

Application No: 14/4806M

Location: 7, ALBERT STREET, MACCLESFIELD, SK11 6PT

Proposal: Prior approval of single storey kitchen extension to replace existing kitchen and outbuildings extending 5.2m beyond the rear wall, maximum height of 3.5m and eaves height of 2.5m

Applicant: Mr Julian Broadhurst

Expiry Date: 01-Dec-2014

Date Report Prepared: 12th November 2014

SUMMARY RECOMMENDATION

The recommendation will be provided within the Committee Update Report after the consultation period has expired.

MAIN ISSUES

Whether there have been any objections from the owners/occupiers of adjoining/neighbouring properties and if so, whether the prior approval of the Local Planning Authority as to the impact of the proposed development on amenity of any adjoining / neighbouring premises is granted or not.

REASON FOR REPORT

The application has been submitted by an employee of the Development Management Team and therefore has to be determined by the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises a two-storey semi-detached cottage located on the western side of Albert Street, within the predominantly residential area of Macclesfield. The site is not located within a Conservation Area.

DETAILS OF PROPOSAL

This application is for prior approval of householder development submitted under Condition A.4 of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

It is proposed to erect a single-storey rear extension, measuring 5.2m in depth.

REPRESENTATIONS

The owners/occupiers of adjoining/neighbouring properties were notified of the proposed development in accordance with A.4 (3) of the GPDO (as amended). The consultation period does not expire until 19th November 2014.

OFFICER APPRAISAL

On 9 May 2013, secondary legislation was laid before Parliament which increased the size of single-storey rear extensions which can be built under permitted development, and brought into force the associated neighbour consultation scheme.

For a period of three years, between 30th May 2013 and 30th May 2016, householders will be able to build larger single-storey rear extensions under permitted development. The size limitation on depth has doubled from 4 metres to 8 metres for detached houses, and from 3 metres to 6 metres for all other houses. These new larger extensions (i.e. if they extend between 4 and 8 metres or between 3 and 6 metres) must go through the process of submitting a prior approval application to the Local Planning Authority for consideration.

As part of the prior approval process, the Local Authority serves a notice on adjoining owners or occupiers (i.e. those who share a boundary, including to the rear). If any adjoining neighbour raises an objection within the 21-day period, the Local Authority will take this into account and make a decision about whether the impact on the amenity of all adjoining properties is acceptable. No other issues are considered.

The development can go ahead if the Local Authority notifies the developer in writing either:

1. That as no objections were received from adjoining neighbours it has not been necessary to consider the impact on amenity, or
2. That following consideration, it has decided that the effect on the amenity of adjoining properties is acceptable.

If the Local Authority does not notify the developer of its decision within the 42-day determination period, the development may go ahead.

The decision as to whether prior approval is required for the proposed development depends on the outcome of the consultation period and whether the Local Planning Authority receives any objections from neighbouring properties.

The consultation period does not expire until 19th November 2014 (after the deadline for committee reports has expired) and the decision cannot be delayed until the next committee meeting as the applicant can then assume that prior approval is not required if they do not receive a decision to the contrary by the determination date of 1st December 2014.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The recommendation of the Local Planning Authority will therefore be included within the Update Report after the consultation period has expired.

H.M. LAND REGISTRY		TITLE NUMBER CH258846	
ORDNANCE SURVEY PLAN REFERENCE	S19173	SECTION C	Scale 1:1250
COUNTY CHESHIRE	DISTRICT MACCLESFIELD		80 Ordnance Survey 1966

