LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 26/05/2015

Reference No: HGY/2015/1061

Ward:

Date received: 16/04/2015

Drawing number of plans: EARL/SDC/01PA

Address: 124 Craven Park Road N15 6AB

Proposal: Erection of a single storey extension which extends beyond the rear wall of the original house by 6m, for which the maximum height would be 2.786m and for which the height of the eaves would be 2.786m

Applicant: MrJoel Stern

Ownership: Private

PLANNING DESIGNATIONS

Road Network: B Road

Officer contact: William Story

RECOMMENDATION

PRIOR APPROVAL REFUSED

CONSULTATION

Neigbours

RESPONSES

No objections received.

RELEVANT PLANNING LEGISLATION

Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 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) (England) Order 2015 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;		Yes
(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 however, the extension falls foul of rules on side extensions. The permitted development order precludes extensions attached to side extensions of the original house which then extend over half the width of the original house. Although stepped in depth the extension proposed is linked and is not Lawful.

The proposed development would not constitute permitted development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 and requires Planning Permission by reason of the enlarged part of the dwellinghouse extending beyond a wall forming a side elevation of the original dwellinghouse and having a width greater than half the width of the original dwellinghouse.

CIL APPLICABLE

N/A

RECOMMENDATION

PRIOR APPROVAL REFUSED

Reference No: HGY/2015/1061

Drawing number of plans: EARL/SDC/01PA

For the following reason(s)

The proposed development would not constitute permitted development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 and requires Planning Permission by reason of the enlarged part of the dwellinghouse extending beyond a wall forming a side elevation of the original dwellinghouse and having a width greater than half the width of the original dwellinghouse.