

21/02372/H – 1 Milsom Street Explanatory Note.

On Thursday 26th August, application 21/02373/H was withdrawn by the Applicant. As Members will know, there were previously two applications associated with 1 Milsom Street which were both due to be determined at Committee this afternoon.

Application 21/02373/H sought retrospective planning permission for the 'reinstatement' of a two storey rear extension to the property measuring 4.5m in depth, 3.0m in width and 6.5m to the ridge. This application was recommended for refusal by virtue that the development was of a scale and massing which failed to respect the built form of the host property, the building line of Milsom Street terrace and the residential amenity of the adjacent occupants. It should be noted that although construction of the extension has commenced, it is not habitable in its current form, as Members will note at this afternoons site visit. This application was withdrawn on Thursday 26th August 2021.

In 2019, prior approval (19/01584/HX) was granted for the construction of a 6m rear extension to original dwelling. It should be noted that the Applicant included the footprint of the rear extension application 21/02373/H in the original footprint despite the extension not being present at the time of the application. As such, the ultimate rear of this extension would be 10.5m from the existing habitable property. Although prior approval was given, the Applicant did not construct the extension within the prescribed timeframe and exceeded the depth and height prior approval, as prescribed by Part 1 Class A of the GPDO (legislative). Due to the non-accordance, the prior approval elapsed and does not act as a planning permission, which is a matter of differing opinions between the Applicant and the LPA.

The remaining application which will be determined this afternoon (21/02372/H) seeks planning permission for the construction of a fire escape fabrication and height increase of 0.8m to the elapsed prior approval (19/01584/HX). By virtue that the prior approval has elapsed and the reinstatement works still require planning permission, it is considered that the existing application should be refused. The fire escape fabrication would connect to an unconsented element of development and a 0.8m height increase would be sought to works which do not benefit from planning permission also. As no planning permissions exist on site, additions proposed are considered unacceptable and are recommended for refusal.

At this afternoons site visit I will cover the site context in relation to the context of the proposals and the planning history. Committee will cover application 21/02372/H only. The site visit will present a good opportunity to pose any questions in a closed environment, so please do not hesitate to ask any questions, including those anticipated for committee as we will benefit from the site context.

Kind Regards

Jon Hill