

DELEGATED DECISION REPORT

HNT/2023/0008
Valid 14/08/2023

35 FAIRY BANK CRESCENT
HAYFIELD

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR A PROPOSED
SINGLE STOREY REAR
EXTENSION MEASURING 3.4M
BEYOND THE REAR WALL OF
THE EXISTING DWELLING,
3.74M MAXIMUM HEIGHT AND
2.5M TO HEIGHT OF EAVES

(HOUSEHOLDER
NOTIFICATION APPLICATION)

MAIN ISSUES

- Compliance with the GPDO (2015)

DESCRIPTION OF SITE

35 Fairy Bank Crescent is a semi-detached property of pebble dash render and concrete roof tiles. The proposed site is located within the Hayfield built up area boundary. As such development of a moderate scale is allowed in principle. The site has a driveway and garden area to the front. To the sides and rear the property is enclosed by neighbouring dwelling house of a similar nature. Adjoining the host dwelling to the east is no. 37 Fairy Bank Crescent. To the west is located no. 33. To the rear of the property is a garden area, behind which is no. 49 Fairy Bank Crescent.

The property has a preexisting rear extension of 3.3m by 3.4m.

PROPOSAL

The proposal is for a single storey rear extension to attach to the pre-existing extension. The extension will have a maximum height of 3.74M and a maximum eaves height of 2.5M. it will have a depth of 3.4M and a width of 3.3M, making an overall width of 6.9M combined with the preexisting extension. Materials used will match that of the host dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

GPDO (2015) Schedule 2 Part 1 Class A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: N/A

Neighbour consultation period ends: 06/09/2023

Press Advert: N/A

Public Comments

None

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), it is necessary to assess whether the proposed rear extension to the dwellinghouse adheres to the criteria stated by Schedule 2, Part 1, Class A of the GPDO, to determine whether the 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 compliant under this criterion.

In accordance with Class A.1 (b) of the GPDO, 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 proposed extension cannot exceed beyond the maximum roof height and eaves height of the existing dwellinghouse; otherwise the development is not permitted. The maximum height of the roof of the single storey extension, would not exceed that of the host dwelling. Nor would the height of the proposed eaves exceed that of the existing eaves height.

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 of the existing dwellinghouse, this would be in compliance with Class A.1 (e.i) and (e.ii).

This is an application under the larger extension procedure of the GPDO, therefore

Class A.1 (f) does not apply. Under Class A.1 (g), the dimensions of the proposed development are within those permissible. With a maximum height of 3.74 metres and a depth of 3.4 metres measured externally, the extension would be within the 4 metre height limit and fit within the 8 metre projection limit on detached dwellinghouses.

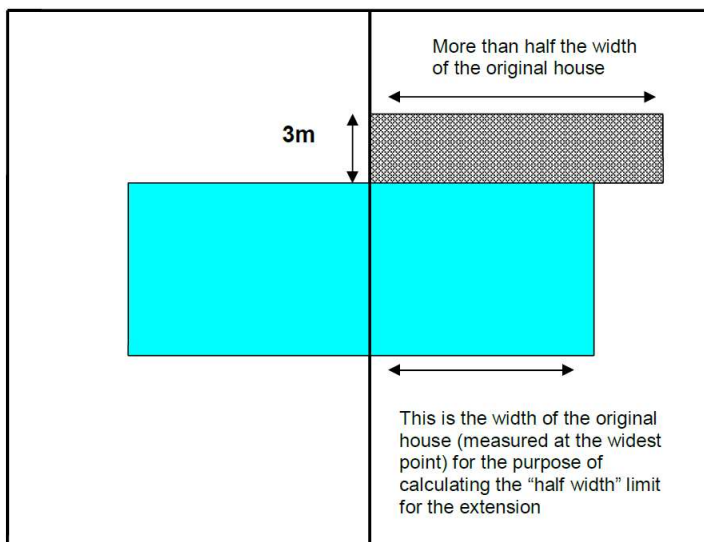
The enlarged part of the dwellinghouse does not have more than a single storey and therefore, Class A.1 (h) does not stand applicable to the proposed development.

With respect to Class A.1 (i), if the proposed extension would be positioned within 2 metres from the curtilage boundary of the dwelling, the eaves height cannot exceed 3 metres. The extension would be positioned within 2m of the common boundary. The eaves height of the proposed extension would be 2.3 metres, which would comply with criteria (i).

With regard to Class A.1 (ja), any total enlargement including the addition of further enlargements to existing enlargements, cannot exceed any of the limits set out in Class A.1 (e-j).

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 by certain criteria. The proposed extension will attach to a pre-existing rear extension which protrudes beyond the side wall of the original dwellinghouse. Therefore as the proposed extension extends beyond an original side elevation of the dwellinghouse and would have a width greater than half the width of the original dwellinghouse, Class A.1 (j.iii) would be breached.

Where a rear extension wraps around or passes a side elevation, the total width across its rear elevation must not exceed half the width of the original dwelling. This is illustrated in the diagram below from the technical guidance and reflects the situation here in that the extension exceeds half the width of the original dwelling. On this basis the proposal is clearly not permitted development.



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 host dwelling was not constructed under Part 20 of Schedule 2 of the GPDO (2015), and so Class A.1 (l) does not apply.

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

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 be of a similar appearance to those used in the construction of the existing dwelling, including pebble dash render, concrete tiles and UPVC.

Permitted development rights in relation to the proposed site remain intact.

CONCLUSION / PLANNING BALANCE

The proposed rear extension adjoining an existing side/rear extension. As this previous extension passes the side elevation the proposed addition breaches A.1 (j.iii). As such the proposal is not considered permitted development.

OFFICER RECOMMENDATION : Refusal

Case Officer: Rachel Robinson

Recommendation Date: 20th September 2023

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council