



Delegated Report

Prior Approval Extensions Application

Application no:	20220402
Location	22 The Drove Way Istead Rise Gravesend Kent
Proposal:	Single storey rear extension with a depth of 4.80 metres, maximum height of 4.00 metres and eaves height of 2.32 metres.
Applicant:	Mr Luke Moore
Site Visit	10.05.2022

Preliminary Matters

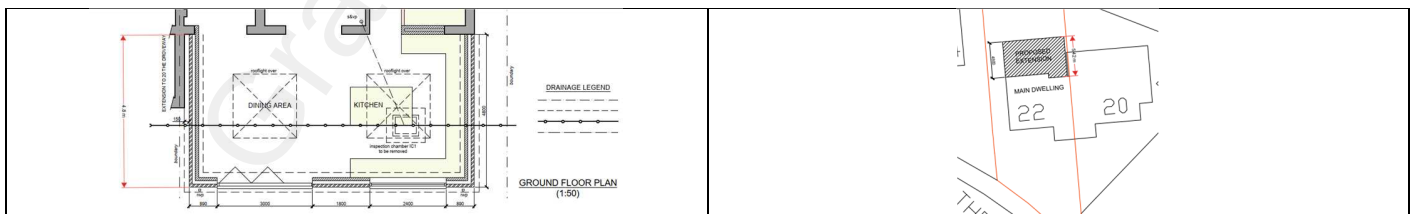
There was an error with the description, which read; Single storey rear extension with a depth of 4.80 metres, maximum height of 4.00 metres, width of 2.32 metres and eave height of 2.4 metres. The description was changed in line with the application form to; Single storey rear extension with a depth of 4.80 metres, maximum height of 4.00 metres and eaves height of 2.32 metres. The agent confirmed this as acceptable on 19.04.22. Furthermore, the agent was emailed regarding a red line boundary query. The red line was confirmed as correct on 20.04.22.

Plans & Documents

Application Form;
Drawing No. 01 – Elevations and Floor Plans – Existing;
Drawing No. 02 – Elevations and Floor Plans – Proposed;
Drawing No. 03 – Site Location Plan; and
Drawing No. 04 – Block Plans – Existing and Proposed.

Plan Note

The Proposed Block Plan shows the extension to have a greater depth of 5.42m when compared to the proposed floor plan that shows a depth of 4.80m, as shown below.



When conducting a site visit it was noted that there is a small rear single storey extension already existing.



Therefore, the greater depth measurement will be considered in this application assessment. The eaves height is stated as 2.32m on the application form, however on the proposed elevations, the eaves measure as 2.60m therefore the application will be assessed as such.

Property Type

22 The Drove Way 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 4.00 metres and an eaves height of 2.32 metres.

Relevant Planning History

Application No.	Description	Status	Decision
19920308	Erection of front extension to existing garage	Permitted	23.06.1992

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;

- 16 The Drove Way – This was not listed on the application form, however the council note this is an adjoining neighbour according to our maps.
- 20 The Drove Way
- 24 The Drove Way

The expiry date for comments was 10th May 2022 and one representation was received. The neighbour representation objected to the proposed development, expressing concerns regarding drainage and excavation of foundations.

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	N

	would exceed the height of the eaves 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	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 5.42m N 4.00m
(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 5.42m N 4.00m
(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 2.60m
(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);	N
(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,	N N N

	or (iv) an alteration to any part of the roof of the dwellinghouse	N
(I)	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 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 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 information provided show the proposed development is within the parameters set out in the GPDO; 5.42 metres deep, a maximum height of 4.00 metres, with an eave height of 2.60 metres.

The adjoining properties were consulted in accordance with 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 concerns about excavation of foundations and how the extension would impact drainage.

The above concerns are considered non-material planning considerations that are controlled under building regulations or other non-planning legislation.

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 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	L Hankin	11.05.22
Principal Planner/ Manager	Richard Hart / <i>R Hart</i>	12 th May 2022