**Residents Services**

**APP. REF. NO: 54116/APP/2013/1748**

# DELEGATED DECISION

- *Please select each of the categories that enables this application to be determined under delegated powers*
- *Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.*

| **APPROVAL RECOMMENDED: GENERAL** | Select Option |
|---|---|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |
| **REFUSAL RECOMMENDED: GENERAL** | |
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |
| **RESIDENTIAL DEVELOPMENT** | |
| 10. Single dwelling or less then 10 dewlling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |
| **COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT** | |
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |
| **CERTIFICATE OF LAWFULNESS** | |
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |
| **CERTIFICATE OF LAWFULNESS** | |
| 18. ADVERTISMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

**The delegation powers schedule has been checked. Director of Residents Services can determine this application.**

**Case Officer**

**Signature:**

**Date:**

**A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.**

**Team Manager:**

**Signature:**

**Date:**

**The decision notice for this application can be issued.**

**Director / Member of Senior Management Team:**

**Signature:**

**Date:**

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

**Report of the Head of Planning, Sport and Green Spaces**

**Address** 10 BARRA HALL ROAD HAYES

**Development:** Single storey rear extension (Application for a Certificate of Lawful Development for a Proposed Development)

**LBH Ref Nos:** **54116/APP/2013/1748**

**Drawing Nos:** Block Plan to Scale 1:500
Location Plan to Scale 1:1250
9906/15
9906/16 Rev. A

**Date Plans Received:** 25/06/2013 **Date(s) of Amendment(s):**

**Date Application Valid:** 10/07/2013

## 1. RECOMMENDATIONS

### 1.1 Recommendations

That a certificate of lawful use or development be **REFUSED** for the proposed development described above in respect of the land edged red on the attached plans for the following reasons:

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No2) (England) Order 2008 as the enlarged part of the dwellinghouse, in conjunction with the existing two storey side/front extension, would result in the enlarged part of the dwellinghouse being within 2 metres of the boundary of the curtilage of the dwellinghouse and the height of the enlarged part exceeding 3 metres, the enlarged part of the dwellinghouse extending beyond a wall forming a side elevation of the dwellinghouse and exceeding 4 metres in height, having more than one storey and having a width greater than half the width of the original dwellinghouse, and the enlarged part of the dwellinghouse extending beyond a wall which fronts a highway and forms the principle elevation of the original dwellinghouse.

This determination is based on your submitted plans. All measurements are taken from existing ground level.

**INFORMATIVES**

### 2.0 Planning Considerations

Part 1 of the GDPO relates to development within the curtilage of a dwellinghouse. This proposal is for an alteration of a dwellinghouse. The Town and Country Planning General Permitted Development Order 1995 (as amended) is applicable as there are no Article 4 Directions applying to this area nor restrictive conditions relating to this property.

The proposal comprises a single storey rear extension (part constructed). The extension would adjoin an exiting two storey side extension.

Class A of Part 1 of the GPDO permits the enlargement, improvement or other alteration of a dwellinghouse. It sets out the conditions for the single storey rear or a single storey side extension to be permitted development. The proposed single storey extension would not comply with these requirements as it would extend past a side elevation of the original building and would have a width of more than half the width of the original dwelling. As such it is considered not to be permitted development.

## 3.0 Relevant Planning History

54116/99/1328 10 Barra Hall Road Hayes

Erection of a two storey side extension

**Decision Date:** 20-08-1999 Refused

54116/A/99/1928 10 Barra Hall Road Hayes

Erection of a two storey side extension

**Decision Date:** 25-10-1999 Approved

54116/APP/2005/456 10 Barra Hall Road Hayes

ERECTION OF A SINGLE STOREY REAR EXTENSION

**Decision Date:** 30-03-2005 Approved

## 4.0 ALL CLASSES

Is the dwelling a flat or a maisonette?
NO

Is there a planning condition removing permitted development rights?
NO

Is the building listed?
NO

### CLASS A - Proposed Extension

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;
NO

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;
NO

The enlarged part of the dwellinghouse would extend beyond a wall which-
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;
YES

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;

NO

The enlarged part of the dwellinghouse would have more than one 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 opposite the rear wall of the dwellinghouse;
NO

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;
YES

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 one storey, or
(ii) have a width greater than half the width of the original dwellinghouse; or
YES - The overall width of the extension would be greater than half the width of of the original dwelling (when considered in accordance with the DCLG Prmitted Development for Householders Technical Guidance).

it would consist of or include-
(i) the construction or provision of a veranda, balcony (means a platform with a height greater than 300 millimetres) 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.
NO

In the case of a dwellinghouse in a Conservation Area, development is NOT permitted if you answer YES to any of the following questions:

A. Does the development involve the cladding of any part of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles?
N/A

B. Does the extension extend beyond a wall forming a side elevation of the original dwellinghouse?
N/A

C. Does the enlarged part of the dwelinghouse have more than one storey and extend beyond the rear wall of the dwellinghouse?
N/A

Conditions of Class A: Development is NOT permitted if you answer NO to any of the following questions - Development is permitted by Class A, subject to the following conditions:

A. Are the materials used similar to those of the existing dwellinghouse?
YES

B(i). Are any new side facing windows obscurely glazed?
N/A

B(ii). Are any new side facing windows non - opening, or any parts of the window which do open 1.7m above the floor of the room?
N/A

C. Does the roof pitch of the extension match, so far as practicable, the roof pitch of the original dwellinghouse?
YES

## 5.0 Other including Measurements

**Single storey pitch roofed rear extension 3.6m high and 3m deep. The width would exceed half the width of the original dwelling when considered in conjunction with the existing two storey side extension.**

**Contact Officer:** Jazz Ghandial **Telephone No:** 01895 250230