

Delegated Report

Prior Approval Larger Homes Application

Application no:	20240069
Location	Tanners Grange Tanyard Hill Shorne Gravesend
Proposal:	Prior approval application for a single storey rear extension with a depth of 8.00 metres, maximum height of 2.60 metres and eaves height of 3.00 metres.
Applicant:	Mr Stuart Grist
Site Visit	N/A Desktop Assessment

Plans & Documents

Prior approval for a larger home extension application form;
Drawing no. 4639_02 Existing ground floor layout;
Drawing no. 4639_03 Existing first floor layout;
Drawing no. 4639_05 Existing northern and eastern elevations;
Drawing no. 4639_05 Existing southern and western elevations;
Drawing no. 4639_06 Proposed ground floor layout;
Drawing no. 4639_07 Proposed first floor layout;
Drawing no. 4639_08 Proposed northern and eastern elevations;
Drawing no. 4639_09 Proposed southern and western elevations;
Drawing no. 4639_10 Proposed block plan; and
Design & Access Statement January 2024.

Property Type

The property comprises of a detached, two storey dwelling set in a large plot.

Relevant Planning History

Reference	Description	Decision	Decision Date
20240068	Application for a Proposed Lawful Development Certificate in respect of erection of part two storey and part single storey rear extension and single storey side extension.	Pending	
20221097	Application for a Lawful Development Certificate in respect of the proposed erection of a two storey rear extension.	Certificate refused	06.12.2022
20220869	Application for a Lawful Development Certificate in respect of the proposed erection of a single storey rear extension.	Certificate granted	30.09.2022

20220868	Application for a Lawful Development Certificate in respect of the proposed erection of a two storey rear extension.	Certificate refused	30.09.2022
20220551	Application for a Lawful Development Certificate in respect of the proposed erection of a two storey side extension.	Certificate refused	26.07.2022
20220116	Erection of a double storey side extension creating sitting room, study, lobby and utility room on ground floor and one extended bedroom, ensuites and dressing room on the first floor	Refused	01.04.2022
20210451	Retention of barn.	Permitted	04.06.2021
20201328	Application for a Lawful Development Certificate in respect of the continued use of a portion of adjacent land to Tanners Grange as residential curtilage.	Certificate granted	31.03.2021
20201289	Retention of barn outbuilding.	Withdrawn	14.12.2020
19980303	Application for a Lawful Development Certificate in respect of the proposed construction of a swimming pool and enclosure.	Certificate granted	15.06.1998
19970171	Construction of a bay window on ground floor west elevation, in substitution of that approved under planning permission reference number GR/96/473.	Permitted	01.05.1997
19960473	**AMENDED APPLICATION/REVISED DESCRIPTION** Erection of first floor extension on the west side elevation to form two bedrooms, bathroom and an ensuite bathroom; erection of a porch and covered way at the rear with balcony over; conversion of existing integral garage into a kitchen involving demolition of the front part of the garage and erection of a bay window; and erection of a two storey front extension to form enlarged entrance hall and covered entrance porch with bay window at first floor level.	Permitted	20.12.1996
19890753	Outline application for the erection of a detached bungalow.	Refused	17.11.1989
19890752	Outline application for the erection of a detached bungalow.	Refused	17.11.1989
19840748	Erection of stable block with ancillary tack room and bay store	Permitted	12.11.1984
19800849	Demolition of existing stables on the west side of the building and the erection of a single storey extension to provide lounge, bedroom and bathroom, erection of an extension at the rear of the existing garage on the east side of the building to form a kitchen and the erection of a first floor extension over the existing garage & proposed kitchen to provide three additional bedrooms, together with the erection of a porch at the front.	Permitted	23.12.1980

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;

- Randall House, Woodlands Lane;
- Oak Tree Cottage, Tanyard Hill;
- Over Blow Lodge, Tanyard Hill; and
- Over Blow House, Tanyard Hill.

The expiry date for comments was 16 February 2024 - no representations were received.

As no comments were received, section A.4 (7) of the GPDO has not been triggered and it is therefore not necessary to consider the impact on the amenity of any adjoining premises.

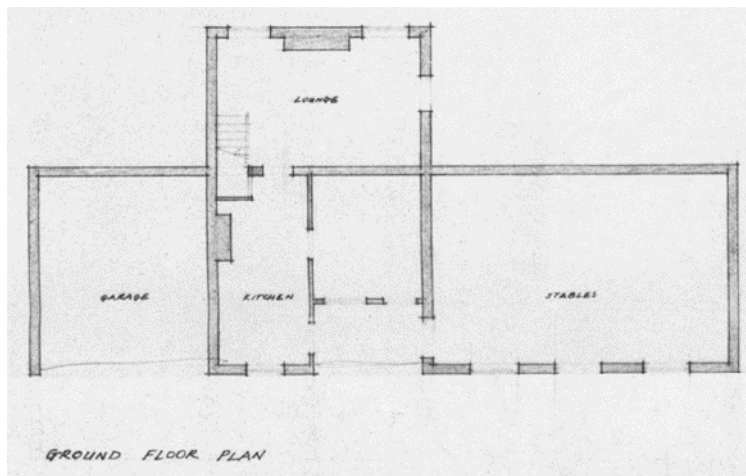
There is no statutory requirement to undertake consultations on larger homes prior approval applications. However, representations have been received from Shorne Parish Council and the Dickens' Country Protection Society. These are set out as follows;

Shorne Parish Council

The Parish Council OBJECTS to this application, which would not be permitted development and instead requires planning permission.

The proposed extension extends eastwards beyond the original wall of the dwelling house, so would not be permitted.

Application Ref 19800849 shows the original floorplan:



Following through the plans over the years shows that the attached garage, which was not part of the original dwelling house as not living accommodation, is the kitchen of the current plans.

The proposal will further increase the floor area. Taken with the previously permitted single storey rear extension there will effectively be a full width extension of the presently existing house.

General points:

This property has been subject to a considerable number of planning applications.

The floor area of the original dwelling appears to have been only about 100sqm, and the house has already been extended very considerably beyond the one-third rule.

Other built forms have also been constructed on the property (pool house, stables, residential accommodation over garage without planning permission, barn/office building with retrospective planning permission), the area of all of which should also be taken into account.

We consider that the main house and the overall property are being over-developed.

Dickens' Country Protection Society

The Society is concerned at the quantum of development that is taking place on this Green Belt site.

Officer Assessment

Permitted Developments Rights Restrictions

Article 2 (3) Land (AONB, Conservation Area)	N
Article 4 Direction	N
Permitted Development Rights Removed/Restricted	N

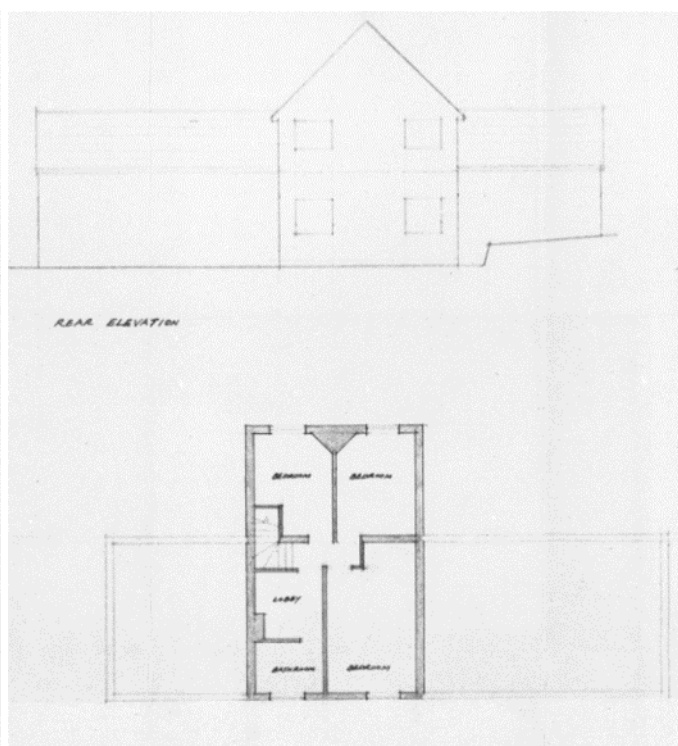
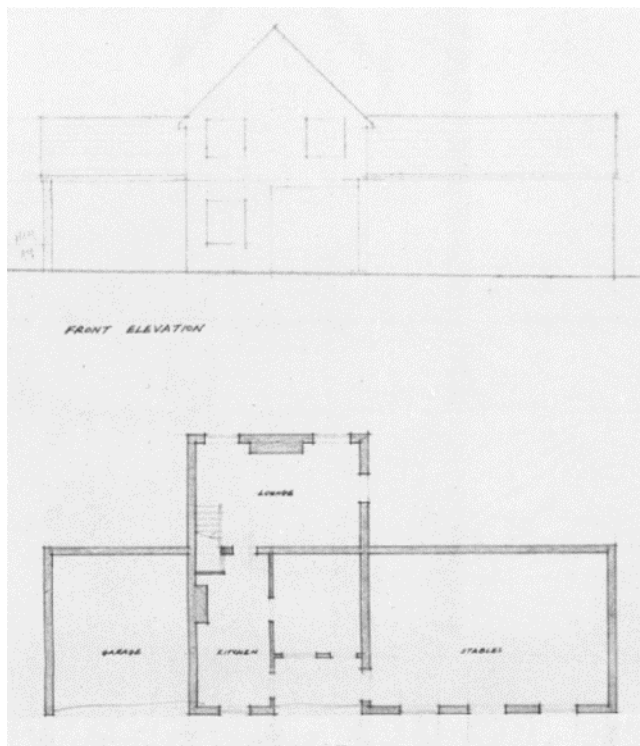
Class A - The enlargement, improvement or other alteration of a dwellinghouse

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
(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	Y 8-12m* Y 6.4m**

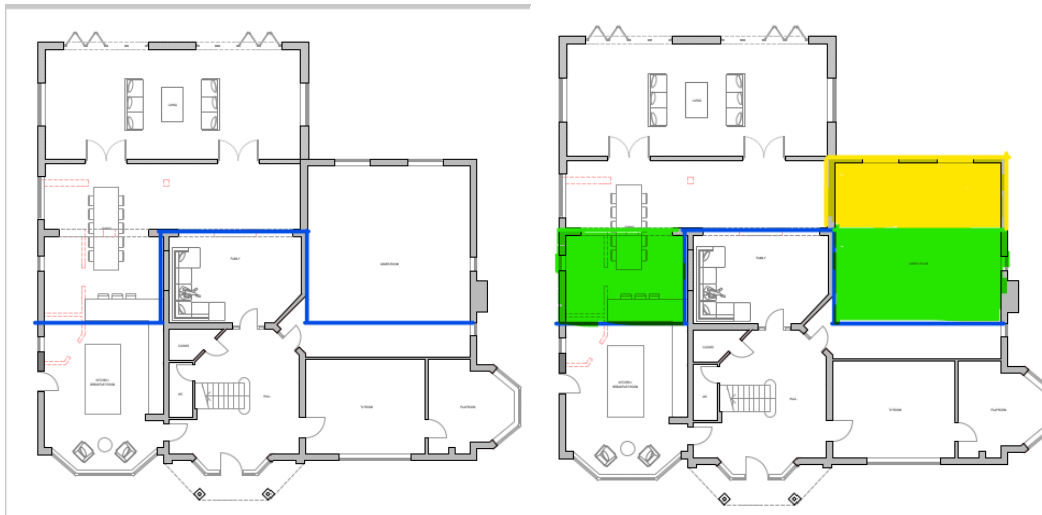
	(ii) exceed 4 metres in height	
(g)	for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height;	Y 8-12m* Y 6.4m**
(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	Y***
(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 exceeds (g)(i) and (ii) and (j) (i), (ii) and (iii)
(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
(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;	Not specified
(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

* The original dwelling at the application site is the building as shown in the existing drawings for planning application reference 19800849. Extracts from these are shown below;



The original rear elevation of the application property is shown in blue on the following annotated copies of the proposed ground floor layout plan (drawing no. 4639_06). Green shows the area that was extended under planning permission references 19800849 and/or 19960473 and yellow shows the area that was extended under LDC reference 20220869;



Therefore, the proposed extension would adjoin an existing rear extension (the green area on the left of the above image) and the overall depth of the total enlargement would measure between 8 and 12 metres from the original rear elevation of the dwelling.

** The existing rear extension (the green area on the left of the above image) which adjoins the proposed rear extension is two storey with a height of at least 6.4 metres (4.5 metres at the eaves). Therefore, even though the height of the proposed rear extension is 3 metres, the overall height of the total enlargement would be at least 6.4 metres.

*** Where an extension is beyond any original side wall, the restrictions in (j) will apply. Any extension can only be a single storey, must be less than 4 metres in height and cannot be more than half the width of the original house. The width of the original house should be calculated at its widest point.

The above images show that the original dwelling had a rear projection which had two side elevations. Due to the proposed extension adjoining an existing rear extension, the total enlargement would extend beyond a wall forming a side elevation of the original dwelling, and would have two storeys, be greater than 4 metres in height and would have a width (11.5 metres) greater than half the width of the original dwelling (9.3 metres).

Analysis

Under Schedule 2, Part 1, 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 per Schedule 2, Part 1, Class A.4 (2), the developer has provided sufficient information to support the application.

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 neighbour amenity does not require investigation.

The details and documents provided with the application are sufficient and no further information is required under paragraph A.4 (8) to determine the proposed development.

However, the proposed single storey rear extension fails to comply with paragraphs A.1 (g) (i) and (ii) and A.1 (j) (i), (ii) and (iii) of Class A of part 1 of Schedule 2 of the GDPO and prior approval is therefore required and refused.

The comments of Shorne Parish Council and the Dickens' Country Protection Society are noted but cannot be taken into account in the determination of this application.

Conclusion

The proposed development fails to comply with Schedule 2, Part 1 Class A.1 (g) (i) and (ii) and Class A.1 (j) (i), (ii) and (iii) of THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED, and it is considered PRIOR APPROVAL IS REQUIRED AND REFUSED.

Recommendation

Prior approval is required and refused.

See draft decision.

Case Officer:	Mrs Kelly Joyce	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	7th March 2024	Dated:	07 March 2024