Certificate of Lawfulness :: Proposed Use

12 Gaunt Street, Leek ST13 8EB

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Evidence to support the application

The proposal comprises of a rear single storey rear extension and loft conversion with dormer to the rear, to the terraced property of No.12 Gaunt Street, leek. The terraced property complete with a rear extension was built prior to 1948 and the existing rear extension is to be removed to make way for the new proposed extension.

The below shows compliance with The Town and Country Planning (General Permitted Development) (England) Order 2015. Part 1 of Schedule 2 to the 1995 Order (as amended in 2008, 2013 and 2014) sets out the permitted development rules concerning what extensions, improvements and alterations a householder may make to their house and the area around it without the need for an application for planning permission. The proposal complies with Part 1, class A & class B as follows:

Class A

This provides permitted development rights for the enlargement, improvement or other alteration of a house. Under Class A the following limits and conditions apply:

A.1 Development is not permitted by Class A if –

(a) *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) Extensions (including previous extensions) and other buildings must not exceed 50% of the "curtilage".*	
The current total area of the dwelling curtilage is 66sqm. With the existing extension removed the proposed extension and existing shed total 15.4sqm. This equates to only 24%.	**Complies**
(b) *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 proposal is for a single storey rear extension.	**Complies**
(c) *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 proposal is for a single storey rear extension with a flat roof.	**Complies**

(d) *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.*	
The proposal is for a single storey rear extension.	**Complies**
(e) *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 proposal is for a 3m overall extension and does not exceed 4m in height.	**Complies**
(f) *– Is not applicable*	
(g) *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 extension is within 2m of the boundary but will be max. 3m high to the top of the flat roof.	**Complies**
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	**Noted**
(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be –	**N/A**
(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	**N/A**
(c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse	**N/A**

Class B

This provides permitted development rights for the enlargement of a house consisting of an addition or alteration to its roof. Under Class B the following limits and conditions apply:

B.1 Development is not permitted by Class B if –

(a) *any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof*	
The rear dormer roof is not higher than the existing roof	**Complies**
(b) *any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.*	
The dormer proposed is to the rear only.	**Complies**
(c) *the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than –* *(i) 40 cubic metres in the case of a terrace house, or* *(ii) 50 cubic metres in any other case.*	
The total volume of roof space used will be 38.5 cubic metres.	**Complies**
B.2 Development is permitted by Class B subject to the following conditions -	
(a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse	**Noted**
(b) the enlargement shall be constructed so that –	
(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension –	
(aa) the eaves of the original roof are maintained or reinstated; and	**Noted**
(bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves; and	**Noted**
(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse.	**Noted**