

# Supporting Statement

Prior Notification application under Class A.4(2) of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) in respect of a proposed single storey extension to the rear of the existing dwellinghouse at:

Lane Croft, Perrywood Lane, Watton at Stone, SG14 3RB



Email: [alison@ayplanning.co.uk](mailto:alison@ayplanning.co.uk)

Tel: 01920 449015

## 1.0 Introduction

- 1.1 This statement is submitted in support of an application for prior notification under the requirements of Class A.4(2) of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), hereinafter called the 'GPDO'.
- 1.2 The proposed development comprises the construction of a single storey extension to the rear of the house. This follows the grant of a previous Prior Notification application in 2016, under ref: 3/16/1768/PNHH and a more recent refusal under reference: 3/23/1216/PNHH (which is currently the subject of an appeal).
- 1.3 The applicant argues that the proposal shown on the previous PNHH application constitutes 'permitted development' and that prior approval should have been granted for that application (hence the appeal). However, this amended proposal seeks to clarify the proposal further, with particular reference to the location of the site outside the Conservation Area; the proposed height of the extension above ground level and its eaves height (showing that these accord with the Government's own Technical Guidance document).
- 1.4 The application is supported by the following drawings: -
- Location Plan @1:1250 NH/998/06
  - Existing and Proposed Block Plan NH/998/05
  - Existing Plans and Elevations NH/998/01
  - Proposed Ground Floor Plan NH/998/02
  - Proposed Front and Side Elevations NH/998/03
  - Proposed Rear and Side Elevations NH/998/04

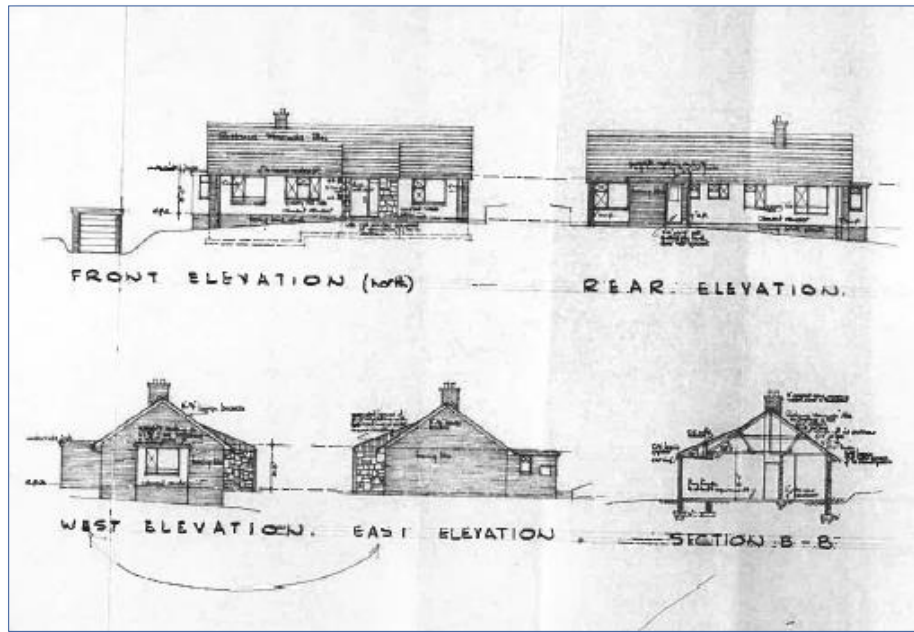
## 2.0 Location and description of site

- 2.1 The application site is located on the southern side of Perrywood Lane, to the east of St Andrews and St Mary Church and comprises a detached split-level property set on sloping ground and at a significantly higher level than Perrywood Lane.
- 2.2 The property is single storey, although the drop in ground level to the eastern side of the site means that it incorporates a lower ground level garage on that side of the house. Access is from Perrywood Lane to the north via a steep driveway.

### 3.0 Planning History

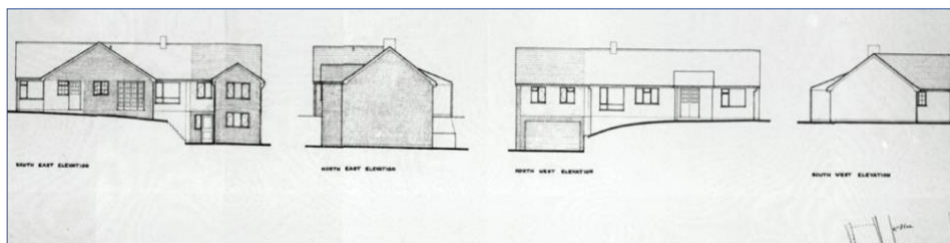
3.1 The dwellinghouse was originally constructed in late 1961/early 1962 (pursuant to outline planning permission ref: E/1537-60 and full detailed permission ref: E/581-61 in May 1961). An extract of the approved plans is shown in Fig.1 below:

*Fig.1 Extract from original 1960 planning permission*



3.2 As the above plan shows, the property originally included a detached garage. However, in 1988 (pursuant to permission ref: 3/1846-87) a two-storey side extension was added to provide an attached double garage with a study and family room above. An extract of the approved elevations is shown below: -

*Fig.2 Approved extension plan from 3/1846-87*



3.3 Further small additions were added to the front of the property in the early 2000's under ref: 3/02/0759/FP and 3/03/1719/FP.

3.4 In August 2016, as mentioned above, a prior notification application was submitted to the local planning authority under ref: 3/16/1768/PNHH in respect of the proposed erection of a single storey extension to the original rear wall of the property. The Council's decision notice on that application

was issued on 1<sup>st</sup> September 2016 and confirmed that prior approval was not required for the proposal.

- 3.5 The plans submitted with the prior approval at that time (Plan E1, F1 and P1) were sketchy in detail, but were considered sufficient by the local planning authority to establish that that the proposed development complied with ‘the conditions, limitations or restrictions applicable to development permitted by Class A’. It therefore met the requirements of Class A.4 (3) of the GPDO.
- 3.6 It is also clear from the Officer report on application 3/16/1768/PNHH that the proposal was considered against all the relevant conditions, limitations and restrictions applicable under Class A.
- 3.7 Despite the approval of the 2016 Prior Notification application under ref: 3/16/1768/PNHH, the Council has recently declined to approve a further Prior Notification application, submitted in June 2023, for the same single storey extension (the subject of application 3/23/1216/PNHH).
- 3.8 In refusing that application, the Council argued that the eaves height of the proposed extension was higher than that of the existing house and that the overall height of the extension exceeded 3m because of the sloping nature of the ground level adjacent to the house. The Council also argued that the dwellinghouse lies within a Conservation. However, that is incorrect.
- 3.9 The dwelling lies to the south of the Conservation Area, as shown on the extract of the Council’s online District Plan map below. The Conservation Area is edged in a solid brown line on the plan below (with the Conservation Area being located to the north of that line). The plan shows the dwellinghouse to be located OUTSIDE the Conservation Area.

*Fig.3 Conservation Area Plan (Conservation Area to north of brown line)*



- 3.10 It is also material to note that, in granting Prior Approval for an upper storey to the property under Class AA of the Order in May 2022 (under ref: 3/22/0973/ASDPN), the Council clearly stated that “*The site is partially located within the conservation area, **however the dwellinghouse is not situated within this area.***” It concluded, therefore, that the proposed addition did not fail the relevant tests of Class AA in that respect and granted Prior Approval.
- 3.11 The applicant does not agree with the arguments set out by the LPA in relation to the previous Prior Notification application (3/23/1216/PNHH) and has lodged an appeal against that decision showing that the dwellinghouse does not lie within the Conservation Area; that the eaves height of the extension would not exceed that of the existing house, and that the height of the extension would not exceed 3m when measured from the highest part of the level of the surface of the ground adjacent to it\*. (\*It is important to note that Article 2(2) of the GPDO is clear that any reference to height in the Order should be measured from ground level and “*where the level of the surface of the ground on which [the building] is situated is not uniform, the level of the highest part of the surface of the ground adjacent to it.*”
- 3.12 Notwithstanding the current appeal, this application is submitted to further clarify the above matters for the LPA’s consideration; the eaves height of the proposed extension, and its overall height in relation to the relevant Government definitions in the Householder Technical Guidance Note (September 2019).
- 3.13 An assessment of the proposed development against those definitions and the conditions, limitations and restrictions set out in Class A of the GPDO is set out in section 4.0 below.

#### 4.0 Legislative requirements

- 4.1 The proposed extension falls to be considered under Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which sets out permitted development rights in respect of the enlargement of a dwellinghouse.
- 4.2 This must be read in association with the Householder Technical Guidance Note (September 2019).
- 4.3 The proposed single storey extension complies with the criteria set out in **Class A.1** as follows: -
- (a) The dwellinghouse was not approved under Class M, N, P, PA or Q of Part 3 of the Order.

- b) The proposed extension will not, either on its own or cumulatively with other buildings on the site, exceed 50% of the curtilage area.
- c) The height of the extension would not exceed the highest part of the existing dwellinghouse.
- d) The height of the eaves of the extensions would not exceed the highest part of the eaves of the existing dwellinghouse\*.

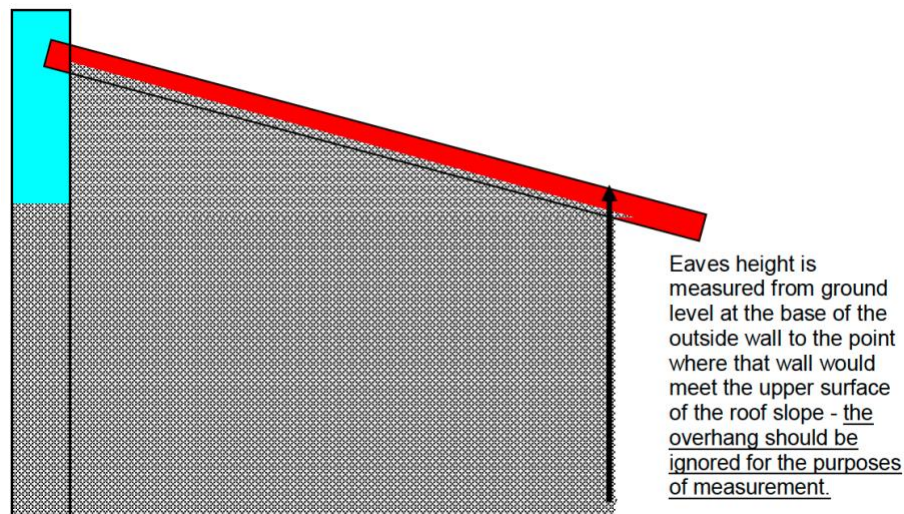
**\*NOTE:** The 'Permitted development rights for householders' Technical Guidance (September 2019) Householder states that:

*“the eaves of a house are the point where the lowest point of a roof slope, or a flat roof, meets the outside wall.*

*The height of the eaves will be measured from the ground level at the base of the external wall of the extension to the point where the external wall would meet (if projected upwards) the upper surface of the roof slope. Parapet walls and overhanging parts of eaves should not be included in any calculation of eaves height.” (emphasis added)*

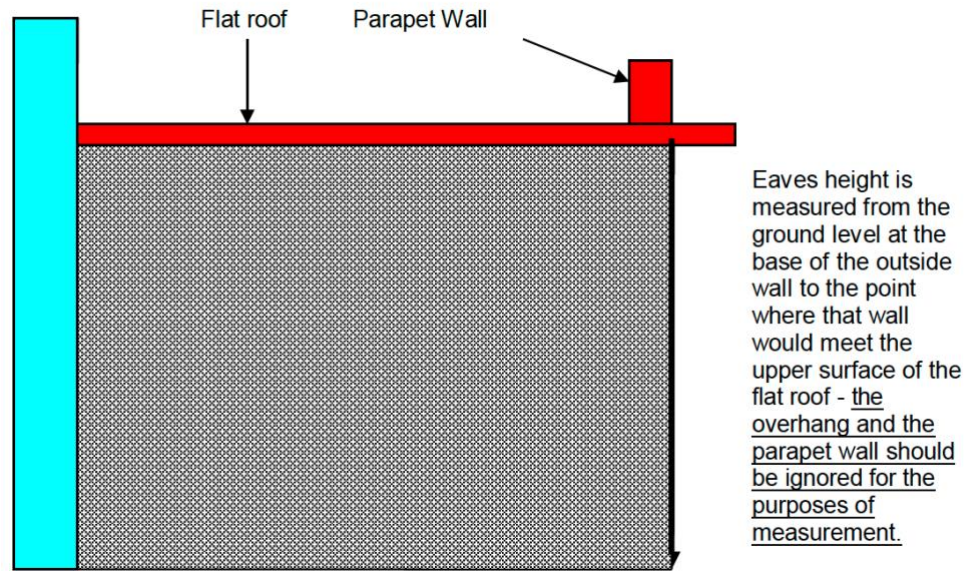
**The eaves height of the existing house**, measured from the highest part of the surface of the ground adjacent to it, to the point of the roof slope that meets the outside wall is **2.72m**. This is shown on the section on drawing NH/998/04 and Fig.6 below, and accords with the Householder Technical Guidance on page 12 (an extract of which is shown as Fig.4 below).

*Fig.4 Extract from Householder Technical Guidance on page 12*



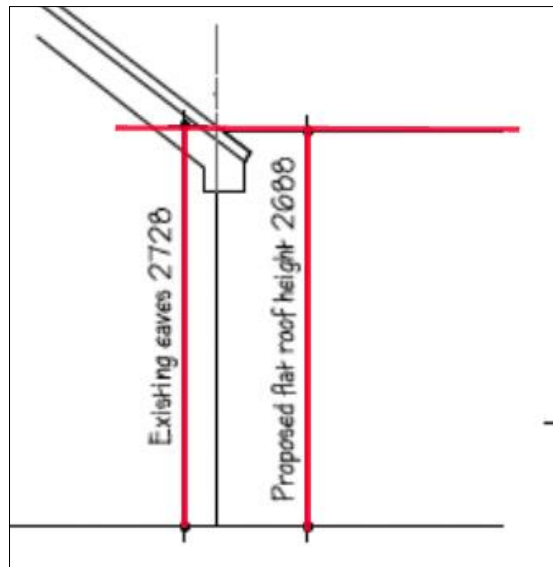
**The eaves height of the proposed extension** at Lane Croft, measured from the highest part of the surface of the ground adjacent to it (the base of the outside wall) to the point where the wall would meet the upper surface of the flat roof is **2.68m**. This is also shown on the section on drawing NH/998/04 and Fig. 6 below and, again, accords with the Householder Technical Guidance on page 12 (an extract of which is overleaf): -

Fig.5 Extract from Householder Technical Guidance on page 12



It is clear therefore that the eaves height of the proposed extension in this case does not exceed the eaves height of the existing dwelling. This is clearly shown on drawing NH/998/04 an extract of which is below at Fig. 6.

Fig.6 Extract from drawing NH/998/04 showing relative eaves heights of the existing house and proposed extension



It is also clear that the Council accepted this point when considering the 2016 CLOPUD application, the delegated report stating that:

*“ the flat roof/eaves height of the extension which are considered as the*

*same under the GPDO guidance would be 3.0m\* and would be the same as the eaves height of the pitched roof bungalow”*

(\*more accurate measurements are provided on the current plans, at 2.8m)

- (e) the enlarged part of the of the dwellinghouse would not extend beyond the principal elevation of the dwelling and does not front a highway.
  - (f) n/a in this case as the proposal falls under (g) below.
  - (g) The dwellinghouse **is not on article 2(3) land** (see Fig. 3 above and the conclusions of the Council in respect of the recent Class AA application) and does not exceed 8m in depth or 4m in height.
  - (h) n/a - the extension is single storey.
  - (i) The eaves height of the extension does not exceed 3.0m (it is 2.68m as set out above).
  - (j) n/a - the extension is not to the side of the property.
  - (ja) The extension would not join any existing enlargement of the dwellinghouse.
  - (k) The proposal does not include any of the elements listed.
  - (l) The dwelling was not built under part 20 of the Schedule.
- 4.4 In respect of **paragraph A.2** this is not applicable as the site does not lie on article 2(3) land. (In any event, the Council has previously indicated that the proposal would meet these requirements **if** it was within the Conservation Area.)

### Conditions

- 4.5 As regards the conditions imposed by **Class A.3:-**
- The materials used in any exterior work would be of similar appearance to the existing dwellinghouse; and
  - There is no upper-floor, or upper-floor windows to which the Class refers.

The proposal would not therefore be in breach of any conditions imposed on Class A.

- 4.6 The current application is submitted in response to **Class A.4.**



## 5.0 Conclusion

- 5.1 The proposal complies with the relevant criteria of Class A, of Part 1 to Schedule 2 of the Order respectively.
- 5.2 It is concluded therefore that the proposal constitutes “permitted development” and that Prior Approval should be granted.

