**DELEGATED DECISION REPORT**

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| **SMD/2017/0377**<br>**Valid 06/06/2017** | **1 STOKESAY DRIVE**<br>**CHEADLE** | **DETACHED DOMESTIC GARAGE**<br><br>**(CERTIFICATE OF LAWFULNESS - PROPOSED)** |

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## MAIN ISSUES

- Compliance with Schedule 2, Part 1, Class E of the General Permitted Development Order (GPDO) 2015

## DESCRIPTION OF SITE

The site comprises a corner plot of land the south of Stokesay Drive and the west of Rockingham Way, Cheadle. The site contains a two storey detached dwelling with an area of amenity space to the side and rear. Stokesay Drive forms part of a relatively modern housing estate constructed under application reference SM97/059.

The decision notice for this application removes Permitted Development rights for plots 59 to 74. However the site plan for this application shows No.1 Stokesay Drive as Plot 5. Permitted Development rights are therefore intact.

The rear amenity area is accessed via a large private gateway to the east of the site, which has direct access onto Rockingham Way, constructed under application ref: SMD/205/0659.

## PROPOSAL

The application is seeking confirmation that the proposed development of a single storey private double garage within the curtilage of the residential dwelling is lawful development. This proposal comprises a revised scheme to one which was refused a Certificate of Lawfulness under Application Ref: SMD/2017/0153.

The proposed garage is proposed to be located to the south east of the dwelling and accessed via the existing private gateway. The submitted plan (Drawing No. 16.17/011/01) shows the garage as having a footprint of 6.65 square metres and an overall height of 2.50m.

The plans show the garage as having a flat roof. The side (south western) elevation is shown to comprise a small door and window. The side (north eastern) elevation of the garage is shown as being 1.0 metre from the side boundary wall.

## SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2015/0659 New timber gates and posts with access to rear (Approved)

SMD/2017/0153 Lawful Development Certificate for proposed construction of a double (private) garage (Refused)

## CONSULTATIONS

### Publicity

Site Notice expiry date: 25th July 2017
Neighbour consultation period ends: 12th July 2017
Press Advert: N/A

### Public Comments

No public comments received

### Town / Parish Comments

Cheadle Town Council – No objection

## OFFICER COMMENTS

The use of the dwellinghouse was not granted under any change of use class within the GPDO and is therefore compliant with part (a).

The total area of ground covered by the proposed garage is 36 square metres. The total area of curtilage to the rear of the property measures 204 square metres. As such the footprint of the proposed development will not exceed 50% of the total area of curtilage and therefore is compliant with part (b).

The proposed garage would be situated to the rear of the dwellinghouse and not forward of a wall forming the principal elevation, in compliance with part (c).

The building would be a single storey in compliance with part (d). The proposed development is located within 2 metres of the boundary of the curtilage and is shown to have a height of 2.5m in compliance with part (e).

The height of the eaves is shown to be 2.25m and is compliant with part (f). The garage is not situated within the curtilage of a listed building and is compliant with part (g).

The proposal does not includes the construction of provision of a verandah, balcony, or raised platform; does not relate to a dwelling or microwave antenna;

**CONCLUSION / PLANNING BALANCE**

An assessment of the proposed development against Schedule 2, Part 1, Class E of the General Permitted Development Order (GPDO) 2015 has found that the application is Permitted Development under the said order and as such it is recommend that a positive certificate should be granted.

**OFFICER RECOMMENDATION: Issue Positive Certificate**

**Case Officer: James Stannard**
**Recommendation Date: 26th July 2017**

X B.J. Haywood

Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**