DELEGATED DECISION REPORT

SMD/2017/0805 **Valid 01/12/2017**	**10 DOVE GROVE** **BIDDULPH**	**APPLICATION FOR A LAWFUL DEVELOPMENT CERIFICATE FOR A PROPOSED USE FOR A SINGLE STOREY REAR EXTENSION** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES

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

DESCRIPTION OF SITE

The application site comprises a parcel of land to the north of Dove Grove, Biddulph which contains a single storey bungalow and associated ancillary amenity space.

PROPOSAL

The application is for a lawful development certificate for a proposed single storey rear extension. The plans show the extension to be located adjacent to the rear garage and to extend outwards from the existing bathroom.

RELEVANT PLANNING LEGISLATION

Town & Country Planning (General Permitted Development) (England) Order 2015

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1987/1035	Details of detached double garage (Approved 04/12/87)
SMD/1988/0106	Extension to form double garage (Approved 03/10/88)
SMD/2003/0180	Perimeter railings and gates (Approved 03/03/03)

CONSULTATIONS

Publicity

Site Notice expiry date: 9th January 2018
Neighbour consultation period ends: 3rd January 2018
Press Advert: N/A

Public Comments

No comments received

OFFICER COMMENTS

To be considered lawful development, the application must demonstrate compliance with the requirements set out within Schedule 2, Part 1, Class A of the General Permitted Development Order 2015, an assessment of which is undertaken below.

A. The enlargement, improvement, or other alteration of a dwellinghouse

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

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

The dwellinghouse has not been granted by virtue of any Change of Use within Part 3 of Schedule 2, and therefore the proposed development accords with part (a)

(b) 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);

The proposed extension measures 9 square meters, and sits within an area of curtilage (not including the dwellinghouse) which covers in excess of 100 square metres. The proposed development therefore accords with part (b)

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the highest part of the roof of the existing dwellinghouse;

The height of the proposed extension is shown on the submitted plans to measure 3.3m, with the highest part of the existing dwelling measuring 4.1m. The proposed development thereby accords with part (c)

(d) 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 height to eaves level of the proposed extension is shown to measure 2.5m which aligns with the eaves level of the existing dwellinghouse. The eaves level of the proposed extension does not exceed the eaves level of the existing dwellinghouse and thereby accords with part (d)

(e) the enlarged part of the dwellinghouse would 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;***

The proposed development extends beyond the rear elevation of the property and therefore accords with part (e)

(f) subject to paragraph (g), 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 the detached dwellinghouse, or 3 metres in the case of any other dwellinghouse; or***
>
> ***(ii) exceed 4 metres in height;***

The proposed extension has a single storey and extends beyond the rear wall of the dwellinghouse by 3m, as shown on the submitted proposed plans. The height of the proposed extension is shown to measure 3.3m. The proposed development therefore accords with part (f)

(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, 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 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse; or***
>
> ***(ii) exceed 4 metres in height;***

The proposed development accords with part (f) and is not seeking permission for a larger homes extension. Part (g) is therefore not applicable to this application.

(h) the enlarged part of the dwellinghouse would have more than a single storey and-

> ***(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or***
>
> ***(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;***

The proposed extension comprises a single storey extension and therefore part (h) is not relevant to this application

(i) 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 elevation which adjoins the existing garage is the closest to the site boundary, and stands at a distance of 3m from the boundary. The proposed development therefore complies with part (i)

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –

(i) exceed 4 metres in height;

(ii) have more than a single storey; or

(iii) have a width greater than half the width of the original dwellinghouse; or

The proposed extension extends beyond the rear wall of the existing dwellinghouse and therefore part (j) does not apply to this application.

(k) it would consist of or include –

(i) the construction or provision of a verandah, 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

The proposed plans do not include any proposals for any of the aspects of development not permitted under part (k) and therefore complies with this part of the regulations.

CONCLUSION / PLANNING BALANCE

The application seeks a Lawful Development Certificate for a proposed single storey rear extension at 10 Dove Grove, Biddulph. An assessment of the proposal against Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 has found that the application is lawful and should therefore be approved.

OFFICER RECOMMENDATION: Approve

Case Officer: James Stannard
Recommendation Date: 26th January 2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council