

Delegated Report

Prior Approval Larger Homes Application

Application no:	20221358
Location	Distarti, Rhododendron Avenue, Meopham, Gravesend, Kent, DA13 0TT
Proposal:	Single storey rear extension with a depth of 8.00 metres, maximum height of 4.00 metres and eaves height of 2.20 metres.
Applicant:	Mr C Martin
Site Visit	N/A Desktop Assessment

Plans & Documents

- Application Form - dated 20/12/2022
- Planning Statement - dated 12/2022;
- Drawing no. BDS-RA-P01 - Existing Plans, Elevations and Block Plan;
- Drawing no. BDS-RA-P02 - Proposed Plans, Elevations and Block Plan;
- Drawing no. BDS-RA-P03 - Site Location Plan (scale - 1:1250).

Property Type

Distarti is a detached bungalow.

Policies & Representations

Not applicable, this is an application for a lawful development certificate under Section 192 of the Town & Country Planning Act 1990 (as amended).

Material Consideration

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

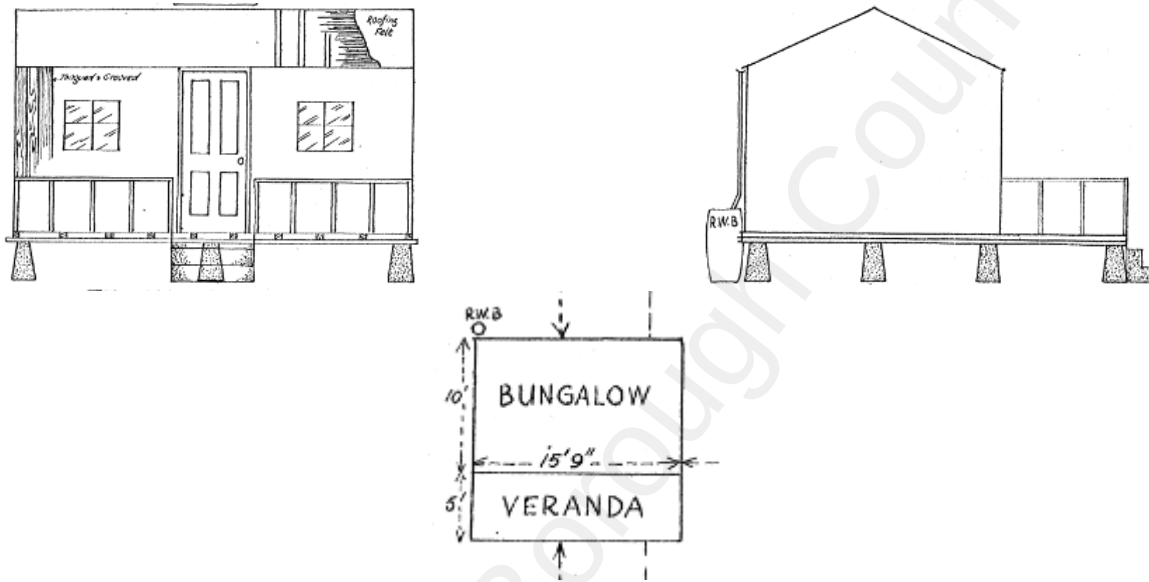
Relevant Planning History

Reference	Description	Decision	Decision Date
20210319	Demolition of existing chalet bungalow and erection of a replacement 3 bed bungalow.	PERMITTED	02.06.2021
19790429	Retention of single storey extension to form kitchen at rear	REFUSED	28.06.1979

19550280	Erection of dwellinghouse	REFUSED	07.12.1955
19520150	Erection of chalet	PERMITTED	30.05.1952

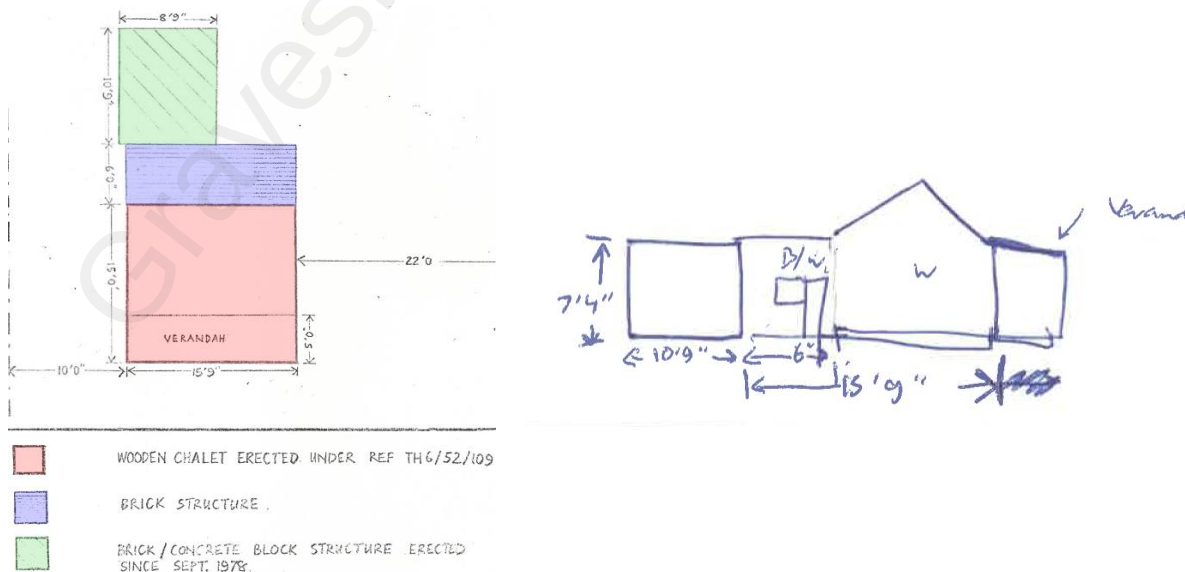
Planning History Note

The original chalet dwelling was granted permission in 1952 (ref. 19520150). It had a pitched roof with a small veranda to the front.

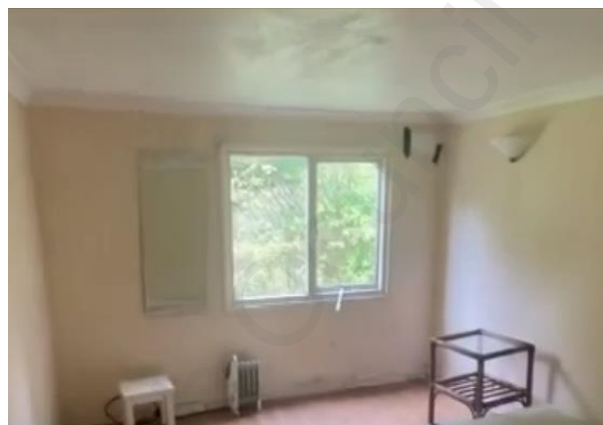


The original dwelling had a width of 15'9" (approx. 4.5m) and a depth of 10' (approx. 3.05m), with a 5' veranda (approx. 1.52m). As the building was constructed after 1948, the chalet shown above is considered to be the original building.

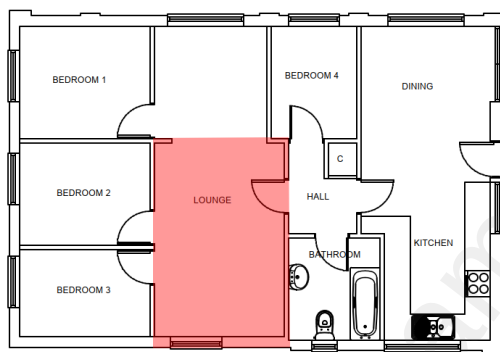
The dwelling was then extended without planning permission and was investigated by planning enforcement in 1978 (EN/78/78). There were two unauthorised extensions to the rear of the original chalet, as shown in the screenshots below:



The original pitched roof of the dwelling is shown on the listing video for the auction of the property (16th June 2022 - <https://www.onthemarket.com/details/11882559/>), showing an internal vaulted ceiling of the original pitched roof (4 minutes). This provides further evidence that the original property has been extended to the rear and the video continues to show an internal flat roof to the front which would have been the veranda (4:30 minutes).



Therefore, the original dwelling was considerably smaller than the existing building and for the purpose of this application was approximately the size highlighted in the screenshots below:



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;

- Amankila
- Long Acre
- Greenbank

- Ashleigh
- Hillside
- Peace Haven

The expiry date for comments was 24th January 2023 and no representations were received.

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 N (4m)
(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 –	Y (13.2m)

	(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 (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	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);	Y
(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
(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

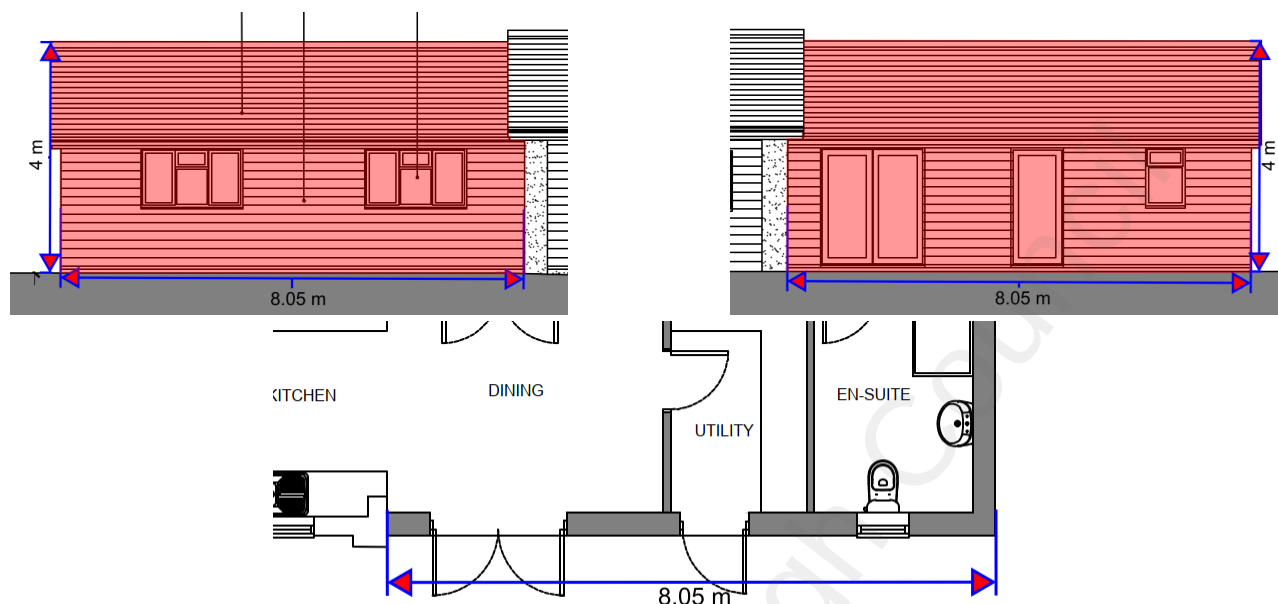
Analysis

Under Class A.1 (g) of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (GPDO) (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 and meets the relevant criteria as set out above.

As stated in the GPDO, Class A.4 (2), the developer has provided sufficient information to support the application and demonstrate that the proposed extension would fail to comply with the criteria set out in A.1 (g) with an overall depth of 13.2m beyond the rear wall of the original dwellinghouse. Some leniency has been given to this measurement as the exact rear wall of the original dwelling is not clearly defined, and the true depth could even exceed the 13.2m.



Nevertheless, even if the existing dwelling was considered original the proposed development would fail Class A.1 (g) by extending 8.05m from the rear wall.



Therefore, the proposed development fails to meet the parameters set out in the A.1 (g) of the GPDO and planning permission is required.

Conclusion

The proposed development does not comply with Class A.1 (g) 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	Ethan Bonthon	31 st January 2023
Team Leader	[Signature]	31 January 2023