DELEGATED DECISION REPORT

SMD/2017/0441 **Valid 11/07/2017**	**MANDERLEY THE COMMON DILHORNE**	**CERTIFICATE OF LAWFULNESS FOR PROPOSED DETACHED OUTBUILDING** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES

Legal determination as to whether the proposal requires an express grant of planning permission or not.

DESCRIPTION OF SITE

A detached dwelling house and its curtilage

PROPOSAL

A detached building within the curtilage of the dwelling to be used as a home office by the householder who works from home.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None Relevant

CONSULTATIONS

Publicity

Near Neighbours Notified – No responses received

OFFICER COMMENTS

The existing dwellinghouse was built with a planning permission which was not subject to a condition that would prohibit any development that would normally be permitted by the terms of the General Permitted Development Order and its use as a dwellinghouse was not granted only by virtue of the Classes of Part 3, Schedule 2 of the General Permitted Development Order 2015 (changes of use).

'The Development' would be permitted by Class E, Part 1, Schedule 2 of the General Permitted Development Order 2015, because:

- ‘The Development’ would provide within the curtilage of the dwellinghouse a building required for a purpose incidental to the enjoyment of the dwellinghouse.

- The existing dwellinghouse is not a listed building and it is not located within either a Conservation Area; an Area of Outstanding Beauty; the Broads; a National Park; or a World Heritage Site.

- ‘The Development’ would not result in buildings covering a total area of ground within the curtilage of the dwellinghouse that exceeds 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); not have any part that would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse; not have more than one storey; would have a dual pitch roof but would not exceed 4 m in height or be within 2m of the curtilage boundary; would not have an eaves height that exceeds 2.5 m in height; would not consist of or include the construction or provision of a verandah, balcony or raised platform; or relate to a dwelling or a microwave antenna.

CONCLUSION / PLANNING BALANCE

Certificate should be granted

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst
Recommendation Date: 13/10/2017

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council