

## OFFICER DELEGATED REPORT

**Reference No.:** 21/01935 **Permitted Development Extended**  
**Proposal:** Single storey rear extension no greater than 8m in depth, 3m high with an eaves height of 3m.  
**Location:** Whiteladies Park Prince Albert Drive Ascot SL5 8AQ  
**Applicant:** Linda And Lisette Khalastchi  
**Developer:** Mr Mark Berry  
**Date Received:** 23 June 2021  
**Case Officer:** Aneesah Iftikhar  
**Recommendation:** Refuse  
**Parish/Ward:** Sunninghill And Ascot Parish Ascot & Sunninghill

### SUMMARY REPORT ON APPLICATION

#### 1 INTRODUCTION

- 1.1 This application is of a nature where the Council's Constitution delegates the authority to make the decision to the Head of Planning rather than it being determined by a Panel of Councillors.
- 1.2 By indicating that the development proposal complies with the relevant provisions of the Town and Country Planning (General Permitted Development) Order 2015 the planning officer is taking into account the information submitted with the application and any previous relevant applications.
- 1.3 The property's permitted development rights are intact and there are no restrictive conditions or outstanding Enforcement notices covering the property.
- 1.4 Householders will be able to build larger single storey rear extensions under permitted development. Adjoining neighbours have been consulted on the application. Objections have been received, consideration has been given to the impact of the development upon the amenities of adjacent premises and prior approval is refused for the development.

#### 2 SUMMARY OF MAIN ISSUES

This application is for determination as to whether prior approval of a larger home extension is required. Local Plan Policies are not relevant for this application with the determination made in relation to the relevant provisions of the Town and Country Planning (General Permitted Development) Order, which can be viewed below.

Development is not permitted by Class A if:

- (a) *Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)*

Permission to use the dwellinghouse as a dwellinghouse has not been granted by virtue of Class M, N, P, or Q of Part 3 of this Schedule. **The proposal complies.**

- (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);

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 not exceed 50% of the total area of the curtilage. **The proposal complies.**

- (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 height of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the highest part of the roof of the existing dwellinghouse. **The proposal complies.**

- (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 part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse. **The proposal complies.**

- (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 enlarged part of the dwellinghouse would not extend beyond a wall which forms either the principle elevation of the original dwelling or fronts a highway and forms a side elevation of the original dwellinghouse. **The proposal complies.**

- (f) *subject to paragraph (g), 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*

The enlarged part of the dwellinghouse would have a single storey and would extend beyond the rear wall of the original dwellinghouse by more than 4 metres and but would not exceed 4m in height. **The proposal fails to comply but is further considered in paragraph (g) below.**

- (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 dwellinghouse is not on article 2(3) land nor is it on a site of special scientific interest. **However, the enlarged part of the dwellinghouse would extend beyond the rear wall of the dwellinghouse by more than 8 metres but would not exceed 4 metres in height. The proposal does not comply. The agent is advised that the justification provided is not sufficient. The columns are not considered to constitute the ‘rear wall’ as they do not divide the internal area of the dwellinghouse from the external area. The existing columns would therefore not constitute a ‘wall’. The extension is therefore in excess of 8m.**

- (h) 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 being enlarged which is opposite the rear wall of that dwellinghouse.

The extension is single storey and **the proposal complies.**

- (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 would not be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would not exceed 3 metres.

**The proposal complies.**

- (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 one 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 a side elevation of the original dwellinghouse and would have a width greater than half the width of the original dwellinghouse. The proposal does not comply.**

- (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 total enlargement would not exceed the limits set out in sub-paragraphs (e) to (j). The proposal complies.**

- (k) it would consist of or include

- (i) the construction or provision of a veranda, 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 proposed enlargement does not consist of or include any of the above. **The proposal complies.**

**A.2** In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebbledash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse
- (d) 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 (b) and (c).

The application site is not on article 2(3) land. **The proposal complies.**

## Conditions

**A.3** 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) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposal complies.

- (b) any upper-floor window 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 1.7 metres above the floor of the room in which the window is installed.

The proposal is for a single storey extension.

- (c) 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.

## 3. COMMENTS FROM ADJOINING PREMISES

No objections have been made to the proposed development from the adjoining premises, as such the prior approval of the Local Planning Authority would not be required for the development provided it constituted 'permitted development'. However in light of the above, the proposal fails against parts (g) and (j)

## 4 RECOMMENDATION

The prior approval of the Council is required for the development and is refused.

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## Reasons

- 1 The proposal is not automatically granted planning permission under Article 3 and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), as the proposal fails to comply with paragraphs (g) and (j). Planning permission is therefore required for the proposed development.