

Prior Approval Application

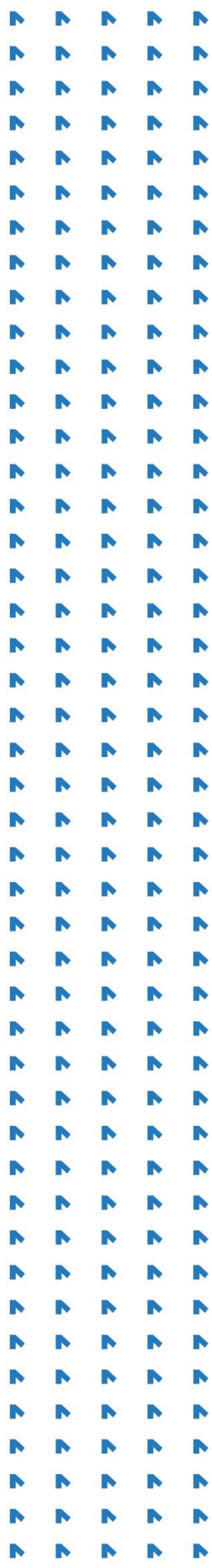
24 Dover Road, Northfleet, Gravesend

DA11 9QD

Regulated by RTPI

August
2024

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1 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Mr Nerijus Kuneckis in support of an application to determine if prior approval is required for a proposed side/rear (non-wraparound) infill extension in relation to No. 24 Dover Road (as identified in the site location plan enclosed within Section 2).
- 1.2 This application seeks a certificate to confirm that prior approval is not required for the construction of the extension and where it is required that prior approval be granted for the reasons set out within Section 5 and 6 of this Planning Statement.
- 1.3 The Statement concludes that the proposals meet all relevant provisions of the Town and Country Planning (General Permitted Development) Order, do not require planning permission and a Lawful Development Certificate should therefore be granted.

2 SITE DESCRIPTION AND SURROUNDINGS

- 2.1 The site relates to a two-storey semi-detached property located on the eastern side of Dover Road, Gravesend.
- 2.2 The property benefits from a substantial setback of 9 metres to the highway with a large lawned front garden, primary vehicle access is provided to the rear of the dwelling via an unadopted road off Lime Avenue. Importantly, the site is considered to be a highly sustainable, accessible location. Located approximately 200 metres from an identified Local Centre with very good accessibility to public transport with a number of high frequency bus routes down Thames Way 550 metres to the south, and London Road 220 metres to the north.
- 2.3 The site does not fall within a Conservation Area nor is it in proximity to any listed buildings. It is also confirmed that the site is positioned within Flood Zone 1.
- 2.4 Please refer to the images of the site below.



Image 1: The site as viewed at street level.



Image 2: Overhead view of the rear of the site facing west demonstrating the existing rear extensions of Nos. 22 and 26 Dover Road alongside the large rear amenity area.

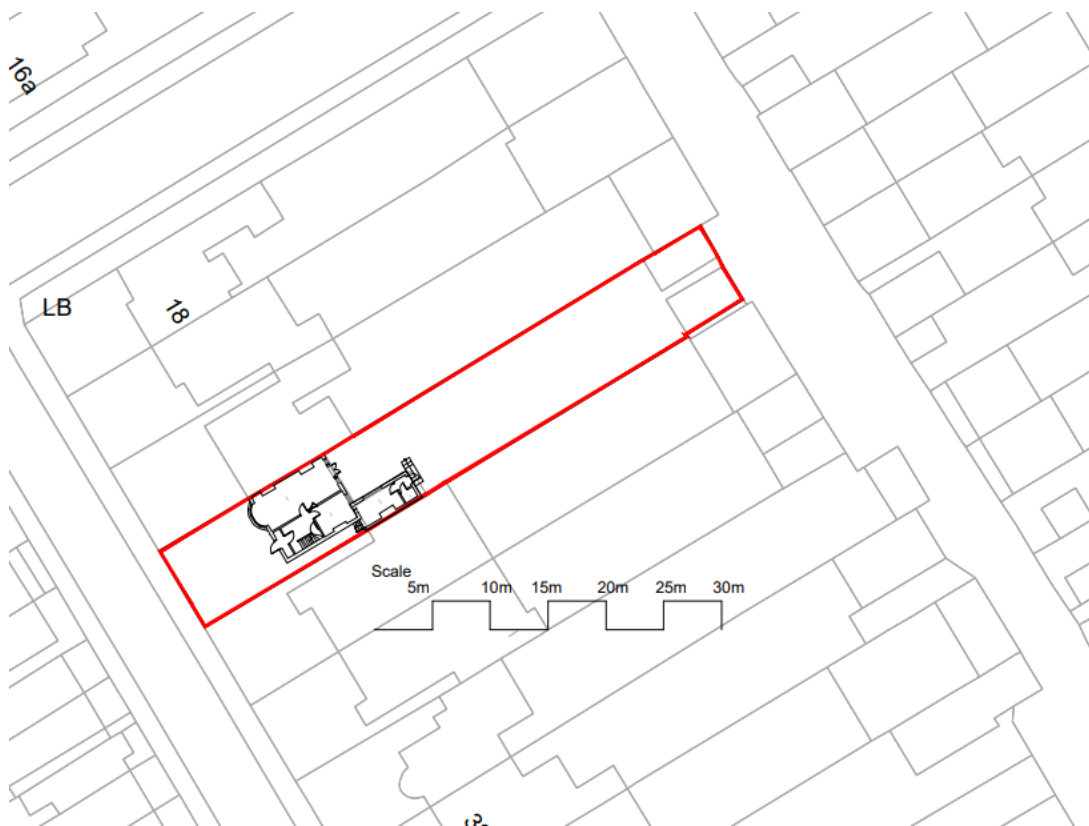


Image 3: Extract of the Site Location Plan demonstrating the site's context in relation to surrounding residential properties.

3 PLANNING HISTORY

The Site

- 3.1 A review of the Council's records has been undertaken which indicates that the site has been subject to one planning application of relevance to this submission as summarised below.

The Site

- 3.2 An application (**Ref 20230763**) was initially submitted on the 18th July 2023 for the erection of a full width ground and partial width first floor extension alongside the creation of an enlarged basement area. **Refused 2nd October 2023**. This application was refused for the following reasons as set out within the Decision Notice and Delegated Report enclosed at **Appendix 1** and **2**:

- The proposed development constitutes overdevelopment of the site, resulting in bulky, disproportionate incongruous additions that are not subordinate or sympathetic to the existing property, contrary to Policy CS19; and
- The proposal would be detrimental to neighbouring amenity and would result in a detrimental sense of enclosure, contrary to Policy CS19.

- 3.3 Importantly, in coming to this conclusion the Council principally undertook 45 degree tests as set out in Section 6 of this Statement.

- 3.4 An application was then submitted (**Ref 20240333**) seeking the prior approval of the Council for a single storey rear extension with a depth of 5.95 metres, maximum height of 3.00 metres and eaves height of 3.00 metres. This application was refused for the following reasons as set out within the Decision Notice and Delegated Report enclosed at **Appendix 3** and **4**.

- The Council considered the existing rear kitchen area of the property to constitute part of the original dwellinghouse, rather than a historical rear extension.

Despite this element being first demolished as part of the proposed works the Council considered the extension "would extend beyond a side elevation forming the original dwellinghouse". Accordingly, the width of the proposed extension must not be more than half the width of the existing dwellinghouse (as measured at its largest point) and permission was therefore refused.

4 WRITTEN DESCRIPTION OF PROPOSED DEVELOPMENT

- 4.1 The application seeks confirmation that prior approval is not required for the erection of a rear/side extension onto the original dwellinghouse to infill the area between the existing outrigger and main rear elevation.
- 4.2 This will provide a new enlarged kitchen area served by 1 window and a floor to ceiling glazed bifold door within the eastern rear elevation and 6 roof lights.
- 4.3 As set out within the enclosed drawings package and supporting application forms the proposed extension will be set 1.78 metres away from the neighbouring shared boundary, extend to 3 metres in height and 5.32 metres in depth.
- 4.4 As set out within the accompanying plans the proposed extension has been carefully designed and informed by occupiers of the neighbouring properties in order to ensure there is no unacceptable impact upon neighbouring amenity as set out within Section 5 below and the proposal remains fully compliant with the Town and Country Planning (General Permitted Development) Order Regulations as set out within Section 5 below.

5 COMPLIANCE

5.1 The Town and Country Planning (General Permitted Development) Order (as amended) provides that the proposed rear extension qualifies as permitted development under Schedule 2, Part 1, Class A subject to the proposal meeting the following criteria:

- a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

The site is a purpose built dwellinghouse.

- b) As a result of 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);

As demonstrated within the enclosed drawings package which supports this submission over 50% of the surrounding curtilage of the original dwellinghouse will be left vacant following development.

- 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;

The height of the extension remains below the highest part of the roof of the existing dwellinghouse.

- 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;

The height of the eaves of the proposed extension are substantially below that of the existing dwellinghouse.

- 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.

The proposed rear extension meets neither of these criteria.

- 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.

The site is not on Article 2(3) land nor is it a site of specific scientific interest so paragraph (g) applies as below.

- 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.

The proposed extension does not exceed 6 metres in length or 3 metres in height.

- 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;

The proposed extension is single storey.

- 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;

The height of the eaves of the proposed extension do not exceed 3 metres.

- 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 total width greater than half the width of the original dwellinghouse.

The rear extension does not have a width greater than half the width of the existing dwellinghouse (as measured at its largest point).

- ja) any total enlargement (being the enlarged part together with any existing enlargement of the total dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

The existing extension which is to be demolished as part of this application will allow a new rear extension to be constructed within the limits of sub-paragraph (e) to (j).

- 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; or

The development proposes none of the above alterations.

- l) The dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

The dwellinghouse has not been constructed under Part 20 of this Schedule.

- 5.2 Where a proposal meets the above criteria development will be permitted by Class A subject to the following conditions:

- 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;

Materials will be of a similar appearance to those used in the existing dwellinghouse and can be secured by way of condition as necessary.

- 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

No upper floor windows are proposed as part of this application.

- 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.

The extension proposed does not have more than a single storey nor does it form an upper storey of an existing enlargement.

- 5.3 With the following conditions applied to development permitted by Class A, which exceeds the limits of Section A.1(f) but is allowed by paragraph A.1(g). Before beginning the development the developer must provide the following information to the local planning authority:

- a) A written description of the proposed development including:
 - i. How far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse;
 - ii. The maximum height of the enlarged part of the dwellinghouse; and
 - iii. The height of the eaves of the enlarged part of the dwellinghouse;

- iv. Where the enlarged part will be joined to an existing enlargement of the dwellinghouse, the information in sub-paragraphs (i) to (iii) must be provided in respect of the total enlargement (being the enlarged part together with the existing enlargement to which it will be joined);

Please refer to Section 4 of this Planning Statement.

- b) A plan indicating the site and showing the proposed development and any existing enlargement of the original dwellinghouse to which the enlarged part will be joined;

Please refer to Section 4 of this Planning Statement.

- c) The addresses of any adjoining premises;

Please refer to Section 4 of this Planning Statement.

- d) The developer's contact address; and

Please refer to Section 4 of this Planning Statement.

- e) The developers email address if the developer is content to receive communications electronically.

Please refer to Section 4 of this Planning Statement.

5.4 The Local Planning Authority may refuse an application where, in the opinion of the authority:

- a) The proposed development does not comply with; or
- b) The developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, the conditions, limitation or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1(f) but is allowed by paragraph A.1(g).

5.5 Where, any owner 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.

Please refer to Section 6 of this Planning Statement.

5.6 The Local Planning Authority may require the developer to submit such further information regarding the proposed development as the authority may reasonably require in order to determine the application.

5.7 The Local Planning Authority must, when considering the amenity impact:

- a) Take into account any representations made as a result of the Local Authorities notification of proposed works; and

- b) Consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.

5.8 The development must not begin before the occurrence of one of the following:

- a) The receipt by the developer from the local planning authority of a written notice that their prior approval is not required;
- b) The receipt by the developer from the local planning authority of a written notice giving their prior approval; or
- c) The expiry of 42 days following the date on which the information referred to in paragraph 5.3 was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused.

5.9 The development must be carried out:

- a) Where prior approval is required, in accordance with the details approved by the local planning authority;
- b) Where prior approval is not required, or where paragraph 5.8 sub section (c) applies, in accordance with the information provided under paragraph 5.3.

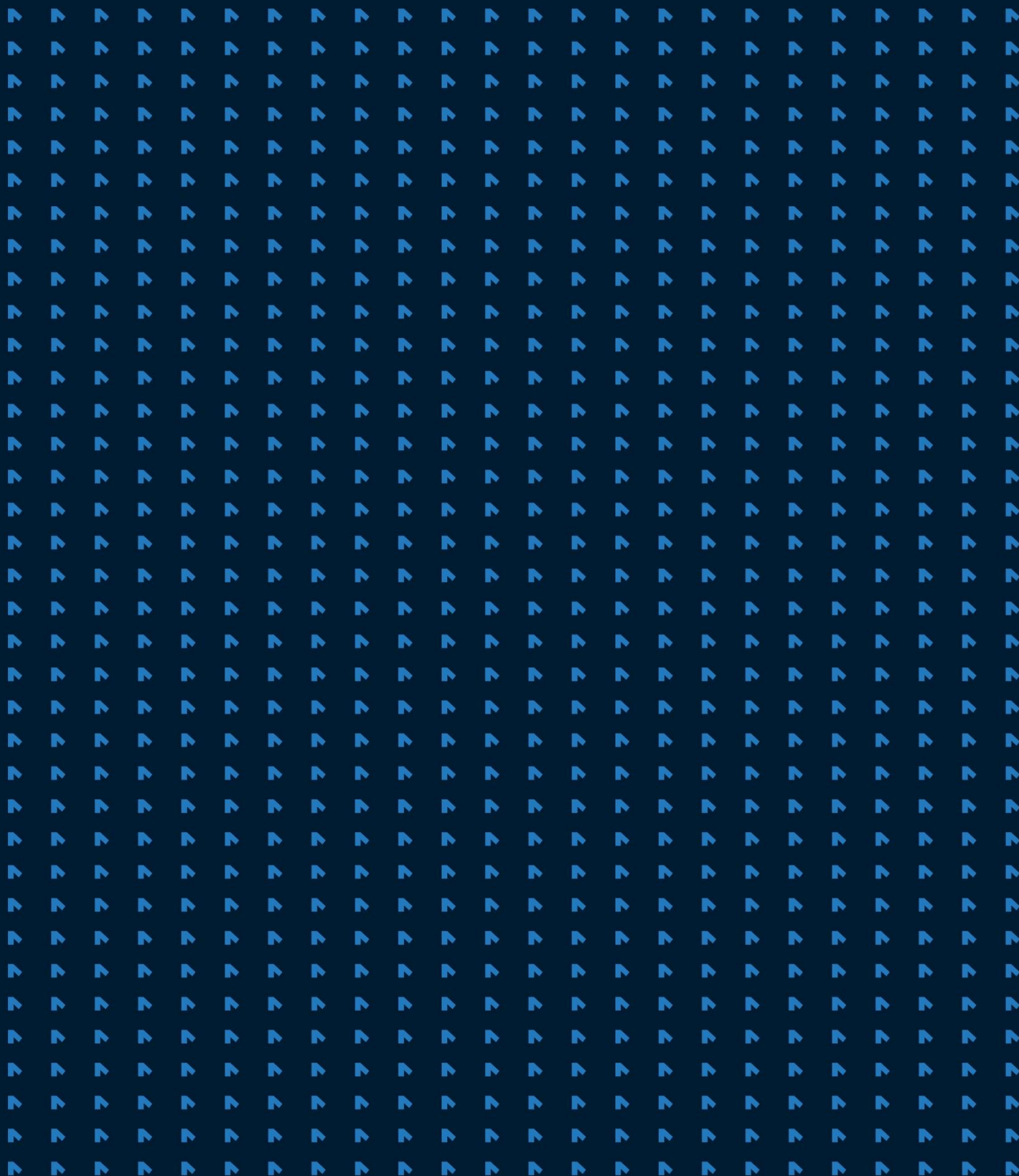
5.10 The Local Planning Authority may grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises.

6 CONSIDERATION OF AMENITY IMPACT

- 6.1 As set out within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and summarised within Paragraph 5.5 of this Statement the Council will be required to make an assessment on the impact of the amenity of any adjoining premises should any owner or occupier of an adjoining premises object to the proposed development.
- 6.2 We can confirm as part of this Planning Statement that the proposal has been carefully considered to ensure there will be no unacceptable impact upon the amenity of neighbouring properties.
- 6.3 In particular we note that following the refusal of the full planning application at the site (**Ref 20230763**) as summarised within Section 3, a number of alterations were made to the application proposal to ensure there is no unacceptable impact upon the amenity of neighbouring properties.
- 6.4 Furthermore, following the more recent refusal of prior approval application (**Ref 20240333**) also summarised within Section 3, the extension has been further reduced in width to ensure it is no greater than half the width of the existing dwellinghouse and therefore meet paragraph (j) of the General Permitted Development Order.
- 6.5 Most notably the proposed ground floor rear extension has been reduced in height from 3.4 to 3.0 metres and setback to the south, away from the neighbouring shared boundary with No. 22 Dover Road, by 0.65 metres in order to ensure the visibility of the proposal from No. 22 will be significantly reduced and there will be no overshadowing or enclosing impact of the proposal.
- 6.6 This ensures that the proposal complies with both the 45 degree rule vertically and laterally as set out within Appendix 1 of the Householder Extensions/Alterations Design Guide Supplementary Planning Document and demonstrated within the supporting drawings package.
- 6.7 In addition to this the proposed first floor extension and basement development has been removed from the scope of this application to further reduce the cumulative impact of works.
- 6.8 Meanwhile the extension has been limited in its width to approximately 3.7 metres, far less than 50% of the original dwellinghouse (as measured at its largest point) of 8.2 metres.
- 6.9 Accordingly, it can be concluded that the proposal would not have an unacceptable impact upon No. 22 or 26 Dover Road in terms of loss of light, loss of outlook, loss of privacy or sense of enclosure.

7 CONCLUSIONS

- 7.1 In summary, this application submission demonstrates that the property is fully compliant with the provisions set out within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development (England) Order 2015 for a larger home extension.
- 7.2 Moreover, should an assessment upon the amenity of neighbouring occupiers be required by the Council the proposed rear extension has been carefully designed and revised from previous applications at the site in order to ensure there is no impact upon neighbouring properties as demonstrated by its compliance with the 45 degree rule.
- 7.3 In light of the above, it is respectfully requested that a Lawful Development Certificate for the proposed use and development of the property is granted.



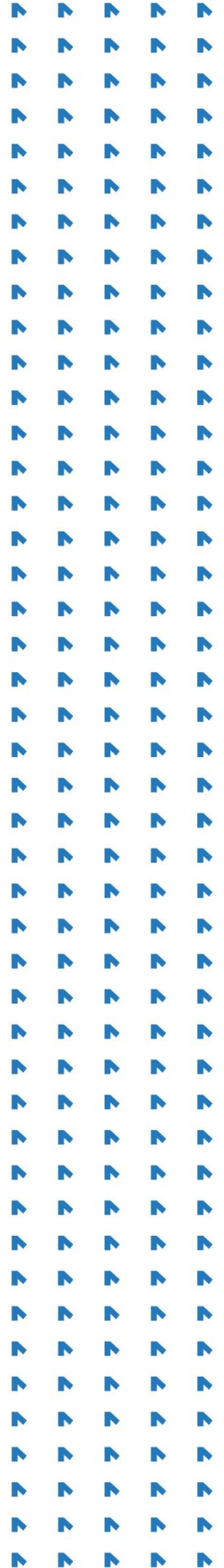
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Appendix 1





Application: 20230763

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

NOTIFICATION OF REFUSAL OF PERMISSION TO DEVELOP LAND

To: **Mr Nerijus Kuneckis
C/O Mr Mandeep Shoker, Kent Architectural Services
246 Robin Hood Lane
Blue Bell Hill
Chatham
Kent
ME5 9JY**

TAKE NOTICE that the **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **REFUSED TO PERMIT** development of land situate at:

**24 Dover Road
Northfleet
Gravesend
Kent
DA11 9QD**

and being **Erection of a ground floor and part first floor rear extension and enlargement of basement area.**

Your application dated 10th August 2023 is refused on the following grounds:-

1. The proposed development constitutes overdevelopment of the site, resulting in bulky, disproportionate incongruous additions that are not subordinate or sympathetic to the existing property, contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014), and Section 12 of the National Planning Policy Framework (NPPF) (2023).
2. The proposal would be detrimental to neighbouring amenity and would result in a detrimental sense of enclosure contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014), and Section 12 of the National Planning Policy Framework (NPPF) (2023).

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

Application Form;
Drawing No. SL-001-210 P1 - Elevation and Section - Proposed;
Drawing No. SL-001-200 P3 - Floor Plans Roof Plan and Block Plan - Proposed;
Drawing No. SL-001-510 P1 - Elevations and Section - Existing;
Drawing No. SL-001-500 P1 - Floor Plan Roof Plan and Block Plan - Existing; and
Site Location Plan (received on 18.07.23).

2 STATEMENT OF POSITIVE AND PROACTIVE

In accordance with Article 35 (2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), and paragraph 38 of the National Planning Policy Framework (NPPF) 2023, the Local Planning Authority has approached the assessment and determination of this application in a positive and creative manner. In this instance the proposal is contrary to Local and National Planning Policy and cannot be supported. Furthermore the application has not adequately addressed the concerns raised during the pre-application stage, for a similar proposal.

Dated: 2 October 2023

Civic Centre
Windmill Street
Gravesend
Kent
DA12 1AU

Wendy Lane MRTPI
Assistant Director (Planning)
Planning Service

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **For further information regarding Appeals and to make an application please click the relevant link:**
<https://www.gov.uk/appeal-householder-planning-decision>
<https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or

- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

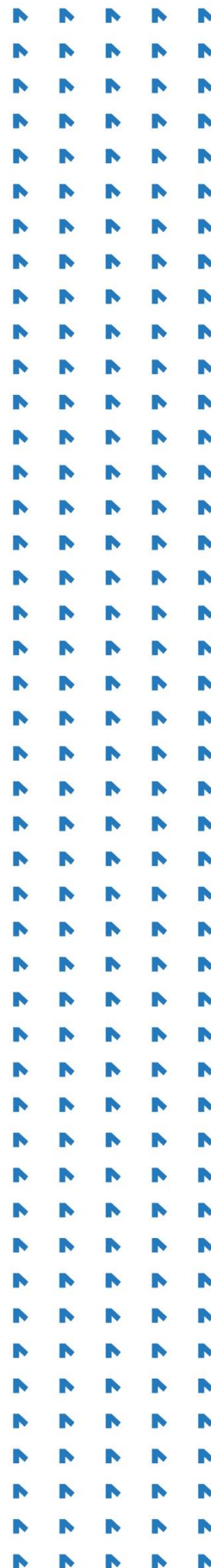
- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Appendix 2



Delegated Report

Householder Planning Application

Planning Application No: 20230763

Location: 24 Dover Road Northfleet Gravesend Kent

Description: Erection of a ground floor and part first floor rear extension and enlargement of basement area.

Applicant: Mr Nerijus Kuneckis

Site Visit Date: 28.09.23

Submitted Documents/Plans

Application Form;
Drawing No. SL-001-210 P1 – Elevation and Section – Proposed;
Drawing No. SL-001-200 P3 – Floor Plans Roof Plan and Block Plan – Proposed;
Drawing No. SL-001-510 P1 – Elevations and Section – Existing;
Drawing No. SL-001-500 P1 – Floor Plan Roof Plan and Block Plan – Existing; and
Site Location Plan (received on 18.07.23).

Plan Note

There are measurement discrepancies with the plans which came to light during the assessment of the application. Revised plans and clarification has not been sought as the Local Planning Authority are not looking to permit the application.

Relevant Planning History

No relevant history.

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 - Development & Design Principles

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to

meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- 2 – Achieving Sustainable Development
- 12 – Achieving sustainable development and well-designed places

Supplementary Planning Guidance

- 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015); and
- Householder Extensions/Alterations Design Guide (2021).

Consultations, Publicity and Representations

Consultees

Local Ward Councillors

No comments received.

Neighbouring properties

Six surrounding properties were consulted, a site notice was displayed on 17.08.23 and two responses were received. The overall consultation period expired on 07.09.23.

The two representations received objected to the proposal and raised concerns that have been summarised below:

- No objection to the planning on the proviso that off-street parking provision is provided.
- The submitted plan lacks measurement details which impairs the ability to assess potential implications of the proposed works on my property, including height of the proposed development and impact on light.
- Apprehensive about adverse consequences of the basement excavation including structural integrity and subsidence.
- No contact from applicant prior to submission of application and no information regarding professional experts, builders and no party wall agreement.
- The prospect of the proposed works has affected my health.
- Development would create a sense of enclosure.

The above concerns are both material and non-material planning considerations. Highways and Parking, neighbouring amenity in terms of light and sense of enclosure are material planning considerations and shall be assessed in the relevant sections below. The remaining concerns raised fall outside of the planning remit, however may fall under other legislation such as Building Control, the Party Wall Act and Civil Matters.

Preliminary Matters

As indicated on the application form, this submission follows a pre-application enquiry for a similar development. The form states *we have removed the driveway and rear garden room from the application. Reduced the 1st floor extension to only one half of the rear taking into consideration of our neighbours and amenity.* The proposal shall be assessed against the development plan below.

Officer's Analysis

24 Dover Road is a two storey link semi-detached dwellinghouse located north east of the highway which is

a Schedule 1 Road and Classified 'A/B' Highway.

Google Image



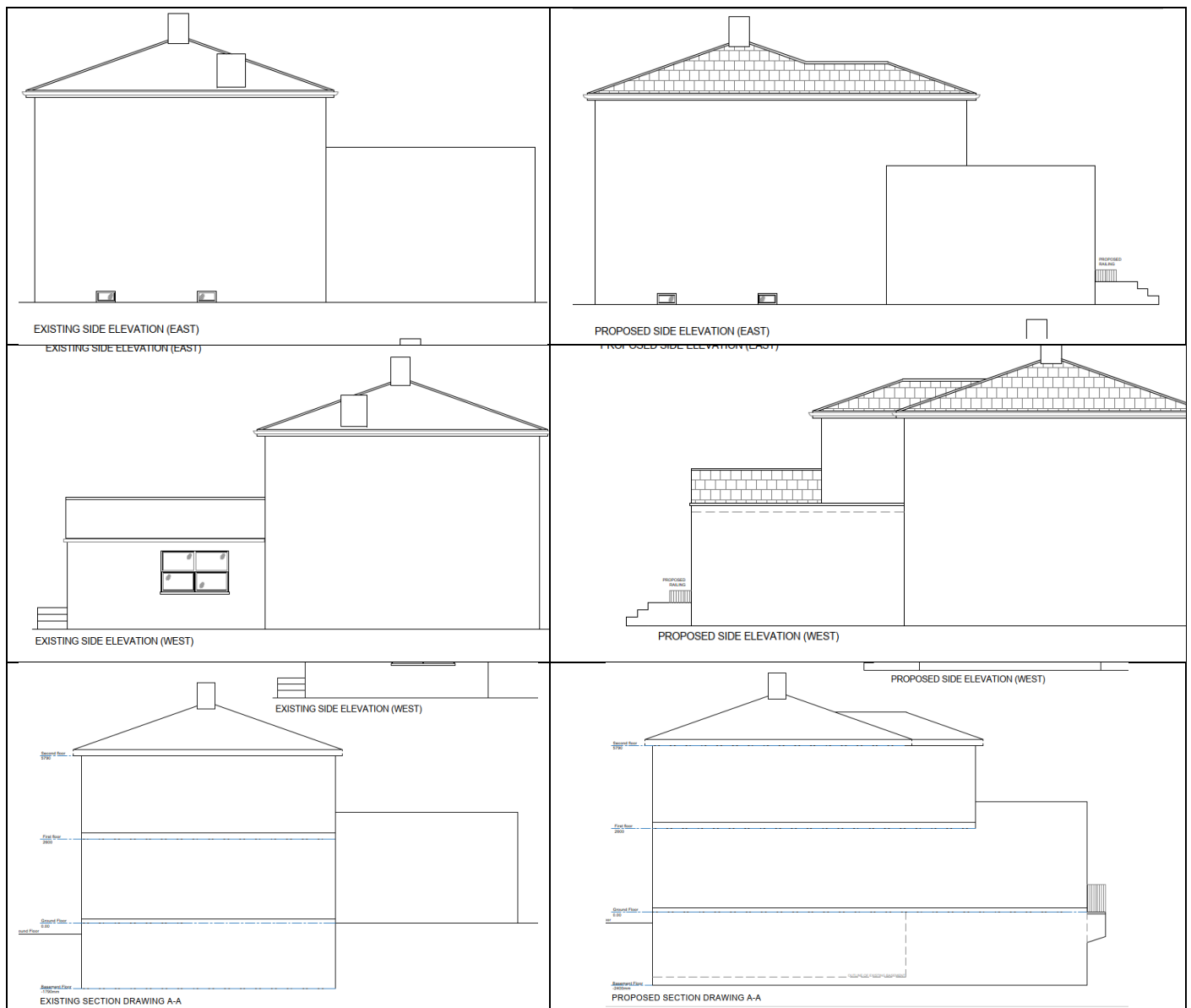
Site Photo



Proposed Development

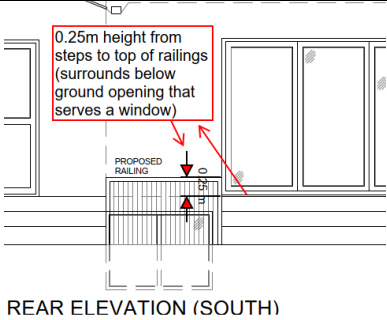
This application proposes the erection of extensions at basement, ground and (part) first floor level.





The development would create additional floor space and internal layout changes to facilitate an enlarged dining space, a new utility room, a new games room and enlarged bedrooms. The proposal would have the following dimensions (please not due to the discrepancies aforementioned within this report, the below relates to the maximum dimensions):

Basement Extension	Ground Floor Extension
• Height 2.40m • Depth 5.86m • Width 6.61m In addition, the proposed section plan shows the full basement area would be excavated further below	• Height 3.40m • Depth 5.95m • Width 5.22m

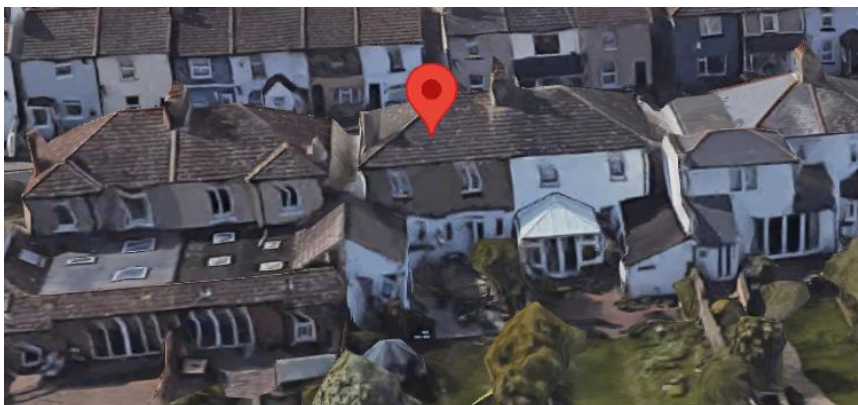
First Floor Extension • Height 3.59m • Depth 2.30m • Width 3.40m	
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Design, Character and Appearance

Policy CS19 (Development and Design Principles) (LPCS) states that new development will be visually attractive and locally distinctive. It should also conserve and enhance the character of the local built and natural environment and integrate well with the surrounding area.

Gravesham's Householder Extensions/Alterations Design Guidance (SPD) (2021) states *it is important to ensure that any extensions or alterations to a home are well designed, well-built and sympathetic to their surroundings. By doing so we can ensure that there are no adverse effects on the original house, immediate neighbours, the local view of the street, as well as the character and appearance of the local area.*

It is noted, from aerial images, that No.s 26 and 28 Dover Road have existing large single storey rear extensions, however looking at the planning history of these sites, the planning approvals appear to have been granted prior to the adoption of Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Gravesham's Design SPD (2021). Furthermore, the development including first floor extension at No. 20 Dover Road also appears to have been granted prior to the adoption of the current LPCS (2014).



As such, this would not be a material planning consideration for the works proposed within this application and is considered to show the detrimental impact large extensions can have on the original appearance and character of the dwellings.

The proposed extensions to this application property are substantial in depth, width and overall mass and scale. It is noted that the extension at first floor level is not full width and is smaller in depth when compared with the proposed basement and ground floor level extensions, however the cumulative impact of the proposals would constitute overdevelopment of the site, resulting in bulky, disproportionate additions that are not subordinate or sympathetic to the existing property. In addition, the various roof forms and connectivity between the existing outrigger and proposed extensions are considered poor design and would exacerbate the bulk, massing and incongruous appearance of the proposal.

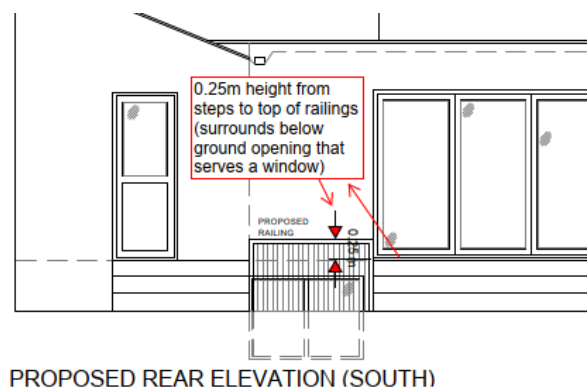
It is likely that part of the development would be visible from Lime Avenue, however, on balance, it would

not be considered significant enough to cause a detrimental impact to the street scene.

Overall, the proposal is contrary to Policy CS19 of Gravesham's Local Plan Core Strategy (LPCS) (2014) and Section 12 (NPPF) (2023).

Amenity of Future Occupiers

Although it would not necessarily fall under the planning remit, and would likely fall under STG Building Control to look at the building/finish, it is noted that the proposed new opening (as indicated below) could pose a safety concern for future occupiers:



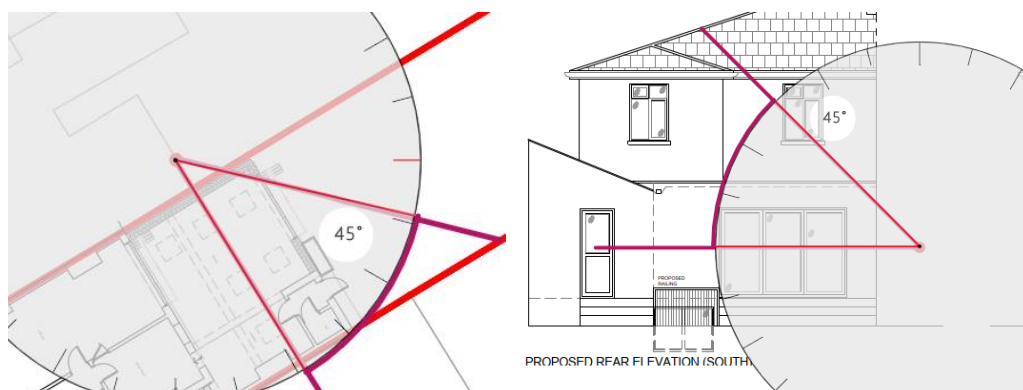
Gravesham's SPG2 – Residential Layout Guidelines (RLG) (2020) sets out expected room sizes and garden space post development and the proposal satisfies both these requirements. As such, the proposed development would safeguard the amenity of future occupiers in accordance with Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2023).

Neighbouring Amenity

As aforementioned in this report, two neighbour responses were received for this application. One response raised concerns in terms of loss of light and sense of enclosure. Neighbouring amenity shall be assessed below in terms of loss of light, loss of outlook, loss of privacy and sense of enclosure.

As submitted, the proposal is considered to be detrimental to neighbouring amenity. The cumulative impact of the extensions and the proximity of the proposed ground floor extension to the shared boundary including its depth, 3.40m height, in conjunction with No.22's existing outrigger and also by the existing development at No.20, would likely have a tunnelling impact and cause a sense of enclosure to neighbouring property, No.22.

The development could also impact neighbouring amenity in terms of loss of light. Insufficient information was provided to fully assess this, but an assessment has been carried out below using an approximation of the location of the centre point of the nearest conservatory window at No.22.



As indicated above, there could be some impact on light to the neighbouring property.

Due to the existing extension at No.26 and by virtue of the shallow depth of the proposed first floor extension, the proposal in situ is not considered to detrimentally impact the amenity of No.26.

No windows are proposed in the flank elevations of the proposal and it is considered the development would not have a detrimental impact on neighbouring privacy.

Overall, the proposal is not considered to safeguard neighbouring amenity contrary to Policy CS19 (LPCS) (2014) and Section 12 (NPPF) (2023).

Highways and Parking

As stated in the consultation section of this report, one neighbour response expressed concerns in terms of highways and parking.

No additional bedrooms are proposed as part of this application and as such there are no changes to the existing parking arrangements. Therefore, the proposal is acceptable in terms of highways and parking.

Any Other Material Planning Considerations

Groundwater Protection Zone

The site is located within a Groundwater Protection Zone 1 area, however, the proposal would be unlikely to be impacted by this constraint.

Archaeology

The site lies within an area of multi-period archaeological potential. However, the proposed development is unlikely to have any archaeological impact.

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The proposed development constitutes overdevelopment of the site, resulting in bulky, disproportionate incongruous additions that are not subordinate or sympathetic to the existing property. In addition, the proposal would be detrimental to neighbouring amenity and would result in a detrimental sense of enclosure.

As such the proposal is contrary to Policy CS19 of the Gravesham Local Plan Core Strategy (LPCS) (2014), and Section 12 of the National Planning Policy Framework (NPPF) (2023).

Recommendation

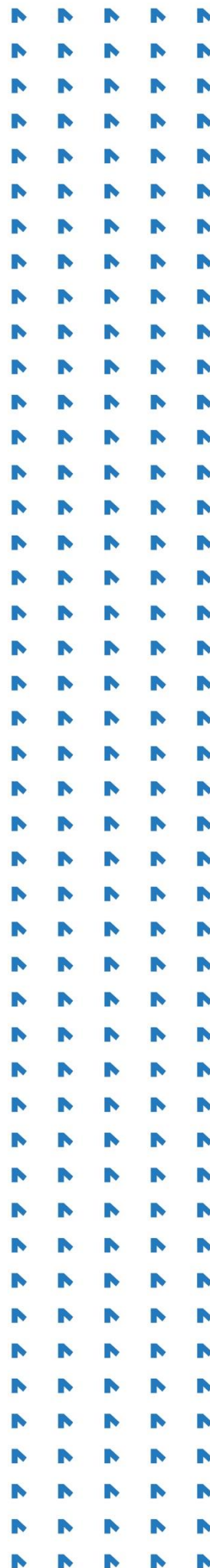
Refusal

(For detailed reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	28 th September 2023	Dated:	2nd October 2023

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Appendix 3





Application: 20240333

**TOWN AND COUNTRY PLANNING ACTS
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015 (AS AMENDED)**

DETERMINATION AS TO WHETHER PRIOR APPROVAL IS REQUIRED

To: **Mr Nerijus Kuneckis
C/O Mr Harry Johnson, Mialex
Work.Life
Core
Brown Street
Manchester
M2 1DH**

TAKE NOTICE that **GRAVESHAM BOROUGH COUNCIL**, the Local Planning Authority under the Town and Country Planning Acts, has **DETERMINED THAT PRIOR APPROVAL** for the relevant matters for the development of land as described below **IS REQUIRED AND REFUSED**

at **24 Dover Road
Northfleet
Gravesend
Kent
DA11 9QD**

and being **Prior approval application for a single storey rear extension with a depth of 5.95 metres, maximum height of 3.00 metres and eaves height of 3.00 metres.**

Your application dated 11th April 2024 is refused on the following grounds:-

1. The proposed development fails to comply with **Part A.1, SECTION J(iii) to CLASS 1, PART 2, SCHEDULE 3 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015, AS AMENDED**, and it is considered **PRIOR APPROVAL IS REQUIRED AND REFUSED**

INFORMATIVES:-

1 DECISION PLANS

For the avoidance of doubt, the forms, plans and documents upon which this decision is made comprise:

- o Application Form
- o SL-001-800 (Proposed GF Plan and Rear Elevation, Site Location Map)
- o SL-001-214 (Proposed Elevations, Existing Site Map)
- o SL-001-200 (Proposed Floor and Roof Plan, Proposed Site Map)

Dated: 13 May 2024

NOTIFICATION TO APPLICANT

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If this is a **householder application*** which has been refused and you want to appeal against your Local Planning Authority's decision then you must do so within **12 weeks of the date of this notice**.
- For all other applications, refused or permitted, if you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

***Householder applications**

These are:

- (a) applications for planning permission for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or
- (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development

but does **not** include –

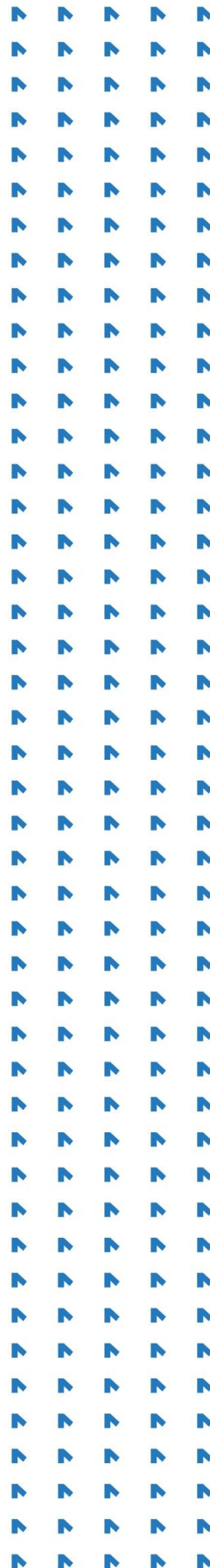
- (i) an application for change of use;
- (ii) an application to change the number of dwellings in a building.

PURCHASE NOTICES

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Appendix 4



Delegated Report

Application no:	20240333
Location	24 Dover Road Gravesend Kent DA11 9QD
Proposal:	Prior approval application for a single storey rear extension with a depth of 5.95 metres, maximum height of 3.00 metres and eaves height of 3.00 metres.
Applicant:	Mr Nerijus Kuneckis
Site Inspection?	N/A Desktop Assessment

Plans & Documents

- Application Form
- SL-001-800 (Proposed GF Plan and Rear Elevation, Site Location Map)
- SL-001-214 (Proposed Elevations, Existing Site Map)
- SL-001-200 (Proposed Floor and Roof Plan, Proposed Site Map)

Supplementary Information

- Planning Statement

Property Type

Semi detached house in use as a single family dwelling.



Relevant Planning History

Reference	Description	Outcome	Decision Date
20230763	Erection of a ground floor and part first floor rear extension and enlargement of basement area.	Refused	02.10.2023

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) two adjoining neighbouring properties were notified of this application;

The adjoining properties are known as:

- 26 Dover Road Northfleet Gravesend Kent DA119QD
- 22 Dover Road Northfleet Gravesend Kent DA11 9QD

The expiry date for comments was 02.05.2024 **and one representation was received.**

The points raised in the objections were:

- Loss of light and sense of enclosure
- Height of extension will block out sunlight in the mornings
- Proposal does not comply with the 25° rule
- Proposed height and proximity will block out light and cast a shadow from 06:00am until noon
- Increased feeling of enclosure

Officer Assessment

Permitted Developments Rights Restrictions

Article 2 (3) Land (AONB, Listed Building 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
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(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 – 3.0m
(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 – 3.0m
(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 – 5.9m semi detached house (permitted under g) N – 3.0m
(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 – 5.9m (Semi detached) N – 3.0m
(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	N

	(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;	
(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 – 3.0m N – Single Storey Y- Over half width of original house (6.3m)
(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 subparagraphs (e) to (j);	Y Exceeds j (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 N N N
A.2	In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if –	
(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
(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 subparagraphs (b) and (c).	N/A
A.3	Development is permitted by Class A subject to the following conditions –	
(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

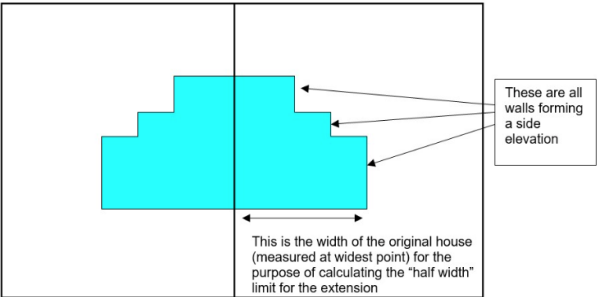
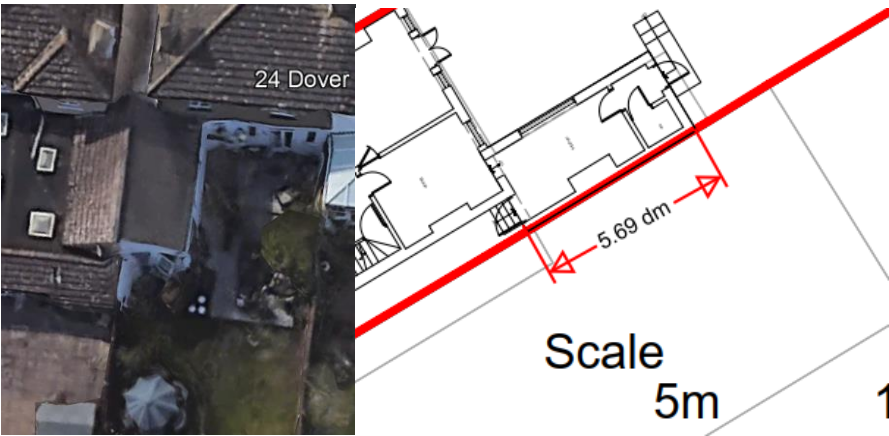
Analysis

Under 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 storey family dwelling can extend beyond the rear wall by 6 metres in the case of a semi detached property, as long as it does not exceed 4 metres in height.

The proposed single storey rear extension fails to comply with paragraph A1 j (iii) Class A of the GDPO as amended and prior approval does not apply.

Where an extension is beyond any 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.

A site visit photo and uniform map clearly show an original single storey side projection; as such the enlarged part of the dwelling would extend beyond a wall forming a side elevation of the original dwelling, and would have a width greater than half the width of the original dwelling. The side elevation in question will be demolished and removed in its entirety with a replacement which will extend more than half the width of the original dwelling.



Where an extension is beyond any 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 can not be more than half the width of the original house. The width of the original house should be calculated at its widest point.

Width of original dwelling



Width of extension



Conclusion

The proposed development fails to comply with Part A.1, SECTION J(iii) to CLASS 1, PART 2, SCHEDULE 3 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		
	Name/Signature	Date
Planning Officer		10.05.2024
Principal Planner/ Manager	Richard Hart / <i>R Hart</i>	13 th May 2024