LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 04/01/2016

Reference No: HGY/2015/3542

Date received: 01/12/2015

Drawing number of plans: 11/15-PO1

Address: 635 Seven Sisters Road N15 5LE

Proposal: Erection of single storey extension which extends beyond the rear wall of the original house by 5.5m, for which the maximum height would be 3m and for which the height of the eaves would be 3m

Applicant: Mrs Shuangyan Yang

Ownership: PRIVATE

PLANNING DESIGNATIONS

Retrieved from GIS on 01/12/2015
Retrieved from GIS on 01/12/2015
Retrieved from GIS on 01/12/2015 Tube Lines
Tube Lines
ALMO
Road Network: C Road

Officer contact: Anthony Traub

RECOMMENDATION

PRIOR APPROVAL REQUIRED AND REFUSED

REASON: The determination of this application for prior approval is carried out under the Town and Country Planning (General Permitted Development Order) 2015, and the application is refused on the basis of non-compliance with parts (b) and (j)(iii) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015.

CONSULTATION

The following neighbours have been consulted:

- 2 and 4 Elizabeth Road;
- 2 Greenfield Road;
- 631, 633 and 637 Seven Sisters Road.

RESPONSES

A late objection has been received from the neighbour at 637 Seven Sisters Road.

The proposal has not been assessed whether it would harm neighbouring amenity given the proposal is not permitted development (see below assessment).

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;	5.5m 3m 3m The proposal extends beyond the side elevation of the dwellinghouse and does not comply with A.1 (j)(iii) The proposal would occupy over 50% of the curtilage of the dwellinghouse.	No
(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 within the statutory consultation period. However, it is acknowledged that a late objection was received from a neighbour.

The proposed extension will extend past the side wall of the original dwelling, therefore it falls foul of part (j)(iii) of Class A.

The proposed extension would occupy more than 50% of the curtilage of the dwellinghouse, therefore it falls foul of part (b) of Class A.

The determination of this application for prior approval is carried out under the Town and Country Planning (General Permitted Development Order) 2015, and the application is refused on the basis of non-compliance with parts (b) and (j)(iii) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015.

The proposed development would not comply with Part 1, Class A, A.1 (b) and (j)(iii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and therefore prior approval can not be granted.

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

Reference No: HGY/2015/3542

Drawing number of plans: 11/15-PO1

For the following reason:

REASON: The determination of this application for prior approval is carried out under the Town and Country Planning (General Permitted Development Order) 2015, and the application is refused on the basis of non-compliance with parts (b) and (j)(iii) of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015.