

DELEGATED DECISION REPORT

HNT/2024/0002
Valid 25/04/2024

33 ETHEROW WAY
HADFIELD
GLOSSOP

APPLICATION TO DETERMINE
IF PRIOR APPROVAL IS
REQUIRED FOR
CREATION OF A 3.7M REAR
EXTENSION WITH THE
INSTALLATION OF X4
ROOFLIGHTS - EXTENDING
3.7M BEYOND REAR WALL
OF THE ORIGINAL DWELLING,
MAXIMUM HEIGHT 3.99M AND
MAXIMUM HEIGHT IN EVES
3M FROM NATURAL GROUND
LEVEL.

(HOUSEHOLDER
NOTIFICATION APPLICATION)

MAIN ISSUES

- Whether the proposed extension complies with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended
- Whether Prior Approval is required with regards to potential impacts on residential amenity and if so, whether the proposed development is acceptable in this regard having regard to the procedure under Paragraph A.4,

DESCRIPTION OF SITE

The application relates to No.33 Etherow Way, Hadfield, Glossop, a two storey terraced property that lies within the built-up area boundary, not constrained by any sensitive statutory designation, which has not had permitted development rights removed by any previous planning decision or Article 4 Direction.

PROPOSAL

This Prior Notification application has been submitted under the provisions of Schedule 2, Part 1, Class A, Paragraph A.1(g) of the General Permitted Development Order (GPDO) and proposed a single storey rear extension.

OFFICER COMMENTS

1. **Whether the proposed extension complies with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended**

A. The enlargement, improvement or other alteration of a dwellinghouse

A.1 Development is not permitted by Class A if –

- (a) **permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);**

The property has not been the subject of any previous change of use. The application is compliant with Paragraph A.1(a).

- (b) **as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);**

The Proposed Plans that accompany this application shows that the domestic curtilage extends forward of the principal elevation to the public highway, and beyond the rear elevation in the form of a lengthy rear garden. The Proposed extension takes up a small fraction of this curtilage, which equates to significantly below 50%, and as such the application is compliant with Paragraph A.1(b).

- (c) **the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;**

The proposed extension is single storey and sits below the highest part of the roof of the existing dwellinghouse. The application is compliant with Paragraph A.1(c).

- (d) **the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;**

The proposed extension is single storey and sits below the eaves of the existing dwellinghouse. The application is compliant with Paragraph A.1(d).

- (e) **the enlarged part of the dwellinghouse would extend beyond a wall which—**

- (i) **forms the principal elevation of the original dwellinghouse; or**
- (ii) **fronts a highway and forms a side elevation of the original dwellinghouse;**

The proposed extension sits to the rear of the dwellinghouse. Paragraph A.1(e) is not applicable in this case.

- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—**
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height;**

This Prior Notification application is made in relation to Paragraph A.1(g) below and as such Paragraph A.1(f) is not applicable.

- (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—**
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or**
 - (ii) exceed 4 metres in height;**

The application site is not situated on any land defined by Article 2(3) or a Site of Special Scientific Interest (SSSI). The proposed extension is single storey, situated to the rear of the dwellinghouse and extends outwards by 3.39m reaching an overall ridge height of 3.99m.

As such, subject to compliance with Conditions under Paragraph A.4, the application is compliant with Paragraph A.1(g).

- (h) the enlarged part of the dwellinghouse would have more than a single storey and—**
 - (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or**
 - (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of the dwellinghouse;**

The proposed extension is single storey. Paragraph A.1(h) is therefore not relevant to this application.

- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;**

The proposed extension is located within 2m of the curtilage boundary, but has an eaves height that does not exceed 3m. As such, the application is compliant with Paragraph A.1(i).

- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—**
 - (i) exceed 4 metres in height,**
 - (ii) have more than a single storey, or**
 - (iii) have a width greater than half the width of the original dwellinghouse; or**

The proposed extension sits to the rear of the dwellinghouse. Paragraph A.1(j) is not applicable in this case.

- (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e)-(j);**

The proposed extension is not adjoined to any existing or proposed extension that does not form part of the original dwellinghouse. The application is therefore compliant with Paragraph A.1(ja).

- (k) it would consist of or include—**
 - (i) the construction or provision of a verandah, balcony or raised platform,**
 - (ii) the installation, alteration or replacement of a microwave antenna,**
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or**
 - (iv) an alteration to any part of the roof of the dwellinghouse**

The application is shown to not include any of the above aspects of development and as such is compliant with Paragraph A.1(k).

- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)**

Not relevant.

2. Whether Prior Approval is required with regards to potential impacts on residential amenity and if so, whether the proposed development is acceptable in this regard having regard to the procedure under Paragraph A.4.

The above assessment confirms that the proposed single storey extension is compliant with Schedule 2, Part 1, Class A of the GPDO and as such comprises permitted development subject to accordance with all relevant conditions set out under Paragraph A.3, which amounts to materials being consistent with are demonstrated on the Proposed Elevation Plans.

As this Prior Notification has been submitted under Schedule 2, Part 1, Class A, Paragraph A.1(g) for a Larger Homes Extension, the LPA are required to assess the application having regard to the Prior Approval matter of residential amenity, and potential impacts of the proposed extension on neighbouring properties.

In line with the procedure set out under Paragraph A.4, Prior Approval is triggered only where representations have been made by an adjoining neighbour. Having written to neighbours and allowed a consultation period of 21 days, no comments have been made in connection with this application.

As such, the LPA do not have the remit to assess the potential impact on neighbouring residential amenity, and the proposed extension is permitted.

CONCLUSION / PLANNING BALANCE

Further to the assessment contained within this report, it is concluded that Prior Approval is not required.

OFFICER RECOMMENDATION :

Case Officer: James Stannard

Recommendation Date: 29th May 2024

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council