mr Nick Turner Goldsmith
Site Visit Date:	Desktop assessment

Submitted Documents/Plans

Application form
Drawing no. 3440-005 Rev. C (Rear Extension)
Drawing no. 3440-006 (Existing Plans and Elevation)

Property Type

The property comprises a detached two storey dwellinghouse in the countryside and Green Belt.

Material Consideration

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Relevant Planning History

Reference	Description	Decision	Decision Date
20220513	Erection of a first-floor rear extension above existing ground floor extension.	Permitted	01.07.2022
20220109	Proposed external appearance upgrade including roof covering replacement, guttering replacement and windows replacement; front elevation aesthetical alterations involving the installation of new reconstituted stone quoins, new reconstituted stone window heads and replacement of existing entrance porch; enlargement of some of existing windows, provision of 2no. of new windows, removal of 1 pair of French doors, removal of side entrance door; replacement oak front canopy on front elevation.	Permitted	12.05.2022
20210499	Retrospective application for erection of a single storey outbuilding to be used as a home gym.	Refused Appeal allowed	22.06.2022 25.11.2022

20201066	Proposed alterations and remodelling of dwelling including two storey side and rear extensions to main house and use of altered roof space for additional accommodation; construction of attached pool house and subterranean games room to rear garden and triple garage in front of the dwelling.	Refused	10.12.2020
20080125	Application for Lawful Development Certificate for the proposed erection of a wall constructed of railway sleepers 0.9 metres in height along Pear Tree Lane frontage.	Certificate refused	04.04.2008
20060162	Retention of the front boundary wall.	Permitted	20.09.2006
20000470	Removal of existing conservatory and erection of single storey rear extension to form study, dining area and kitchen.	Permitted	22.08.2000
19590170	Erection of detached house, double garage and outbuildings	Permitted	04.08.1959
19560114	Erection of house and private garage	Permitted	10.04.1957

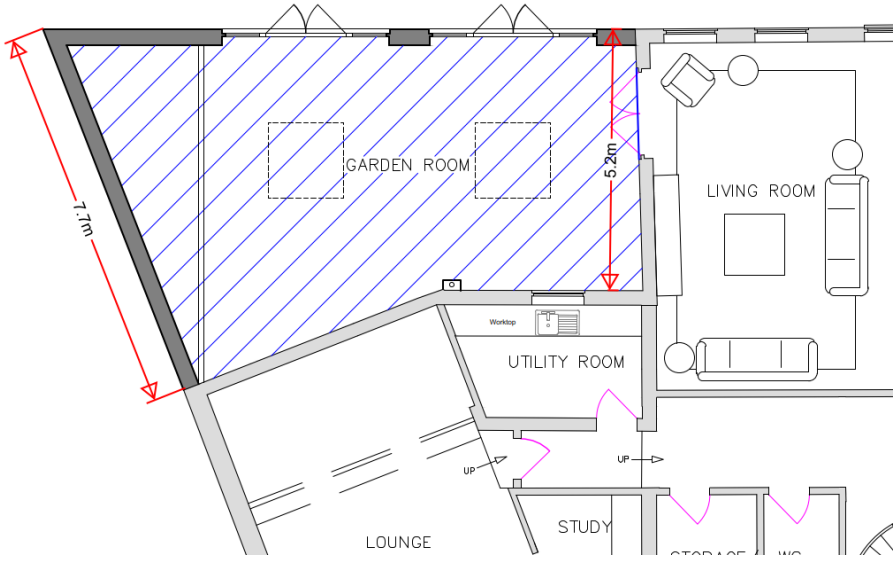
Officer Assessment

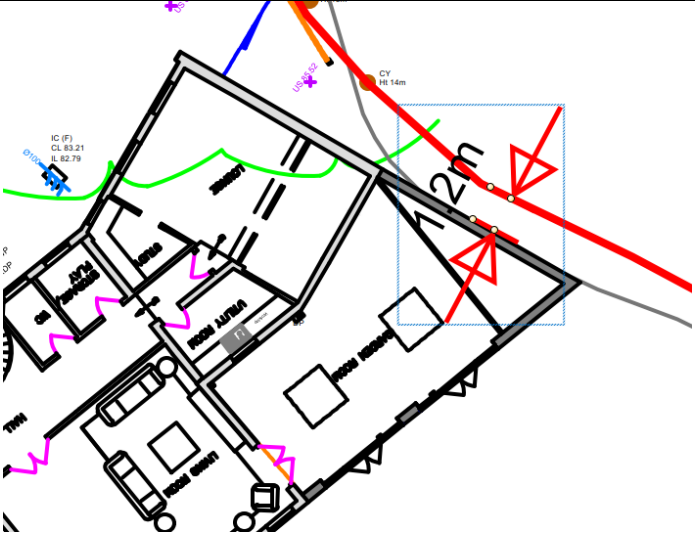
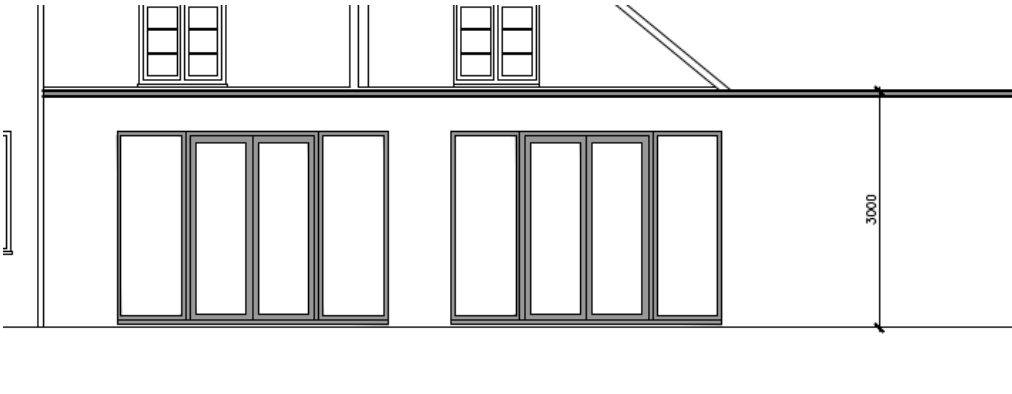
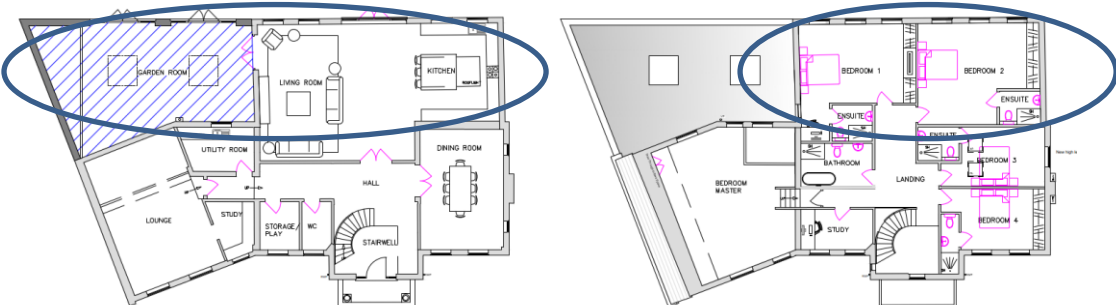
Permitted Developments Rights Restrictions

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 <i>Extract from proposed floor plan</i>  (ii) exceed 4 metres in height	Y (5.2m)
(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 (7.7m) N (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 dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;	N
(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 <i>Extract from proposed block plan</i>	N (within 2m of boundary but no more than 3m to eaves)

	 <i>Extract from proposed rear elevation</i> 	
(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
(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 ((h)(i) two storey extension more than 3m beyond rear wall)
(k)	it would consist of or include –	N

	(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
(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 –	N/A
(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
(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

Conclusion

The proposed single storey rear extension fails to comply with the parameters set out in Schedule 2, Part 1 Class A (f) of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, and subsequently Class A (ja) by virtue of the extension adjoining an existing extension. As such the total enlargement (being the proposed single storey extension together with the existing enlargement of the dwellinghouse to which it will be joined) exceeds the limits set out in Class A (h)(i), and therefore the proposal

does not fall within the limits of permitted development as set out in Article 3, Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The proposal therefore requires planning permission.

Recommendation: <u>Refuse</u> Lawful Development Certificate
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Case Officer:	Mrs Katherine Parkin	Team Leader:	Miss Faye Hobbs
Signed:	<i>K. Parkin</i>	Signed:	
Dated:	21st March 2023	Dated:	22 March 2023