DELEGATED DECISION REPORT

HNT/2020/0004 **Valid 13/03/2020**	**THE BUNGALOW** **LASK EDGE FARM LASK EDGE ROAD** **LASK EDGE** **LEEK**	**PRIOR APPROVAL FOR SINGLE STOREY REAR EXTENSION MEASURING 8 METERS BEYOND THE ORIGINAL DWELLINGHOUSE, 3 METERS MAXIMUM HEIGHT AND 3 METERS TO HEIGHT OF EAVES** **(HOUSEHOLDER NOTIFICATION APPLICATION)**

MAIN ISSUES

Compliance with the GDPO (2015).

DESCRIPTION OF SITE

The proposed site comprises a detached brick and tile dwelling and its associated curtilage, situated in the Biddulph Moor ward. Additionally, the proposed site is on green belt land and represents part of the Staffordshire Moorlands special landscape area. Open green land surrounds the proposed site, creating a vast green landscape character. The closest neighbouring dwelling is Moor Top Farm, which lies to the South of the proposed site. To the South-west of the proposed site lies a caravan / camping site, bound by open green belt land. Lask Edge Road runs adjacent to the proposed site on the West.

PROPOSAL

The proposed development is a single storey rear extension. The extension will have a maximum height of 3 metres and maximum eaves height of 3 metres measured externally from natural ground level. It will have a depth of 8 metres. Materials used in the construction of the proposed extension would match those used in the construction of the existing dwellinghouse, including red brick, uPVC doors and windows and a dark grey GRP roof with a facia board perimeter trim.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

GDPO (2015) Schedule 2 Part 1 Class A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2014/0229 – Change of use for 'The Cottage' to be used as ancillary family accommodation. Also, to reinstate chimneys, replace out of character brickwork and add an entrance room. Approved.
SMD/2014/0583 – Erection of a single storey rear extension to the outbuilding referred to as 'The Cottage'. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 24/04/2020
Neighbour consultation period ends: 06/04/2020
Press Advert: N/A

Public Comments

Neighbours have been notified in accordance with the procedure outlined within the GDPO. No neighbour comments have been received.

Town / Parish Comments

N/A

OFFICER COMMENTS

In conformity with the rules stated within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it is necessary to assess whether the proposed rear extension to the dwellinghouse adheres to the criteria stated by Schedule 2, Part 1, Class A of the GDPO, to determine whether the householder development is permitted.

Schedule 2, Part 1, Class A.1 (a) states that development is not permitted if the use of a dwellinghouse as a dwellinghouse changes. The rear extension will be solely used as part of the living space of the residents to fully maintain its status as a dwelling, thus making it permitted development.

In accordance with Class A.1 (b) of the GDPO, the ground coverage of the building combined with the addition of the rear extension would not exceed 50% of the total curtilage of the dwellinghouse.

Class A.1 (c) confirms that the maximum height of the roof of the proposed extension cannot exceed beyond the maximum height of the existing dwellinghouse; otherwise the development is not permitted. As the rear extension is only single storey, the

height of the roof would not exceed the height of the roof of the existing dwellinghouse.

Class A.1 (d) indicates that the eaves height of the proposed extension cannot exceed the eaves height of the existing dwellinghouse. Whilst this rule has been complied with on the North elevation, the eaves height on the South elevation would exceed the existing eaves height of the existing dwellinghouse, when taking into account the guidance provided in the Permitted Development Rights for Householders: Technical Guidance September 2019. The guidance explains that the height of the eaves will be measured from the ground level at the base of the external wall of the extension to the point where the external wall would meet (if projected upwards) the upper surface of the roof slope. Taking into account the diagram shown on the subsequent page, the south elevation would not comply. Therefore, this would not comply with the permitted development criterion.

As the extension would not be constructed on the principal elevation of the dwelling, nor would it front the highway and form a side elevation of the existing dwellinghouse, this would classify as permitted development in compliance with Class A.1 (e.i) and (e.ii).

Under Class A.1 (g), the dimensions of the development are within those permissible under PD, now that the Government has released an amendment to the HNT legislation to remove the time limit for completion from the 30th May 2019. With a maximum height of 3 metres and a depth of 8 metres measured externally, the extension would be under the 4 metre height limit and fit within the 8 metre depth limit on detached dwellings. Therefore, the proposed extension could be brought forward under PD.

The enlarged part of the dwellinghouse does not have more than a single storey and therefore, Class A.1 (h) does not stand applicable to the proposed development.

The eaves of the proposed extension would be a height of 3 metres measured externally from natural ground level. As part of Class A.1 (i), if the proposed extension would be positioned 2 metres from the curtilage boundary of the dwelling, the eaves height of the proposed extension cannot be above 3 metres. The height of the proposed extension would be 3 metres; therefore the development would be permitted.

Class A.1 (j) states that the enlarged part of the dwellinghouse can not exceed beyond a wall forming a side elevation of the original dwellinghouse. The proposed extension will only project from the rear elevation of the original dwelling, therefore this rule is not applicable.

With regard to Class A.1 (ja), any total enlargement including the addition of further enlargements to existing enlargements, cannot exceed the 8 metre limit set out in Class A.1 (g). The total measurement of the proposed extension would not exceed 8 metres, therefore meaning that it is permitted development. There have only been extensions on the parent dwelling Lask Edge Farm.

The proposed extension would not include the addition of any new ornamentation

features such as a verandah, microwave antenna, a chimney or flue or the alteration to the existing roof of the dwelling. Therefore, Class A.1 (k) is not applicable.

The proposed site does not fall within article 2(3) land, therefore Class A.2 does not apply.

In order to accommodate to the conditions raised in Class A.3 of the GDPO, the proposed development would be constructed from materials which would harmonise with the existing colours, textures and materials of the dwellinghouse. In accordance with Class A.3 (a), all proposed materials are set to match those used in the construction of the existing dwelling, including red brick, uPVC doors and windows and a dark grey GRP roof with a facia board perimeter trim.

Due to no neighbour objection being raised within the consultation period given, the necessity to consider neighbour amenity is not required.

CONCLUSION / PLANNING BALANCE

This notification does not fall within the criteria set out in Schedule 2, Part 1, Class A.1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. As the eaves height of the proposed extension would exceed the eaves height of the existing dwellinghouse on the South elevation, this would not comply with Class A.1 (d). Therefore the proposed extension would require planning permission.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Hollins
Recommendation Date: 24/04/2020

X

Signed by: JaneC

On behalf of Staffordshire Moorlands District Council