

## **DELEGATED APPLICATION REPORT**

**Target Date:** 18/07/18

**Application No:** 180999/HPA

**Address:** 18 Foxhays Road

**Proposal:** Single storey rear extension

**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 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The application site is not within a Conservation Area nor have PD rights been withdrawn or restricted by way of a direction made under Article 4 or condition attached to an express planning permission.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 semi-detached dwelling with a hipped roof. The dwelling benefits from a single storey rear projection and a single storey side projection. The surrounding area is predominantly residential.

### **Proposal**

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

The applicant has provided information on the proposed single storey rear extension. The extension would:

- Extend beyond the rear wall of the original dwelling by 4.2m
- Have a maximum height of 3m
- Have an eaves height of 2.4m

To facilitate the proposed extension, the existing single storey rear projection would have to be demolished. The proposal would have a mono-pitch roof with a maximum height of 3m and a height to eaves of 2.4m. A window and a door would be located to the rear elevation.

### **Plans Submitted**

The applicant submitted the following, received on 7<sup>th</sup> June 2018:

Existing Block Plan

Proposed Block Plan

Subsequently, the applicant supplied the following, received on 10<sup>th</sup> July 2018:

Proposed Rear Elevation

### **Planning History**

140228/HOU – Erection of a front porch – Permitted 09/04/14

## **Notification**

In accordance with the relevant provision of the GPDO 2015 Order, the LPA notified on 13th June 2018 the adjoining owners and occupiers at 16, 20, 60 and 62 Foxhays Road of the proposed extension providing a period of 21-days for representations to be made. The 21 day consultation period expired on 4<sup>th</sup> July 2018. One letter of representation has been received with regard to the following:

- Loss of light to the dining room at the adjoining property.

## **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 development 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 an objection has 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.

### Impact on amenity of neighbours

The majority of these properties benefit from single storey rear extensions of a variety of styles and design. Indeed, the application site and both adjoining neighbours benefit from single storey rear extensions of approximately 3m depth. The existing rear element has a glazed roof canopy which allows light through.

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 property at 20 Foxhays Road. The 4.2m depth is considered excessive and it would have a visually dominant and overbearing effect on this neighbour. The sloped garden makes the impact greater. The 4.2m depth would be unneighbourly and would be detrimental to the living environment of the residents of 20 Foxhays Road. This would be contrary to Policy DM4: Safeguarding Amenity 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 20 Foxhays Road. For this reason it is recommended that prior approval is refused.

**Recommendation**

Refuse prior approval

Consideration was given to the following information received by the Local Planning Authority on 7th June 2018:

Existing Block Plan

Proposed Block Plan

And Proposed Rear Elevation Plan received 10<sup>th</sup> July 2018.