

DELEGATED APPLICATION REPORT

Target Date: 27/01/19

Application No: 182207/HPA

Address: 21 Highgrove Street

Proposal: Single storey rear extensions

Case officer: Sian Hickey

Introduction

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

A single storey extension, beyond the rear wall of a terraced house, between 3m and 6m in depth, and up to 4m in height

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

The application site is not within a Conservation Area. It is subject to an Article 4 Direction to control the change of use from C3 to C4 HMO. No other PD rights have been withdrawn or restricted by way of a direction made under Article 4 or condition attached to an express planning permission.

Site Description and Surrounding Area

The application site is a two storey terraced dwelling. A two storey gable projects at the rear and a single storey element projects beyond that. The surrounding area is predominantly residential.

Proposal

The proposal falls to be considered under Paragraph A.1 (g) and accordingly Condition A4 applies.

The agent has provided the following information on the proposed single storey extensions

The side/rear extension would:

- Extend beyond the rear wall of the original dwelling by 4.8m with a 1m void space before the extension begins
- Have a maximum height of 3.1m
- Have an eaves height of 2.75m

The rear extension would:

- Extend beyond the rear wall of the original dwelling by 6m
- Have a maximum height of 3.1m
- Have an eaves height of 2.75m

Plans Submitted

The agent submitted the following drawings, received on 14th and 17th December 2018:

Location Plan

Drawing No: 1221/4 – Block Plan

Drawing No: 1221/1 – Plans and Elevations as Existing

Drawing No: 1221/3/b – Plans and Elevations as proposed

Planning History

None.

Notification

In accordance with the relevant provision of the GPDO 2015 Order, the LPA notified on 19th December 2018 the adjoining owners and occupiers at 19 and 23 Highgrove Street and 16 and 18 Highgrove Terrace of the proposed extension providing a period of 21 days for representations to be made. The 21 day consultation period expired on 9th January 2019. One letter of representation has been received with regard to the following:

- Loss of light to 23 Highgrove Street

Policies

Legal and Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) – among them the ‘presumption in favour of sustainable development’.

The following local and national planning policy and guidance is relevant to this application:

Sites and Detailed Policies Document (2012)

SD1: Presumption in Favour of Sustainable Development

DM4: Safeguarding Amenity

DM9: House Extensions and Ancillary Accommodation

Appraisal

The proposed single storey side extension at the rear cannot be assessed under a Householder Prior Approval Application as it does not extend beyond the rear wall of the original dwellinghouse and therefore does not meet the criteria for this type of application. The extension projects from the existing side wall within a 1m void space between the rear wall and the extension.

The proposed single storey rear extension has been assessed under Class A, Part 1, of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015, as amended. In accordance with this legislation, adjoining owners and occupiers have been consulted on the proposal and objections have been received. The prior approval of the Local Planning Authority is therefore required as to the impact of the proposed development on the amenity of the adjoining premises.

A site visit was undertaken on 16th January 2019 by the Case Officer.

Impact on amenity of neighbours

The Supplementary Planning Guidance – A Design Guide to House Extensions (2003) states that rear extensions longer than 4m will not normally be granted planning permission. The exception to this is if the house and garden are capable of taking an extension of longer depth. It is also advised that rear extensions should be located as far away from side boundaries as possible, to safeguard the outlook of neighbours.

The application site is adjoined to its neighbouring properties 19 and 23 Highgrove Street. The 6m depth of the proposed rear extension is considered excessive as it would have a visually dominant and overbearing effect on the neighbour at 23 Highgrove Street. The depth would be unneighbourly as it would be detrimental to the living environment of the residents of 23 Highgrove Street. This would be contrary to Policies DM4 and DM9 of the Sites and Detailed Policies Document (2012). The proposal is therefore considered to cause significant harm to the residential amenity of the occupants of 23 Highgrove Street. For this reason it is recommended that prior approval is refused.

Recommendation

Refuse prior approval

The proposed extension by reason of its excessive depth on the boundary with 23 Highgrove Street would result in a visually dominant and overbearing effect on this neighbouring property, harmful to the amenity of occupiers and contrary to Policies DM4 and DM9 of the Sites and Detailed Policies Document 2012 (altered 2015) and A Design Guide to House Extensions SPG (2003).

Consideration was given to the following information received by the Local Planning Authority:

Location Plan (received on 14/12/18)

Drawing No: 1221/1 – Plans and Elevations as Existing (received on 14/12/18)

Drawing No: 1221/3/b – Plans and Elevations as proposed (received on 14/12/18)

Drawing No: 1221/4 – Block Plan (received on 17/12/18)