DELEGATED DECISION REPORT

SMD/2019/0177 **Valid 05/08/2019**	**29A PARK LANE** **KNYPERSLEY**	**CERTIFICATE OF LAWFULNESS FOR PROPOSED LOFT CONVERSION** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES
The applicant proposes to enlarge his dwellinghouse with an addition to its roof which he thinks is permitted by Part 1, Class B, Schedule 2 of the General Permitted Development Order 2015.

He has submitted plans that show and detail this proposal. If on analyses the Council agrees that it is permitted development the applicant can be issued with a 'certificate of lawfulness' endorsing that fact.

DESCRIPTION OF SITE
Detached red brick dwellinghouse. Front and principal elevation conventionally faces the road. Main roof has concrete tiles with a 'roman wave'. Dwelling is in a residential area, Biddulph Town settlement, not within any conservation area.

PROPOSAL
The proposed development is shown and detailed on submitted drawing numbered '2019-009-002 PROPOSED PLANNING (A1L) Rev B'. It shows the enlargement of the dwellinghouse consisting of an addition to the rear facing roof slope with a dormer style extension with a sloping tiled lean to roof. The lean to roof would use concrete 'roman wave' tiles to match the existing roof and would be faced with grey plain tiles hung on battens.

Maximum dimensions of the dormer extension would be 9.7m x 3m x 3m.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
83/12365/OLDDC Outline Planning Permission for two dwellings
83/12604/OLDDC Approval of reserved matters

OFFICER COMMENTS

The enlargement of the dwellinghouse is shown and detailed on the drawing submitted with the application as consisting of an addition to its roof.

It is development permitted by Class B, Part 1, Schedule 2 of the GPDO 2015 because:

- The dwellinghouse was built after outline planning permission (83/12365/OLDDC) was granted and reserved matters were approved (83/12604/OLDDC). The planning permission was not subject to any condition or limitation that would restrict an applicant's right to alter or enlarge the dwelling in a way that is permitted by the GPDO 2015.

- It is clear, that permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P or Q of Part 3 of the GPDO.

- The dwellinghouse is not in a Conservation Area (i.e. on article 2(3) land).

- The top of the roof slope to the enlarged part would adjoin and tie into the main roof just below the ridge and as such, no part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof.

- The enlarged and altered part would only be added to the rear facing roof slope on the opposite side of the dwelling to the road. The principal elevation of this dwellinghouse is quite obviously the front of the house and the elevation that fronts the highway, the roof slope that forms part of this elevation would not be altered or enlarged in any way.

- The enlargement would have maximum dimensions of 9.7m x 3m x 3m (divided by 2 for volume of a box dormer addition to a roof slope). The dwellinghouse is a detached property and the cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres.

- The development would not consist of or include the construction or provision of a verandah, balcony or raised platform, or the installation, alteration or replacement of a chimney, flue or soil and vent pipe.

The Development would comply with the conditions of the permission by Class B because—
(a)the materials used in the exterior work would include matching roof tiles and plain concrete tiles hung on battens with a matching colour which would overall be of a *similar* appearance to those used on the main roof in the construction of the exterior of the existing dwellinghouse;
(b)the enlargement would be constructed so that—
(aa)the eaves of the original roof would be maintained; and
(bb)the edge of the enlargement closest to the eaves of the original roof would not be less than 0.2 metres from the eaves; and
(ii)no part of the enlargement would extend beyond the outside face of any external wall of the original dwellinghouse; and
(c)there would not be any windows inserted on a wall or roof slope forming a side elevation of the dwellinghouse.

CONCLUSION
Development is permitted.

OFFICER RECOMMENDATION : Approval

Case Officer: Ben Hurst
Recommendation Date: 1st October 2019

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council