LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 24/11/2015

Reference No: HGY/2015/3140

Ward: Alexandra

Date received: 26/10/2015

Drawing number of plans: C/R/001,002,004

Address: 30 Crescent Road N22 7RZ

Proposal: Erection of single storey extension which extends beyond the rear wall of the original house by 5.35m, for which the maximum height would be 4m and for which the height of the eaves would be 3m

Applicant: Mr Andy Kirby

Ownership: Private

PLANNING DESIGNATIONS

Road Network: B Road

Officer contact: Anthony Traub

RECOMMENDATION

PRIOR APPROVAL REQUIRED AND REFUSED

REASON: The proposed development does not constitute Permitted Development as it would fail to comply with Part 1, Class A, A.1(i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

CONSULTATION

The following neighbour were consulted:

- 2 Victoria Road.

RESPONSES

No responses 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(f) but is allowed by paragraph A.1(g) 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.

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;	 5.35m 4.0m 3.0m	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 instance, following the procedures set out in conditions 1- 4, no objections from have been received from the owner or occupier of an adjoining property.

However, the proposed development does not constitute Permitted Development as it would fail to comply with Part 1, Class A, A.1(i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres. In this case, the ridge that constitutes eaves reaches 4m in height. The prior approval application is therefore refused.

The proposed development does not constitute Permitted Development as it would fail to comply with Part 1, Class A, A.1(i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

CIL APPLICABLE

The increase in internal floor area would not exceed 100 sq.m. and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

RECOMMENDATION

PRIOR APPROVAL REQUIRED AND REFUSED

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Drawing number of plans: C/R/001,002,004

For the following reason:

REASON: The proposed development does not constitute Permitted Development as it would fail to comply with Part 1, Class A, A.1(i) of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.