CASE OFFICER'S REPORT

Application Reference:	PL/2023/11018
Application Type:	Prior approval Part 1 Class A.1(ea): Larger home extension
Site Inspection:	
Consultation ends:	17 January 2024
Case officer:	Kate Bates

Site Address:	20 HIGHRIDGE CLOSE, PURTON, SWINDON, SN5 4BS
Proposal:	Single storey extension, pitched roof (existing extension and proposed extension to project 7.30 metres in total from rear wall of original dwellinghouse, maximum height of proposed extension is 3.50 metres, eaves height of proposed extension is 2.40 metres).
Recommendation:	Prior Approval Refused

Proposal:

The proposal is for a single storey rear extension which will project a further 3 metres from the existing rear extension. The existing extension currently projects 4.3m from the rear wall of the original dwelling. The total enlargement will therefore project 7.3m from the rear wall of the original dwellinghouse. The height of the eaves of the extension currently being proposed is 2.4 metres with a maximum height of 3.5 metres.

The notification is submitted under Class A, A.4 (larger home extension scheme), of Part 1, Schedule 2, of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended.

Site Description:

The host dwelling is an established detached property in Purton. Currently there is a veranda and balcony above (for which there appears to be no record of planning permission). The veranda/balcony will be removed to allow for the additional extension proposed. The property is not sited within a Conservation Area, or an Area of Outstanding Natural Beauty, nor is it Listed or under an Article 4 Direction. There does not appear to be any restrictions to the property's permitted development rights for extensions or external alterations.

Planning History:

N/93/00833/FUL - Extension to dwelling and detached garage - permission granted 5/7/1993.
N/99/00331/FUL - Extension to dwelling and double garage - permission granted 2/7/1999.

It appears that the extension granted permission under reference number N/99/00331/FUL has been constructed. It contains more than one storey and has a higher eaves and ridge height than the original dwellinghouse.

Consultee Responses:

4 adjoining properties have been consulted by means of a letter, as per paragraph A.4 (5). A copy of the letter was sent to the developer as per paragraph A.4 (6). No consultees responses have been received so it has not been necessary to consider the impact of the proposed development on the amenity of any adjoining neighbours. However, paragraph A.4 (3) requires assessment of the proposed development as to whether it complies with the conditions, limitations or restrictions applicable to the development permitted by Class A which exceeds the limits in paragraphs A.1(f) but is allowed by A.1(g) (relating to the notification of larger home extension scheme).

Assessment:

Class A The enlargement, improvement, or other alteration of a dwellinghouse:

A.1
a) The dwellinghouse was not granted permission for its use by the prior approval procedure.

b) The ground covered by buildings within the curtilage would not, as a result of the works, exceed 50% of the total area of the curtilage (excluding the area of the original dwellinghouse).

c) The height of the extension currently being proposed is less than the highest part of the existing dwelling, however the height of the previous extension to which it is attached exceeds the height of the existing dwelling (the dwelling as it was prior to the previous extension being added).

d) The height of the eaves on the enlargement currently being proposed does not exceed the height of the eaves of the existing dwellinghouse, however the height of the eaves of the previous extension to which it is attached exceeds the height of the existing dwelling (the dwelling as it was prior to the previous extension being added).

e) The proposal does not extend beyond a wall which (i) forms the principal elevation of the dwellinghouse or (ii) fronts a highway and forms a side elevation of the original dwellinghouse, as the proposal is sited on the rear elevation.

f) i) The current extension is approximately 3 metres in depth however as it is fixed to a previous extension the total projection is approximately 7.3 metres from the original rear wall of the dwelling which exceeds the 4 metres tolerance (please refer to A.1g).

ii) the extension currently being proposed does not exceed 4 metres in height however it is fixed to a previous extension with a height of approximately 5.3 metres.

g) The dwellinghouse is not on article 2(3) land nor on a site of special scientific interest and the enlarged part of the dwellinghouse (i) extends beyond the rear wall of the original dwellinghouse by no more than 8 metres (in the case of a detached dwellingouse)

(ii) The current extension itself does not exceed 4 metres in height however the previous extension to which it is attached is approximately 5.3 metres to ridge.

h) The current enlargement together with the previous enlargement does have more than a single storey and i) extends beyond the rear of the original dwellinghouse by more than 3 metres.
ii) It does not however come within 7 metres of a rear boundary

i) The previous and the current extension appear to be sited within 2 metres of the boundary, however from the drawings provided the eaves height does not appear to exceed 3 metres.

j) The enlarged part of the dwelling does not extend beyond a side wall.

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

Page 28 of the 'Permitted Development Rights for Householders - Technical Guidance' September 2019 MCHLG explains that where the proposed extension is to be joined to an existing extension to the original house, whether that was built following a planning application or under permitted development rights, the total enlargement (being the proposed extension together with the previous extension) must meet the limits set out in (e) to (j). On Page 23 the guidance provides the example of where a proposed extension of 3 metres in height is added to an existing extension which exceeds 4 metres in height, it would not be permitted development. Therefore, in this instance planning permission is required because although the height of the extension being proposed is a maximum of 3.5 metres, it is added to an existing extension which exceeds 4 metres in height (the previous extension is approximately 5.3 metres high), see point A.1 (g) (ii). Other reasons are also indicated above.

k) the proposal does not 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

l) the dwellinghouse was not built under Part 20 of this Schedule (construction of new dwellinghouses).

A.2

The proposal is not sited on article 2(3) land therefore the stipulations under A.2 a) to d) do not apply.

A.3 – 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 plans indicate that the facing bricks in the extension currently

proposed will match existing. No further information appears to be supplied and further clarification has not been sought as the proposal fails to comply with permitted development on a number of other points.

b) Upper floor windows located in a wall or roof slope forming a side elevation of the dwellinghouse must be- i) obscure glazed and ii) non opening unless the parts of the window which can be opened are more than 1.7m metres above the floor of the room in which the window is installed. There are windows in the upper floor side roofslopes of the previous extension but it is not clear whether these are obscure glazed or whether they are non-opening. Further information on this matter has not been sought given that the proposal fails to comply with permitted development on a number of other points.

c) Where the enlarged part of the dwellinghouse has more than an a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse. The roof pitch of the previous enlargement does appear similar however the roof pitch on this single storey proposed extension is shallower than on the original dwellinghouse.

A.4

The notification was submitted in accordance with paragraph A.4, Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. Notification to the Local Planning Authority is required because the proposed enlargement extends beyond the rear wall of the original dwellinghouse by more than 4 metres, but not more than 8 metres (for a detached property). The proposal is 7.3 metres. Consultation letters have been sent to the adjoining properties however no representations have been received therefore it has not been necessary to assess the impact of the proposed development on the amenity of the adjoining premises.

However, it is noted that under paragraph A.4(3) the local planning authority may refuse an application where, in the opinion of the authority-
a) The proposed development does not comply with, or

b) The developer has provided insufficient information to enable the authority to establish whether the proposed development complies with,

The conditions, limitations or restrictions applicable to development permitted by Class A which exceeds the limits in paragraph A.1 (f) but is allowed by paragraph A.1(g).

Having assessed the proposal it is concluded for the reasons outlined above, the proposal does not constitute permitted development and the prior notification is therefore refused. A planning application would be required for the works.

1) The dwellinghouse has been previously extended to the rear by the addition of an extension of more than one storey. The current proposed extension will be fixed to the rear of this extension. As stated in sub paragraph (ja) of A.1 Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, the total

enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) should be assessed against the limits set out in subparagraphs (e) to (j). These limits are exceeded (see following points) therefore Prior Approval is refused.

2) The height of the enlargement (being the existing extension together with the proposed extension) exceeds the highest part of the dwelling as existing prior to the extensions, which does not constitute permitted development under sub paragraph A.1 (c) of Class A.

3) The height of the eaves of the enlargement (being the existing extension together with the proposed extension) exceeds the eaves height of the dwelling as existing prior to the extensions, which does not constitute permitted development under sub paragraph A.1 (d) of Class A.

4) The total enlargement (the previous extension and the extension currently proposed) exceeds 4 metres in height which is not permitted development under sub paragraph A.1(g) (ii) of Class A.

5) The enlarged part of the dwellinghouse (the previous extension and the extension currently proposed) has more than single storey and extends beyond the rear wall of the original dwellinghouse by more than 3 metres which is not permitted development under sub paragraph A.1(h) (i) of Class A

Refusal Reason(s): (5)

1 The dwellinghouse has been previously extended to the rear by the addition of an extension of more than one storey. The current proposed extension will be fixed to the rear of this extension. As stated in sub paragraph (ja) of A.1 Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, the total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) should be assessed against the limits set out in subparagraphs (e) to (j). These limits are exceeded (see following points) therefore Prior Approval is refused.

2 The height of the enlargement (being the existing extension together with the proposed extension) exceeds the highest part of the dwelling as existing prior to the extensions, which does not constitute permitted development under sub paragraph A.1 (c) of Class A.

3 The height of the eaves of the enlargement (being the existing extension together with the proposed extension) exceeds the eaves height of the dwelling as existing prior to the extensions, which does not constitute permitted development under sub paragraph A.1 (d) of Class A.

4 The total enlargement (the previous extension and the extension currently proposed) exceeds 4 metres in height which is not permitted development under sub paragraph A.1(g) (ii) of Class A.

5 The enlarged part of the dwellinghouse (the previous extension and the extension currently proposed) has more than single storey and extends beyond the rear wall of the original dwellinghouse by more than 3 metres which is not permitted development under sub paragraph A.1(h) (i) of Class A

Informatives: (1)

6 This decision relates to the following plans/ documents:

- Location Plan
- Existing and Proposed Plans, Elevations, Sections (drawing no. 23/091)
- Proposed Block Plan
- Planning Statement/ Covering Letter
- Application form

all received 19/12/2023.