

Planning Committee Report	
Planning Ref:	PA/2021/2400
Site:	85 Cecily Road
Ward:	Cheylesmore
Proposal:	Application under Prior Approval for rear extension. The extension will be 4.00 metres away from the original rear wall of the building with a height of 3.60 metres at the highest point and 2.40 metres to the eaves.
Case Officer:	Rhiannon Campbell

SUMMARY

This Prior Approval application proposes the removal of an existing shed and erection of a single storey extension. The proposal seeks to extend 4.0 metres in depth, spanning the full width of the original dwelling. The proposal is considered to be unacceptable as it would have a detrimental impact upon neighbouring amenity.

BACKGROUND

The property is a semi-detached, brick-built, two-storey dwellinghouse. The application site is located on the northern side of Cecily Road. The application site benefits from on-site parking to the side of the property which leads to a detached garage towards the rear.

KEY FACTS

Reason for report to committee:	An Officer from Planning and Regulatory Services has an interest in this application.
Current use of site:	The site is an existing dwelling with a rear detached shed.
Proposed use of site:	Existing dwelling with a single storey rear extension.

RECOMMENDATION

Planning committee are recommended to refuse to grant prior approval for the reasons set out within the report.

REASON FOR DECISION

- The proposal is not acceptable in principle.
- The proposal will adversely impact upon the amenity of neighbours.

APPLICATION PROPOSAL

The application is for the removal of an existing shed and erection of a single storey extension. The proposal seeks to extend 4.0 metres in depth, span the full width of the original dwelling, with an eave's height of 2.4 metres and total height of 3.6 metres when measured at the highest point. The extension will have a mono-pitched roof, with 1no. bi-fold doors and 2no. roof lights in the rear elevation. The proposal also includes 2no. windows in the ground floor of the side elevation.

SITE DESCRIPTION

The property is a semi-detached, brick-built, two-storey dwellinghouse, which adjoins the neighbouring semi to the west. The application site is located on the northern side of Cecily Road. The application site benefits from on-site parking to the side of the property along the eastern boundary, which leads to a detached garage towards the rear. The application site is located in a residential area which benefits from Permitted Development Rights.

PLANNING HISTORY

None.

POLICY

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO)

This sets out the Government's Permitted Development Rights for England and sets out what development can be carried out without the need for planning permission or through the planning approval process. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The GPDO allows development without influences on design.

Supplementary Planning Guidance/ Documents (SPG/ SPD):

Household Design Guidance

STATUTORY CONSULTATION RESPONSES

None.

PUBLIC RESPONSES

Notification letters were sent out to neighbouring houses on the 11th June 2021.

1 letter of objection was received raising the following material planning considerations:

- a) Block sunlight
- b) Tunnelling effect

Any further comments received will be reported within late representations.

APPRAISAL

This is not a planning application but an application for prior approval under Schedule 2, Part 1, Section A1(g) of the GPDO. This allows for extensions projecting up to 6m beyond the rear wall of a semi-detached dwelling provided that an application for prior approval is made to the local planning authority.

As per Section A.4 (7), of Schedule 2, Class A of the GPDO '*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.*'. This further goes on to state under paragraph (9)(b) '*consider the amenity of all adjoining premises, not just adjoining premises which are the subject of representations.*'

Impact on Neighbours

In assessing the impact of the development on the amenity of adjoining premises, consideration is given to the guidance set out within the householder design guide. This recommends that single storey rear extensions project no more than 3.3m along the boundary beyond the rear of the neighbour or impinge a 45-degree line from the neighbour's window (whichever allows the greatest depth). In this instance the 45-degree line from the attached neighbour's rear window would be breached and the projection of the extension would be in excess of 3.3m. As a result, it is considered that the extension will negatively impact the neighbouring property as a result of the loss of outlook and increased visual intrusion.

As this proposal is a Prior Approval Application, design, parking and all other aspects that are not covered under the GPDO have not been considered within the assessment.

Equality implications:

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

CONCLUSION

In view of an objection by a neighbour, in line with the provisions of the GPDO 2015 (as amended) the application has been assessed and considered to have a detrimental impact upon neighbouring amenity. The application for prior approval is therefore recommended for refusal.