



Delegated Report

Prior Approval Larger Homes Application

Application no:	20220263
Location	37 Haynes Road, Northfleet, Gravesend, Kent, DA11 7HL
Proposal:	Single storey rear extension with a depth of 6 metres, maximum height of 3 metres and eaves height of 2.65 metres.
Applicant:	Ms Catherine Wilcocks
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form - dated 07/03/2022;
Ordnance Survey Site Location Plan (scale - 1:1250);
Drawing no. W0102 - Proposed Side Elevation;
Drawing no. W0106 - Existing and Proposed Block Plans (scale - 1:200).

Property Type

37 Haynes Road is a two storey semi-detached property in use as a single family dwelling.

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

Application No.	Description	Status	Decision
20220112	Single storey rear extension with a depth of 6 metres, maximum height of 3 metres and eaves height of 2.65 metres.	WITHDRAWN	17.03.2022
20211289	Erection of a front dormer to facilitate access into the roof space.	PERMITTED	11.02.2022
20201361	Demolition of one existing outbuilding and erection of part	REFUSED	11.03.2021

single storey and part two storey
 rear extension, hip to gable loft
 conversion with dormer to the rear
 and Velux window at the front,
 converting the roof space to
 habitable rooms.

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;

- 35 Haynes Road
- 39 Haynes Road

The expiry date for comments was 22nd April 2022 and one representation was received. The neighbour representation objected to the proposed development, expressing concern that the height of the extension will impact on their amenity and result in a loss of light.

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 (2.65m)
(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 (6m) N (3m)
(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 (6m) N (3m)
(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	N

	the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (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	N N N N
(l)	the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)	N/A
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**
(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

**Assessment Note – 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 Part 1, Schedule 2 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 semi-detached/terraced 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 GDPO, Class A.4 (2), the developer has provided sufficient information to support the application and consolidate the measurements of the proposed extension; 6 metres deep, a maximum height of 3.3 metres and an eave height of 3 metres. All within the parameters set out in the GDPO.

The surrounding properties were consulted in accordance with paragraph 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 concern that the extension would impact on their amenity by virtue of a loss of light.

The adjoining property is located to the north of the application site and therefore could be overshadowing by an extension. However, even though the extension is large in terms of depth, it is not excessive in height (3m) and is single storey. A single storey rear extension with a maximum height of 3m is not considered to result in any significant levels of overshadowing that would have a notable impact on the amenity of a neighbour. Overall the proposed rear extension is not considered to impact neighbouring properties' amenity.

It is considered that the documents and details submitted 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>		
	Name/Signature	Date
Planning Officer		3 rd May 2022
Principal Planner/ Manager	Richard Hart / R Hart	5 th May 2022