

<u>APPLICATION NO:</u>	23/02673/CLD	<u>CASE OFFICER:</u>	Reece Black
<u>WARD:</u>	Roby	<u>PARISH:</u>	
<u>LOCATION:</u>	7 Ash Crescent, Huyton, Knowsley		
<u>PROPOSAL:</u>	CERTIFICATE OF PROPOSED LAWFUL DEVELOPMENT FOR THE ERECTION OF A SINGLE STOREY REAR/SIDE EXTENSION		

Site Description

The application property is located at 7 Ash Crescent, Huyton and is located in an area allocated as a Primarily Residential Area in the Development Plan. The application property is a semi-detached dwelling and is rendered facing on its front, side and rear elevations, along with white UPVC openings and tiles roofing.

The application property benefits from a part two-storey side extension. On the ground floor, this spans from front to rear elevation of the original dwellinghouse. The proposed development forms a rear and side extension in terms of the relationship with the dwelling; the proposed development sits flush with the rear elevation of the ground floor of the two-storey side extension.

Proposal

The application seeks a Certificate of Lawful Development for the erection of a single storey rear extension.

The proposed rear extension would have a projection of 2.61m and would have a width of 5.24m. The proposal would be served by a mono-pitched roof and would measure at a height of 2.64m at the eaves and would have a height of 3.17m at its highest point.

The proposed development would see the replacement of the existing conservatory with external masonry walls and tiled roofing.

Consultations

None Required.

Representations

Not applicable.

Planning History

APP. NO:	74/13123/HIST
PROPOSAL:	ERECTION OF TWO STOREY EXTENSION TO SIDE OF DWELLING TO PROVIDE GARAGE AND DINING ROOM WITH BEDROOM ABOVE
DECISION:	GRANTED
DECISION DATE:	15 March 1991

Assessment

The application seeks confirmation that the development is 'permitted development' under the Town & Country Planning (General Permitted Development) (England) Order 2015.

Class A states that an enlargement, improvement or alteration of a house of a house is permitted development provided that the development does not:

- b) exceed 50% of the total area of the curtilage;
- c) exceed the height of the of the highest part of the roof of the existing dwellinghouse;
- d) exceed the height of the eaves of the dwellinghouse;
- e) extend beyond a wall which – forms the principal elevation of the original dwellinghouse; or fronts a highway and forms a side elevation of the original dwellinghouse;
- f) Subject to paragraph (g), have a single storey and – 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 exceed 4 metres in height;
- g) For a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, would have a single storey and – 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 exceed 4 metres in height;
- h) would have more than a single storey and – extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;
- i) 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;
- j) would extend beyond a wall forming a side elevation of the original dwellinghouse, and would – exceed 4 metres in height, have more than a single storey, or have a width greater than half the width of the original dwellinghouse;
- 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);
- k) include a veranda, balcony, raised platform of a flue;
- l) lie in a conservation area

Development is permitted by Class A subject to the following 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;
- b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be – obscure-glazed, and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and where the enlarged part of the dwellinghouse has more than 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 proposed rear extension would not project more than 3m from the rear elevation of the original dwellinghouse, would not exceed 4m in height and the height of the eaves of the extension would not exceed 3m.

However, the proposed side and rear extension would not comply with ja).

As the Technical Guidance for permitted development for householder's states, that in some situations it may be that development is undertaken in separate stages. Under paragraph ja), the size of the total enlargement (being the proposed extension, together with the previous extension to which it will be joined) will be taken into account.

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) above.

The proposed side and rear extension would be assessed as a total enlargement when considered with the enlargement of the house that was obtained under 74/13123/HIST. The proposed extension, considered with the extension granted previously, would result in a cumulative width of 7.7m. The width of the original house is approximately 5.58m.

Subsequently, the total enlargement exceeds the parameter outlined under (j) as the proposed development would extend beyond a wall forming a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse.

Therefore, it would not be within the parameters and would not be eligible to benefit from permitted development rights and a Certificate for Lawful Development cannot be provided.

The rear extension would therefore comply with the requirements of Class A of Part 1, Schedule 2 of the Town and Country Planning Act (General Permitted Development) (England) Order 2015 (as amended).

Conclusion

It is concluded that the proposal does not comply with Class A of Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Accordingly, it is recommended that the Certificate of Lawful Development for the proposed development be refused.

Recommendation

- 1) The proposal does not comply with the requirements of Class A of Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Accordingly, it is recommended that the Certificate of Lawful Development for the proposed development be refused.

SCHEDULE 1

Date Received	Ref. No	Version	Drawing/Document Title
19/09/2023	P-02	-	PROPOSED FLOOR PLANS AND ELEVATIONS
19/09/2023	P-01	-	LOCATION PLAN AND EXISTING FLOOR PLANS AND ELEVATIONS

Signed Case Officer¹:

Reece Black

**Signed Authorising
Officer²:**

K Foster

Date:

6 December 2023

Informatives

- 0 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2023 until 31st December 2024

¹ I confirm that I do not have a personal relationship with the applicant, agent or other interested parties; I also confirm that I do not have a financial interest in the site or the development proposed

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