DELEGATED DECISION REPORT

SMD/2019/0076 **Valid 18/02/2019**	**26 STUART AVENUE** **DRAYCOTT IN THE MOORS**	**CERTIFICATE OF LAWFULLNESS FOR EXISTING USE OF A FORMER DOMESTIC GARAGE AS A BEDROOM AND UTILITY SPACE ANCILLARY TO THE DWELLINGHOUSE KNOWN AS 26 STUART AVENUE, DRAYCOTT IN THE MOORS.** **(CERTIFICATE OF LAWFULNESS - EXISTING)**

DESCRIPTION OF SITE

The application site comprises of a semi-detached two storey dwellinghouse within a rectangular plot with a detached garage and ancillary bedroom accommodation that is linked to the host dwelling by a upvc utility room extension. Permitted development rights are in tact at this property and there are no planning history records relating to this property.

PROPOSAL

A certificate of existing lawful development is sought to certify that works carried out to change the use of a domestic garage to form a bedroom and the construction of a utility room comprises lawful development.

The application has been supported with photographs showing the internal accommodation and also an invoice from Wilmer Windows Ltd addressed to Mr & Mrs Steele at 26 Stuart Avenue. The invoice is 'To supply and fit: 1 x White uPVC Double Glazed Porch Door with Side Panel; and, 1x White uPVC Porch Door with Side Panels. The invoice is dated 19th April 2005.

It is stated on the submitted application form at Section 7 that the use and associated works commenced on 19th April 2005.

OFFICER COMMENTS

Permitted development rights are in tact on the application site. As such there are no restrictions in place that would prevent the conversion of the former garage to create additional accommodation ancillary to the use of the host dwelling. I am therefore satisfied that the garage conversion does not comprise development that would warrant a requirement for formal planning permission.

The utility room extension which serves to link the garage to the host dwelling was carried out in 2005. This extension is therefore immune from enforcement action owing to the four year rule applied to building operations that were carried out without planning permission. Notwithstanding this the utility room extension would accord with the allowances of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, which was applicable at the time of construction.

It is therefore considered that a positive certificate be issued.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 26.04.2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council