

DELEGATED HOUSEHOLDER APPLICATION REPORT

Application No: 211866

Address: 14 Hemdean Hill

Applicant: Mr T Cook and Ms L U'Ren

Proposal: Rear extension measuring 5.0 metres and 5.7 metres beyond the rear wall of the original house, with a maximum height of 3.99 metres, and 2.99 metres in height to eaves level. Notification of the construction of an extension under class A Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) 2015

Target date: 28/12/2021

Case officer: Marcelina Rejwerska

1. Introduction

Under Class A, Part 1, of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 ("the 2015 Order"), as amended, the following is allowed with regards to larger rear extensions:

'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'

And the following with regards to side extensions:

'exceed 4 metres in height, have more than a single storey, or have a width greater than half the width of the original dwellinghouse'

provided the development is not excluded by virtue of the criteria in Paragraph A.1 of the 2015 Order.

The application site is a mid-terrace property and therefore an extension is restricted to a depth of 6m. Permitted Development rights have not been restricted by way of a direction made under a condition attached to an express planning permission.

2. Proposal

The applicant has provided information on the proposed side and rear extension. The extension proposed would:

- Extend beyond the rear wall of the original dwelling by 5m and 5.7m
- Have a maximum height of 3.99m
- Have an eaves height of 2.99m

The proposal can be considered under Paragraph A.1 (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 - **Complies**
- ii) exceed 4 metres in height - **Complies**

The proposal can also be considered under Paragraph A.1 (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, **Complies**
 - ii) have more than a single storey, or **Complies**
 - iii) have a width greater than half the width of the original dwellinghouse
Does not comply; the proposed rear and side extension are considered a single building operation, the width of the proposal at its widest point is the same as the width of the main dwelling.

and accordingly, Condition A.4 applies.

3. Plans Submitted

The agent submitted the following drawings/ information:

Location Plan

Block Plan

1316/1/a Existing Floor Plans and Elevations

1316/3/a Proposed Floor Plans and Elevations

Received 17/11/2021.

4. Planning History

None.

5. Notification

In accordance with the relevant provision of the GPDO 2015 Order, the LPA notified on 29/11/2021 adjoining owners and occupiers at 12 and 16 Hemdean Hill providing a period of 21-days for representations to be made. The 21 day consultation period expired on 20/12/2021.

One comment was received; no objections were received and therefore the LPA can only assess the proposal under the above General Permitted Development Order criteria as opposed to planning policy.

The proposal does not comply with Paragraph A.1 (j) under Class A, Part 1, of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the 2015 Order”) which states that:

‘The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse’

As the proposed rear and side extension are considered a single building operation, the width of the proposal at its widest point is the same as the width of the main dwelling. Therefore it is recommended that prior approval is refused.

6. Equalities Impact

In determining this application, the Local Planning Authority has had regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender, and sexual orientation. In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

7. Discussions with applicant

Agent was informed of reason for refusal.

8. Decision

Refuse Prior Approval

Consideration was given to the following information received by the Local Planning Authority on 17/11/2021:

Location Plan

Block Plan

1316/1/a Existing Floor Plans and Elevations

1316/3/a Proposed Floor Plans and Elevations