

Delegated Report

Prior Approval Extensions Application

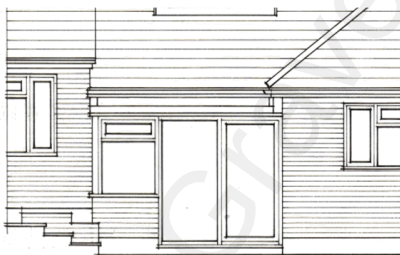
Application no:	20220640
Location	24 Chilton Drive Higham Rochester Kent
Proposal:	Single storey rear extension with a depth of 4.00 metres, maximum height of 3.05 metres and eaves height of 2.40 metres.
Applicant:	Mr And Mrs J Carnall
Site Visit	N/A Desktop Assessment

Plans & Documents

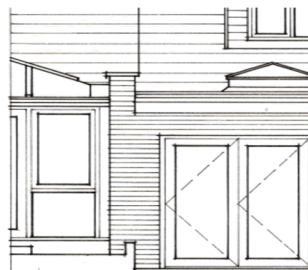
Application Form Dated 13/06/2022;
OS Plan received 14/06/2022;
Drawing no: WD.01 (Plans and Elevations – Existing and Proposed);
Drawing no: P.01 (Site Plan – Existing);
Drawing no: P.02 (Site Plan – Proposed); and
Supplementary Information – Elevation Photos.

Procedural Note

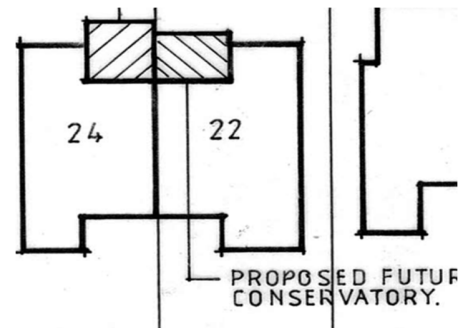
For clarity, a proposed conservatory and parapet wall to neighbouring property 22 Chilton Drive has been indicated on the plans. There is no planning history relating to this proposal. This prior approval application has been assessed from the existing boundary and therefore the neighbouring proposal does not form part of the assessment. For future reference, if the parapet wall is required for the construction of the extension at 24 Chilton Drive, planning permission would be required as the development is outside of the ownership of 24 Chilton Drive. The relevant notice would then need to be served to 22 Chilton Drive.



EXISTING REAR ELEVATION.



PROPOSED REAR ELEV



Property Type

24 Chilton Drive is a semi-detached bungalow.

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 metres, a maximum height of 3.46 metres and an eaves height of 2.38 metres.

Relevant Planning History

Application No.	Description	Status	Decision
19760350	Formation of 2 bedrooms in roof space	Permitted	29.06.1976
19600035	Layout of cul-de-sac road and sewers and erection of 32 semi-detached bungalows and 2 detached bungalows	Permitted	18.03.1960
19590349	site for erection of 39 dwellings and construction of cul-de-sac road	Permitted	15.01.1960
19590211	Erection of dwellinghouses	Permitted	04.08.1959

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 properties were notified of this application;

- 22 Chilton Drive
- 26 Chilton Drive

No representations were received from the neighbouring properties consulted in this prior approval application. The consultation period expired 5th July 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	Y
(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 4.29m N 3.2m Inclusive of Roof Lantern
(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 4.29m N 3.2m Inclusive of Roof

		Lantern
(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 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 2.45m
(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 N/A Y 3.79m
(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
(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;	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 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

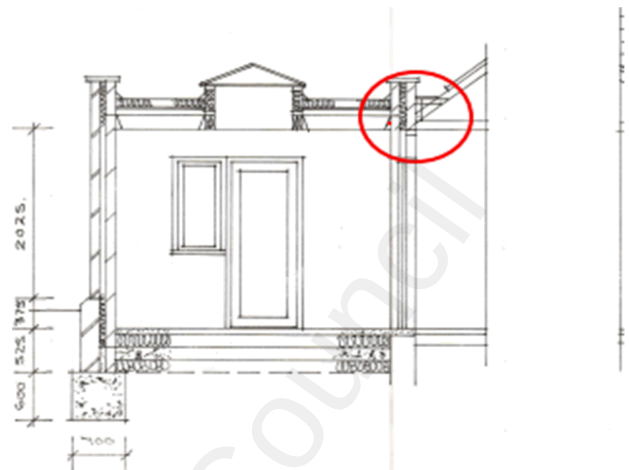
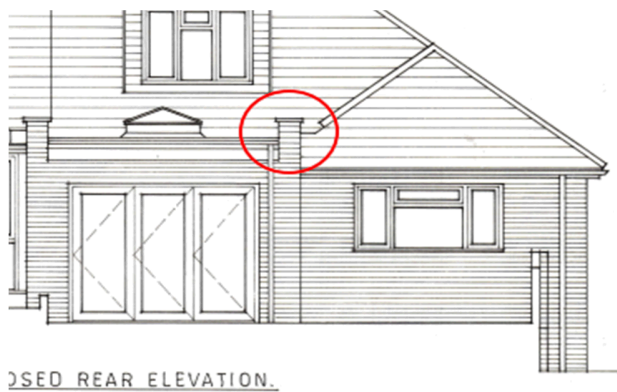
Analysis

Under Class A.1 (g) of 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.

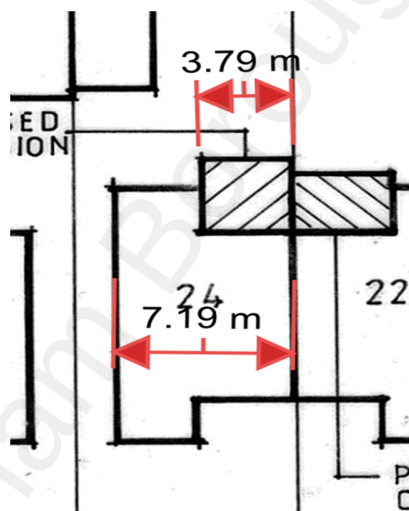
As set out in the GDPO, Class A.4 (2), the developer has provided sufficient information to support the application; application form, site location plan and additional plans.

The proposed extension is 4.29 metres deep, a maximum height of 3.2 metres, with an eave height of 2.45 metres.

The proposed development fails paragraph A.1 (d) of the GDPO as 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.



The proposed development also fails paragraph A.1 (j) (iii) of the GDPO as the proposal would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width of 3.79m, greater than half the width of the original dwelling of 7.19m.



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 does not accord with Class A, part A.1 (d) and part A.1 (j) (iii) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and it is considered that PRIOR APPROVAL IS REQUIRED AND REFUSED.

Recommendation: PRIOR APPROVAL IS REQUIRED AND REFUSED

Case Officer:	Mrs Nina Goodbody	Team Leader:	Miss Faye Hobbs
Signed:	<i>N Goodbody</i>	Signed:	
Dated:	12 th July 2022	Dated:	12 July 2022