

Delegated Report

Prior Approval Extensions Application

Application no:	20230620
Location	32 Cruden Road Gravesend Kent DA12 4HD
Proposal:	Prior approval application for a single storey rear extension with a depth of 4.80 metres, maximum height of 3.40 metres and eaves height of 3.00 metres.
Applicant:	Mr Sean McGrew
Site Visit	N/A Desktop Assessment

Plans & Documents

Application Form; and
OS Plan (received on 12.06.23).

Property Type

32 Cruden Road is a two storey semi detached property.

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 4.80 metres, a maximum height of 3.40 metres and an eaves height of 3.00 metres.

Relevant Planning History

Reference	Description	Decision	Decision Date
20230090	Erection of a single storey rear extension.	Permitted	18.04.2023
20230056	Application for a Lawful Development Certificate in respect of the proposed erection of a outbuilding.	Certificate Granted	27.03.23

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;

- 30 Cruden Road
- 34 Cruden Road

No representations were received from the neighbouring properties consulted in this prior approval application. The consultation period expired on 10.07.23.

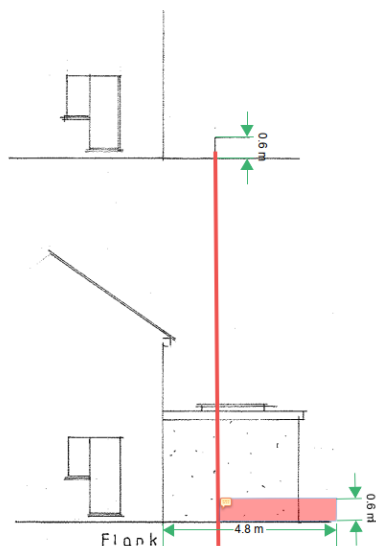
Officer Assessment

An OS Plan and Application Form has been provided for this application, which can be considered sufficient information for this type of application. However, a site visit undertaken for a previous application at the property (application reference number 20230090 - erection of a single storey rear extension), along with the previous plans for that application, provides some context that is relevant to this current application (20230620).

The plans and site visit undertaken for application 20230090 demonstrated that an engineering operation to excavate part of the rear garden would be required for the erection of the single storey rear extension. The extension proposed under 20230090 was of a smaller depth than what is proposed for this current application.

Section 55 of the Town and Country Planning Act (1990) defines development as carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Using the previous plans, an approximation of the extent of the minimum excavation that would be required to carry out the development can be estimated:



The above area in red shows the approximate indication of the excavation area (not including space between the development and new retaining wall that would also likely be required). Assuming the extension would expand the width of the rear elevation, the excavation required would amount to approximately 15.40m³, with the existing wall measuring at 0.60m approx. in height. As such, this application would not fall under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and **planning permission would be required.**

Therefore, further assessment of this Larger Homes Prior Approval Application has not been carried out and planning permission would be required for the development.

Conclusion

Section 55 of the Town and Country Planning Act (1990) defines development as carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land. Any change in land levels particularly when it would be at 0.3m or greater, would be considered an engineering operation requiring planning consent. Therefore, Planning Permission would be required for the proposal as a result of the engineering operations. As such, the proposed development does not benefit from the provisions of Class A, Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and Planning Permission would be required.

Recommendation: <u>Refusal</u>

Case Officer:	Mrs Lucy Hankin	Team Leader:	Richard Hart
Signed:	L Hankin	Signed:	<i>R Hart</i>
Dated:	14 th July 2023	Dated:	14th July 2023