DELEGATED DECISION REPORT

SMD/2016/0645 **Valid 19/10/2016**	**60 STONEY LANE** **CAULDON**	**CERTIFICATE OF LAWFULNESS FOR PROPOSED SINGLE STOREY REAR KITCHEN EXTENSION.** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES

- The main point for consideration is whether or not this proposal accords with the allowances of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

DESCRIPTION OF SITE

This application relates to a mid-terraced two storey dwellinghouse located on the north western site of Stoney Lane. The site forms part of linear form of development in an isolated rural location.

Permitted development rights are in tact.

The site does not fall within a Conservation Area and is not Listed.

PROPOSAL

This application seeks a lawful development certificate to ascertain whether or not the proposed construction of a single storey rear extension and associated decking area would fall within the parameters of Class – *enlargement, improvement or other alteration of a dwellinghouse* of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015.

The proposed single storey rear extension would project 1.76m beyond the rear elevation of the original dwellinghouse. A mono-pitched roof is proposed with an eaves level of circa 2.9m and ridge line of 3.89m. The extension is to measure approximately 3.7m in width.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

There is no relevant site history.

CONSULTATIONS

Publicity

Site Notice expiry date: 12.12.2016
Neighbour consultation period ends: 09.11.2016
Press Advert: N/A

Public Comments

No comments received.

OFFICER COMMENTS

The proposed single storey rear extension (including decking) must be considered against Class A, Part 1 of Schedule 2 of the Town and Country Planning (General permitted Development) Order 2015. Class A permits development consisting of 'the enlargement, improvement or other alteration' to a dwellinghouse. In accordance with Class A-

(a) Permission to use the dwellinghouse as a dwellinghouse was not granted by virtue of Class M, N, P or Q of Part 3 of Schedule 2;

(b) 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 are of the curtilage (excluding the ground area of the original dwellinghouse);

(c) The height of the part of the dwellinghouse that is to be enlarged would not exceed the height of the highest part of the roof of the existing dwellinghouse;

(d) The height of the eaves of the part of the dwellinghouse that is to be enlarged, would not exceed the height of the eaves of the existing dwellinghouse;

(e) The proposed extension would not 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;

(f) The enlarged part of the dwellinghouse is to be single storey and (i) would not extend beyond the rear wall of the original dwellinghouse by more than 3m , or (ii) exceed 4m in height;

(g) The proposed development does not relate to 'a larger homes extension', accordingly point (g) is note applicable;

(h) The enlarged part of the dwellinghouse would not have more than one storey, accordingly point (h) is not applicable;

(i) The enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would not exceed 3m;

(j) The enlarged part of the dwellinghouse would not extend beyond a side elevation, accordingly point (j) is not applicable;

(k) The proposed extension would not consist of or include (i) the construction 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.

In the interest of clarification a raised platform is considered to include anything that sits in excess of 30cm above the highest adjacent ground level.

Permitted development rights are in tact at this property and the application site does not fall within a Conservation Area. Having considered the scale, siting and design of the proposed single storey rear extension, I am satisfied that the development falls within the allowances of Class A, Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 and the associated conditions. Accordingly, this development can be constructed under permitted development without the need for formal planning approval.

OFFICER RECOMMENDATION : Positive

Case Officer: Lisa Howard
Recommendation Date: 14.12.2016

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council