DELEGATED REPORT

FILE REFERENCE: HNT/2016/0021

MAIN ISSUES:

Neighbour amenity at No. 22 and at No. 18 Folly Lane

PUBLICITY/REPRESENTATIONS:

Cheddleton Parish Council – no objections
Neighbour Notices – objection from the occupier of 22 Folly lane

CASE OFFICER ASSESSMENT:

The procedure for the determination of a Householder Notification under GPDO (2016) Part 1 when a neighbour objection is received is given in Condition A.4 paragraph (7), "the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises".

There have been two previous applications at 20 Folly Lane reference SMD/2015/0494 refused and SMD/2016/0030 approved following receipt of amended plans. This latter application was first submitted with a rear single storey extension as now proposed in this HNT application. The applicants were advised that the proposal breached the Council's adopted Space About Dwellings guidelines and would be refused unless amended. An amended plan was submitted which reduced the rear extension to the size allowed by Permitted Development and along with other amendments was approved.

There being an objection from the occupier of 22 Folly Lane this HNT proposal is now assessed in terms of its impacts for neighbour amenity. In relation to the neighbour's ground floor rear principal window the proposed extension would project some 4.0m beyond the 45 degree horizontal plane angle measured from the mid point. This indicates a clear and substantial intrusion over and above adopted guidelines. As such the proposal is recommended for refusal as contrary to policy DC 1 and the Councils Adopted Space About Dwellings guidance. Specific to the properties in question it is noted that both of the pair of semis have a small flat-roofed kitchen extension (possibly original) of c. 2.9m projection at opposite corners. The now proposed HNT extension would lead to the principal window of No.22 being closeted between the proposal and the kitchen projection creating a tunnel aspect to the outlook and further underlining the harm to amenity which would be caused.

In accordance with the GDPO procedure consideration is also given to the implications for any other neighbours. For No.18 the proposed extension would not breach any 45 degree line. Consideration has been given to the proposed side window and its relationship to a side window at No. 18 but they are not directly facing and there is arguably less impact from this than from an existing facing window relationship in the side kitchen windows of both properties.

It is noted that the application property benefits from a lengthy rear garden with a boundary some 40m beyond the limit of the proposed 6m extension ensuring no adverse relationship for neighbours to the rear.

RECOMMENDATION:

Refuse

Date 14/06/2016 **Signed** _____

Arne Swithenbank

DEVELOPMENT CONTROL MANAGER COMMENTS:

Date **Signed** _____