DELEGATED DECISION REPORT

HNT/2020/0009 **Valid 24/06/2020**	**MARYVILLE THE GREEN** **CAVERSWALL**	**PRIOR APPROVAL FOR A SINGLE STOREY REAR EXTENSION MEASURING 6M FROM THE REAR WALL OF THE ORIGONAL DWELLING, 4M MAXIMUM HEIGHT AND 2.4M TO HEIGHT OF EAVES** **(HOUSEHOLDER NOTIFICATION APPLICATION)**

MAIN ISSUES

- Compliance with the GDPO (2015)
- Impact upon neighbouring amenity

DESCRIPTION OF SITE

The proposed site is comprised of a detached stone and plain clay tile dwelling and its associated curtilage, located in the Ipstones Ward. Two neighbouring properties are located adjacent to the proposed site, Woodstock, The Green sitting to the South-west and Charlhill, The Green to the South-east. A pocket of open greenbelt land is located to the North-west of the proposed site, under the address Land off Caverswall Road. The highway of The Green runs along the South-east of the proposed site.

PROPOSAL

The proposed development is a single storey rear extension. Despite the dimensions set out in the form, the submitted plans indicate that the extension will have a maximum height of 4.15 metres and maximum eaves height of 2.7 metres measured externally from natural ground level. It will have a depth of 6 metres. Materials used in the construction of the proposed extension would match those used in the construction of the existing dwellinghouse.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

GDPO (2015) Schedule 2 Part 1 Class A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 05/08/2020
Neighbour consultation period ends: 21/07/2020
Press Advert: N/A

Public Comments

Neighbours have been notified in accordance with the procedure outlined within the GDPO.

Representations have been received from the occupants of a neighbouring property (known as Woodstock) raising the following issues:

- Height of proposed extension exceeds 4m in height and eaves exceed 2.4m
- Impact upon neighbouring amenity
- Size of proposed extension when compared with original dwelling

Town / Parish Comments

N/A

OFFICER COMMENTS

In conformity with the rules stated within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the proposed rear extension to the dwellinghouse must satisfy the criteria in schedule 2, Part 1, Class A of the GDPO sets out criteria to enable the classification of whether a householder development is permitted.

Schedule 2, Part 1, Class A.1 (a) states that development is not permitted if the use of a dwellinghouse as a dwellinghouse changes. The rear extension will be solely used as part of the living space of the residents to fully maintain its status as a dwelling, thus making it permitted development under this criterion.

In accordance with Class A.1 (b) of the GDPO, the ground coverage of the building combined with the addition of the rear extension would not exceed 50% of the total curtilage of the dwellinghouse.

Class A.1 (c) and (d) confirm that the height of the roof and eaves of the extension cannot exceed beyond the height of the existing dwellinghouse; otherwise the

development is not permitted. As the rear extension is only single storey, the height of the roof or the eaves would not exceed the roof of the existing dwellinghouse.

As the extension would not be constructed on the principal elevation of the dwelling, nor would it front the highway and form a side elevation, this would classify as permitted development in compliance with Class A.1 (e.i) and (e.ii).

Under Class A.1 (g), the proposed extension exceeds the permissible height of the ridge and eaves. With a maximum height of 4.15 metres and a depth of 6 metres measured externally, the proposed extension exceeds that which is considered Permitted Development.

The enlarged part of the dwellinghouse does not have more than a single storey and therefore, Class A.1 (h) does not stand applicable to the proposed development.

The eaves of the proposed extension would be a height of 2.7 metres measured externally from natural ground level. The proposed extension would be positioned within 2 metres from the curtilage boundary of the dwelling. Thus, the development would comply with Class A.1 (i) and would be permitted under this criterion.

Class A.1 (j) states that the enlarged part of the dwellinghouse can not exceed beyond a wall forming a side elevation of the original dwellinghouse unless it abides by certain criteria. The proposed extension will only project from the rear elevation of the original dwelling, therefore this rule is not applicable.

With regard to Class A.1 (ja), any total enlargement including the addition of further enlargements to existing enlargements, cannot exceed the 8 metre limit set out in Class A.1 (g). The total measurement of the proposed extension would not exceed 8 metres, therefore meaning that it is permitted development. There have been no other extensions made to this dwellinghouse.

The proposed extension would not include the addition of any new ornamentation features such as a verandah, microwave antenna, a chimney or flue or the alteration to the existing roof of the dwelling. Therefore, Class A.1 (k) is not applicable.

The proposed site does not fall within article 2(3) land, therefore Class A.2 does not apply.

In order to accommodate to the conditions raised in Class A.3 of the GDPO, the proposed development would be constructed from materials which would harmonise with the existing colours, textures and materials of the dwellinghouse. In accordance with Class A.3 (a), all proposed materials are set to match those used in the construction of the existing dwelling.

PD rights in relation to the proposed site remain in tact.

Assessment of neighbouring amenity

In accordance with Condition A.4 (7) where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impacts of the proposed development on the amenity of any adjoining premises.

The local planning authority has been notified of an objection from the neighbouring occupier at Woodstock. They have raised material planning considerations including the impact of the proposed development upon their residential amenity.

It is considered that the proposed development would have an impact upon the property at Charlhil. This is because the proposed extension would breach the 45 degree angle with the rear windows of Charlhil. As a result, there would be a loss of light to a habitable room at the neighbouring property. Moreover the depth of the extension would have an overbearing impact on the neighbour and would result in a poor outlook for the neighbour. This is not considered to be acceptable in terms of amenity standards, and would adversely affect the amenities which the neighbour currently enjoys. Accordingly the development fails to comply with the Council's Local Plan policy DC1 and paragraph 127 (f) of the NPPF.

CONCLUSION / PLANNING BALANCE

This notification does not fall within the framework set out within Schedule 2, Part 1, Class A (g) of the Town and Country Planning (General Permitted Development) (England) Order 2015. This is due to the height of the proposed ridge.

The local planning authority have received representations from neighbours which have raised objections in relation to amenity. As such, an assessment of issues relating to amenity has been undertaken. This has concluded that the proposed development would breach the 45 degree angle with the neighbour's rear windows which would result in a loss of light. This conflicts with Policy DC1 of the Local Plan and paragraph 127(f) of the NPPF, which relate to design and amenity.

As a result of the above, it is recommended that prior approval is required and having made an assessment it is refused.

OFFICER RECOMMENDATION: **Prior approval is required and should not be granted**

Case Officer: Hannah Hollins
Recommendation Date: 05/08/2020

X 

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council