LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

Reference No: HGY/2014/3392

Ward: Seven Sisters Ward

Date received: 03/12/2014

Last amended date: DD/MM/YYYY

Drawing number of plans: ER/001/2014

Address: 34 Eastbourne Road N15 6NT

Proposal: Erection of single storey extension which extends beyond the rear wall of the original house by 8m, for which the maximum height would be 3m and for which the height of the eaves would be 3m

Applicant: MrJacob Kahan

Ownership:

PLANNING DESIGNATIONS

Retrieved from GIS on 08/12/2014
Retrieved from GIS on 08/12/2014
Retrieved from GIS on 08/12/2014 ALMO
ALMO
ALMO
Road Network: B Road

Officer contact: Neil McClellan

RECOMMENDATION

REFUSE PRIOR APPROVAL

CONSULTATION

3 neighbouring properties consulted:

32 Eastbourne Road Avenue, N15 6NT
36 Eastbourne Road, N15 6NT
12 Howard Road N15 6NL

RESPONSES

No responses received.

RELEVANT PLANNING LEGISLATION

Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) sets out the requirements for permitted

development in respect of the enlargement, improvement or other alteration of a dwelling house.

ANALYSIS/ASSESSMENT OF THE APPLICATION

Any proposal which exceeds the limits in paragraph A.1(e) but is allowed by paragraph A.1(ea) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) must not be in a Conservation Area and must comply with the conditions set out in A.4 of the 2013 amendment.

Before beginning the development the developer shall provide the following information to the local planning authority:

Requirement	Comment	Complies
a written description of the proposed development including— (i) how far the enlarged part of the dwellinghouse extends beyond the rear wall of the original dwellinghouse (ii) the maximum height of the enlarged part of the dwellinghouse; and (iii) the height of the eaves of the enlarged part of the dwellinghouse;		Yes
(b) a plan indicating the site and showing the proposed development		Yes
(c) the addresses of any adjoining premises;	Failed to provide address of property to the rear – 12 Howard Road.	No
(d) the developer's contact address; and (e) the developer's email address if the developer is content to receive communications electronically.		Yes

If an objection is received within 21 days, the Local Planning Authority must make a judgement as to whether there will be an impact on amenity from the proposed extension. If the LPA considers that there will be an impact, then they have to send a notice to the owner stating that prior approval is required, and that it is refused. This has to be done within 42 days (6 weeks) of receipt of the application. If it is not sent to the applicant within 42 days, then it is deemed that the proposal is acceptable.

In this particular instance no objections have been received however the proposed extension involves adding to an early extension that in filled the gap between the property's original outrigger and side boundary. The Government's Technical Guidance (Department for Communities and Local Government April 2014) makes it clear on page 16 that such extensions are not considered permitted development. Clarification is provided on pages 25 and 26 of the guidance that even in cases where permitted development is undertaken in separate stages, the two parts are treated as one extension for the purpose of assessing whether or not it is permitted development.

Therefore in this instance prior approval is refused for the following reason:

The proposed extension when combined with the existing extensions to the application property would result in an addition to a side elevation of the original property and would exceed more than half the width of the original property contrary to Part 1, Class A (h) of Town and Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”) (as amended).

NOT CIL APPLICABLE

RECOMMENDATION

REFUSE PRIOR APPROVAL

Reference No: HGY/2014/3351

Drawing number of plans:

ER/001/2014

For the following reason(s)

The proposed extension when combined with the existing extensions to the application property would result in an addition to a side elevation of the original property and would exceed more than half the width of the original property contrary to Part 1, Class A (h) of Town and Country Planning (General Permitted Development) Order 1995 (“the 1995 Order”) (as amended).

Informative:

The applicant’s attention is drawn to the Government’s Technical Guidance (Department for Communities and Local Government April 2014) which provides clarification on householder permitted development. This advice can be viewed online on the national Planning Portal. In this particular case the guidance on case pages 16 and on pages 25 and 26 are relevant.

The proposed extension when combined with the existing extensions to the application property would result in an addition to a side elevation of the original property and would exceed more than half the width of the original property contrary to Part 1, Class A (h) of Town and Country Planning (General Permitted Development) Order 1995 ("the 1995 Order") (as amended).

The applicant's attention is drawn to the Government's Technical Guidance (Department for Communities and Local Government April 2014) which provides clarification on householder permitted development. This advice can be viewed online on the national Planning Portal. In this particular case the guidance on case pages 16 and on pages 25 and 26 are relevant.