

DELEGATED DECISION REPORT

HNT/2021/0001
Valid 23/02/2021

44A MARPLE ROAD
CHARLESWORTH

PROPOSED SINGLE STOREY
REAR EXTENSION
MEASURING 6M BEYOND THE
REAR WALL OF THE
ORIGINAL DWELLING, 3M
MAXIMUM HEIGHT AND 2.7M
TO HEIGHT OF EAVES

(HOUSEHOLDER
NOTIFICATION APPLICATION)

MAIN ISSUES

- Compliance with the GPDO (2015)

DESCRIPTION OF SITE

The application site is a detached bungalow located on Marple Road in Charlesworth. The house is set over sloping land, with detached houses located on both sides of the property. Permission was granted in 2020 for a rear extension, which has not been implemented, the dwelling does not appear to have been extended before, and permitted development rights appear to be intact at the property.

PROPOSAL

The application seeks confirmation as to whether the prior approval of the Local Planning Authority is required with regards to development under Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended).

The application relates to a single-story rear extension. The application specifies that the extension would project 6m rearwards, with an eaves height of 2.7m and maximum height of 3m.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

GPDO (2015) Schedule 2 Part 1 Class A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2020/0335 - Proposed extension to the rear with internal alterations. Approved, 11/12/2020

CONSULTATIONS

Publicity

Site Notice expiry date: 16/03/2021

Neighbour consultation period ends: 16/03/2021

Public Comments

Neighbours have been notified in accordance with the procedure outlined within the GPDO. The follow representation was received.

Tomwood Rise, Glossop: *The original planning permission was given on the basis of certain considerations that now seem to be contradicted in the current revision and there also seems to be certain items which require clarification:*

1. Measurements - the original decision stated that the extension would project a maximum of 6.09m from the rear elevation of the property (excluding the existing rear patio) - please can you confirm that the revised permission is subject to the same measurement restrictions?

2. The development is to 'achieve a satisfactory relationship to the adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect...' the volume and total height of the extension with this new revision has significantly increased and will have more of an 'overbearing effect'

3. A reason for the granting of the original permission was 'the proposed development is of an appropriate scale and design which will assimilate with the host property. The extension includes projecting gables and a large amount of glazing to the rear elevation which will add some visual interest to the building.... [it] will achieve a subordinate relationship to the existing building' - the revision now takes away any 'appropriate scale' 'assimilation' 'visual interest' and 'subordinate relationship'.

4. Another reason for the support of the original application was the materials used being - a stone and concrete tiled roof being 'sympathetic to the original building' - all such materials will now not be present and there will be no sympathetic design between the existing building and the new revised extension.

These comments are in no way personal to the applicants but given purely as a means of protecting the outlook from our property and ensuring the sympathetic nature and design of the new extension.

Town / Parish Comments

N/A

OFFICER COMMENTS

The proposed single storey rear extension to the dwellinghouse fully adheres to the criteria set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class A, as follows.

Schedule 2, Part 1, Class A.1 (a) states that development is not permitted if the use of the building as dwellinghouse has been granted only by virtue of permitted development changes of use. This is not the case.

In accordance with Class A.1 (b), 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) affirm that the maximum height of the roof and eaves of the extension cannot exceed beyond the maximum height and eaves height of the existing dwellinghouse; otherwise the development is not permitted. Neither the height of the roof or the eaves would exceed the roof or eaves of the existing dwellinghouse. Owing to the slope of the site, the eaves and roof height would vary between 2.5m and 2.8m above natural ground level, fully within the height limit of 3m.

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, it would comply with points (e.i) and (e.ii).

Under Class A.1 (g), the dimensions of the proposed development are within the prescribed limits, with a maximum height 3 metres and a depth of 6 metres, below the 8m limit for detached houses.

The enlarged part of the dwellinghouse does not have more than a single storey, therefore Class A.1 (h) does not apply.

The proposed extension complies with PD as part of Class A.1 (i). Although the proposed extension would be positioned within 2 metres of the curtilage boundary of the dwelling (the boundary adjoining houses to the north), the height of the eaves would not exceed 3 metres, measuring 2.7m metres externally.

Class A.1 (j) states that the enlarged part of the dwellinghouse cannot exceed beyond a wall forming a side elevation of the original dwellinghouse unless it abides with certain regulations. The proposed extension will only project from the rear elevation of the original dwelling, therefore this rule is not applicable. There have been no other extensions made to the dwellinghouse.

With regard to Class A.1 (ja), no previous enlargements appear to have been made.

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

Class A.3 notes the following relevant conditions.

A.3 (a) notes that the external materials to be used for such an extension must be of a similar appearance to those used in construction of the exterior of the existing dwellinghouse. The drawings submitted with the application indicate the use of stone to match the existing walls. Notes on the drawings refer to *brick* and slate to match existing. As A3 (a) only requires facing materials to be of a similar appearance and it is considered likely that a brick of a similar appearance (e.g. light buff brick) could be utilised, it is considered that either brick 'to match' or stone to match would satisfy the requirement of A.3 (a).

A.3 (b) and (c) relate to development at two-storey height and do not apply.

A.4 requires applicants to seek the prior approval of the Local Planning Authority with regards to development which is greater than that permitted by A.1 (f) but permissible under A.1 (g).

A.4 (7) notes that:

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 impact of the proposed development on the amenity of any adjoining premises.

An objection has been received from a neighbouring property and it is therefore necessary to consider the impact of the proposed extension on the amenity of the adjoining premises.

The site adjoins three dwellings along its north boundary: 40 and 44 Marple Road, and 4 and 5 Tomwood Rise. At the south boundary is a single dwelling, 44b Marple Road.

Owing to the relative layout of the properties and the proposed extension, The proposed arrangement will only have any material impact on the amenity of no 5 Tomwood Rise at the north and 44b Marple Road.

Owing to the projection and the modest height of the extension and the separation distances involved, it is not considered that any harm to amenity would result to the occupants of 44b Marple Road, including in terms of overbearing effect, visual intrusion, loss of light and overshadowing.

The rear elevation of no. 5 Tomwood Rise faces onto the rear garden of the application site, but not directly. The house at the application site is set back from no. 5 and at a lower elevation, as would be the extension. Owing to these factors and the relatively modest dimensions of the proposal, it is not considered that it would result in any harm to amenity including by reason of overbearing effect, visual

intrusion, loss of light and overshadowing, overlooking or loss of privacy, to the rooms served by windows on the rear elevation. A small window in the side elevation of no. 5 would face more directly onto the proposed extension, but would be set sufficiently far away from the extension such that no harm in terms of loss of light or overbearing effect would result. No. 5 also has a detached garage placed close to the boundary, which includes a rear window through which parts of the extension might be visible, but this is not considered to amount to any harm to amenity.

The extension would be visible from the rear and side outdoor amenity spaces of no. 5, but owing to the difference in levels and separation distance, and the limited height and projection of the extension, it is not considered that the proposed arrangement would result in harmful visual intrusion, overbearing effect or overshadowing of these outdoor spaces.

The comments from the neighbouring property regarding greater overbearing effect (compared to the previous approval) are noted. However it is considered that the current proposal would not give rise to any overbearing impact. Aside from this matter (and the use of materials to match, detailed above) the comments from the neighbouring property do not relate to any matters which can be taken into account through the prior approval assessment which relates purely to neighbour amenity.

CONCLUSION / PLANNING BALANCE

The development complies with all of the relevant limitations and conditions set out in Schedule 2, Part 1, Class A, of the General Permitted Development Order 2015, parts A1 to A3. The proposal is for a larger extension as allowed under paragraph (g), and as a neighbouring occupant has objected to the proposal, the impact of the extension upon the amenity of adjoining premises has been considered and found to be acceptable. It is therefore recommended that the prior approval of the Local Planning Authority is required and can be granted.

OFFICER RECOMMENDATION : Approve

Case Officer: Tom Hiles

Recommendation Date: 29/03/2021

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council