LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 11/03/2016

Reference No: HGY/2016/0322

Date received: 03/02/2016

Drawing number of plans: PD801 and PD101

Address: 181 Cranley Gardens N10 3AG

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 3m and for which the height of the eaves would be 2.7m

Applicant: Mr Girish Patel

Ownership: PRIVATE

PLANNING DESIGNATIONS

Road Network: C Road

Officer contact: Anthony Traub

RECOMMENDATION

REFUSE PRIOR APPROVAL

REASON: In accordance with the provisions of the Town and Country Planning (General Permitted Development Order) 1995 as amended (in particular by the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013) Haringey Council, as the Local Planning Authority, give you notice that the prior approval of the Local Planning Authority is REQUIRED but is REFUSED for the following reason:

The proposed extension would have an adverse effect on the amenity of neighbouring residents by reason of a material loss of light and outlook and increased sense of enclosure contrary to Policies 7.4 and 7.6 of the London Plan 2015, Policy SP11 of the Haringey Local Plan 2013, and Saved Policy UD3 of the Haringey Unitary Development Plan 2006.

CONSULTATION

The following neighbours have been consulted:

- 179 and 183 Cranley Gardens; and
- 191 Park Road.

RESPONSES

Prior Approval is required following an objection from an adjoining neighbour. Matters raised being:

- Loss of neighbouring amenity;
- Scale of development not in keeping with the terrace and is no subordinate to the existing building.

RELEVANT PLANNING LEGISLATION

Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) 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) 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) the maximum depth of the enlarged part of the dwelling house; (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;	 6m 3m 2.7m	 Yes Yes Yes
(b) a plan indicating the site and showing the proposed development	Provided.	Yes
(c) the addresses of any adjoining premises;	Provided	Yes
(d) the developer's contact address; and (e) the developer's email address if the developer is content to receive communications electronically.	Provided Provided	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 an objection has been raised. It is considered that the height and depth of the proposed extension would have a material and detrimental impact on the outlook and daylight to adjoining neighbours. The extension would be deep and bulky and would not comply with the 45 degree BRE guidelines with the adjoining neighbour to the nearest habitable room, thus inferring that the development would be dominant, harm outlook and potentially harm the daylight/sunlight to either neighbour. As such the prior approval of the Local Planning Authority is required and the application should be refused.

Conclusions

The determination of this applications for prior approval is carried out under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015. As there have been objections from adjoining neighbours, prior approval of the Local Planning Authority is required and refused.

CIL APPLICBLE

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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