

Prior Approval Application- Larger Home Extension

OFFICER'S REPORT AND RECOMMENDATION

CASE OFFICER: Oliver Rawnsley

CASE REFERENCE: DC/26/01028

The Openness of Local Government Bodies Regulations 2014

The national regulations on openness and transparency in local government require certain decisions to be recorded where they are taken by officers acting under powers delegated to them by a council. The written record should include the following: The decision taken and the date the decision was taken; the reason/s for the decision; any alternative options considered and rejected; and any other background documents. When read as a whole, this report and recommendation, alongside the accompanying decision notice, constitute the written record for the purposes of the regulations.

PROPOSAL: Application to Determine if Prior Approval is Required for a Proposed Larger Home Extension. Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Class A - proposed single storey rear extension to provide a small entrance boot room with shower room also to house the boiler and utility area

LOCATION: Green Farm Bungalow, Kenton Road, Monk Soham, Woodbridge, Suffolk, IP13 7EZ,

PARISH: Monk Soham.

WARD: Hoxne & Worlingworth.

APPLICANT: Mr Chris Steele

SITE NOTICE DATE: N/A

PRESS DATE: N/A

PLANS, DOCUMENTS AND SUPPORTING INFORMATION

The application, plans and documents submitted by the applicant can be viewed online at:
<https://www.midsuffolk.gov.uk/w/application-search-and-comment>

SUMMARY OF CONSULTATIONS

None.

SUMMARY OF REPRESENTATIONS

No representations were received.

PLANNING HISTORY

REF: 1573/17

Need to establish if there is an Agricultural
Occupancy Restriction on the property

DECISION: ECP
21.04.2017

There is no relevant planning history for this site in relation to the current application.

ASSESSMENT

Proposal

The proposed development is to erect a single storey rear extension to provide a small entrance boot room with shower room also to house the boiler and utility area.

Site and Surroundings

Green Farm Bungalow is a detached bungalow in Monk Soham. It is situated outside the settlement boundary, within Flood Zone 1 and is not at risk of surface water flooding. Permitted Development rights for the property remain intact.

Legislative Background and Planning Guidance

Development consisting of a larger householder extension is permitted development under the Town and Country Planning (General Permitted Development) (Amended) (England) Order 2015, Schedule 2, Part 1, Class A, criterion g) subject to a prior notification process.

The Local Planning Authority has no control over the principle of the development and the focus for the decision remains with the Order. As such, this report will consider those matters specified by the Order:

Limitations of Class A

Development is not permitted under Class A if any of the following apply:

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

The dwellinghouse was not granted under any of the above aforementioned classes. The proposal therefore complies with this criterion.

(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 proposal does not result in the ground area covered by buildings being over 50%. The proposal therefore complies with this criterion.

(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 highest part of the enlargement will not exceed the highest part of the roof. The proposal therefore complies with this criterion.

(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 height of the eaves of the extension does not exceed the height of the eaves of the dwellinghouse. The proposal therefore complies with this criterion.

- (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 extension is to the rear of the dwelling and therefore does not front a highway. The proposal therefore complies with this criterion.

- (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 development is not on article 2(3) land, does not extend beyond the rear wall of the original dwellinghouse by more than 8m and does not exceed 4m in height. The proposal therefore complies with this criterion.

- (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 that dwellinghouse;

The proposal is for a single storey extension and therefore this criterion is not applicable.

- (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 enlarged part of the dwellinghouse will not be within 2m of the boundary of the curtilage of the dwellinghouse. The proposal therefore complies with this criterion.

- (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 enlarged part of the dwellinghouse would extend beyond a wall forming the rear elevation.

- (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) to (j);

The proposed extension does not exceed these set out limits. The proposal therefore complies with this criterion.

(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 proposal does not include the provision of any of these elements. The proposal therefore complies with this criterion.

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

The dwellinghouse was not built under Part 20, the proposal therefore complies with this criterion.

Conditions

a) The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The materials that would be used in the rear extension would be similar in appearance to those used on the rest of the existing dwelling.

Where any owner or occupier of any adjoining premises to the site 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 and all adjoining premises.

Following notification of the proposal to neighbours, no representations of objection were received.

Other Matters

Under Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and section 40 of the Natural Environment and Rural Communities Act 2006, the Council has a statutory duty to have regard to protected and priority species, habitats and designated sites in all decisions taken.

There is not considered to be any harm caused to protected species as a result of this development. Therefore, an ecology report was not required and the proposal is considered acceptable in this regard.

PLANNING BALANCE AND CONCLUSION

The proposed extension would accord with the provisions of Schedule 2, Part 3, Class A. The application is therefore granted.

RECOMMENDED DECISION: <i>Formal Approval NOT Reqd</i>
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I have considered Human Rights Act 1998 issues raised in relation to this proposal including matters under Article 8 and the First Protocol. I consider that a proper decision in this case may interfere with human rights under Article 8 and/or the First Protocol. I have taken account of exceptions to Article 8 regarding National Security, Public Safety, Economic and wellbeing of the Country, preventing Crime and Disorder, protection of Health and Morals, protecting the Rights and Freedoms of others. I confirm that the decision taken is necessary, not discriminatory and proportionate in all the circumstances of the case.