

Delegated Report

Prior Approval Extension Application

Application no:	20230674
Location	64 Havengore Avenue Gravesend Kent DA12 2JT
Proposal:	Single storey rear extension with a depth of 4.00 metres, maximum height of 2.98 metres and eaves height of 2.90 metres.
Applicant:	Mr Donatas Lavickas
Site Visit	13.07.23

Preliminary Matters

It was noted that the initial description for the application was incorrect and did not match the application form. As such, the description was altered from '*single storey rear extension with a depth of 4.90 metres, maximum height of 2.90 metres and eaves height of 2.80 metres*' to '*Single storey rear extension with a depth of 4.00 metres, maximum height of 2.90 metres and eaves height of 2.80 metres*'. As such, a revised acknowledgement letter was sent along with an amended neighbour letter.

Furthermore, it was noted when measuring the plans that the height of the proposed extension (walls and roof) was 2.90m, however the maximum height of the proposal (including the roof light) was 2.98m and the eaves height (as per the Government Technical Guidance definition of eaves height) was 2.90m. These measurements remain within the parameters of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As such, the proposal description has been further amended to reflect this; *Single storey rear extension with a depth of 4.00 metres, maximum height of 2.98 metres and eaves height of 2.90 metres*.

Plans & Documents

Application Form;
Drawing No.s A01 and A02 – Elevations and Floor Plans as Existing;
Drawing No.s A03, A04 and A05 – Elevations Floor Plans and 3D Views as Proposed; and
Drawing No. A06 – Block Plans as Existing and Proposed with Site Location Plan.

Property Type

64 Havengore Avenue is a two storey end of terrace 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 4.00 metres, a maximum height of 2.98 metres and an eaves height of 2.90 metres.

Material Consideration

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

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)

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 property was notified of this application;

- 62 Havengore Avenue

The expiry date for comments was 25th July 2023 and a representation was received. The neighbour representation objected to the proposed development, expressing concern that the development would make the kitchen and downstairs of their property very dark and this would negatively impact them.

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. This assessment is made below:

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 4.00m see (g) below N 2.98m
(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 4.00m N 2.98m
(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 2.90m
(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/A (Existing demolished)
(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 See below*
(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

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Assessment Note

*Assessment Note – A.3(a) - 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.

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 6 metres in the case of a terraced property, as long as it does not exceed 4 metres in height.

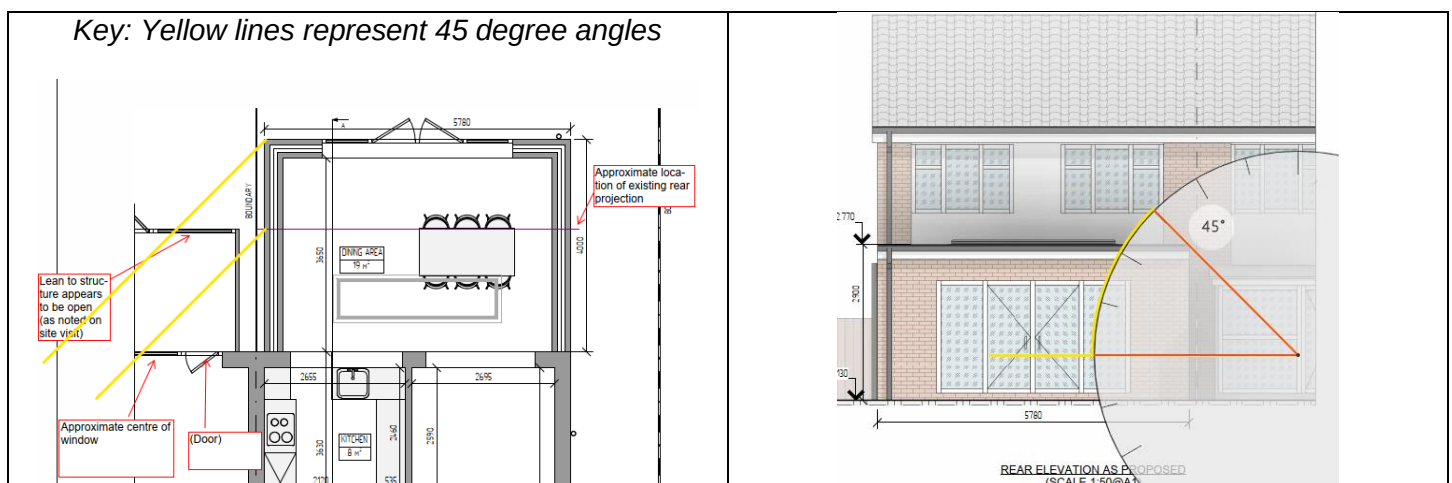
As set out in the GDPO, Class A.4 (2), the developer has provided sufficient information to support the application; application form, site location plan and additional plans.

The information provided show the proposed development is within the parameters set out in the GPDO; 4.00 metres deep, a maximum height of 2.98 metres, with an eave height of 2.90 metres.

The adjoining properties were consulted in accordance with A.4 (5) and one representation was received, therefore under Class A.4 (7) of the GDPO the impact on neighbours' amenity requires investigation. The representation expressed concerns about impact on light levels and this having a negative impact on them.

Impact on Neighbouring Amenity in terms of light

As aforementioned above, a neighbour representation has expressed concerns in relation to a restriction of natural light resulting in a negative impact on them. Following a visit to site, and with consideration of the proposed plans, it is deemed that although there would be some impact on light, there would not be a detrimental impact on light to the windows of the neighbouring property as a result of this development. There is an existing high level boundary treatment (fence) along the shared boundary. In addition, the plans show that the extension would be set in slightly from the boundary, it would be modest in height, and would extend 4.00m from the rear elevation of the main dwelling. Furthermore, a 3.00m depth extension could be constructed under permitted development, without prior approval. It is also noted that the application property, and the neighbouring property currently have existing single storey lean to style rear additions. Overall, the proposal for a single storey rear extension is not considered to detrimentally impact neighbouring amenity in terms of light and as such should not negatively impact the occupiers of the neighbouring property.



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 that **PRIOR APPROVAL IS REQUIRED AND APPROVED**, 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: <u>Prior Approval is Required and Approved</u>

Case Officer:	Mrs Lucy Hankin	Team Leader:	Miss Faye Hobbs
Signed:	L Hankin	Signed:	
Dated:	27th July 2023	Dated:	27 July 2023