**DELEGATED DECISION REPORT**

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| **HNT/2020/0012**<br>**Valid 17/07/2020** | **2 HAYES CLOSE**<br>**LEEK** | **PROPOSED SINGLE SINGLE REAR CONSERVATORY MEASURING 3.63M BEYOND THE REAR WALL OF THE ORIGINAL DWELLING, 3.2M MAXIMUM HEIGHT AND 2.1M TO HEIGHT OF EAVES**<br><br>**(HOUSEHOLDER NOTIFICATION APPLICATION)** |

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## MAIN ISSUES

Compliance with the GPDO (2015)

## DESCRIPTION OF SITE

The proposed site comprises a semi-detached brick and tile bungalow and its associated curtilage, situated in the Leek North ward. Additionally, the proposed site is within the Leek Town Development Boundary. The site is enclosed by neighbouring dwellings comprising a section of the Hayes Close cul de sac. No. 1 Hayes Close lies to the North-east of the proposed site and Brooklea, No. 3 Hayes Close is situated to the South-west. To the South of the proposed site is Ian Harvey Fabrications Ltd, separated from the curtilage of the proposed site by a pocket of open green space. The Hayes Close highway runs adjacent to the proposed site on the North.

## PROPOSAL

The proposed development is a single storey rear conservatory extension. The extension will have a maximum height of 3.2 metres and maximum eaves height of 2.1 metres measured externally from natural ground level. It will have a depth of 3.63 metres. Materials used in the construction of the proposed conservatory extension would match those used in the construction of the existing dwellinghouse, including Rosewood PVC frames and a lightweight tiled roof system.

## RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

GPDO (2015) Schedule 2 Part 1 Class A

## SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1985/0526 – Site for residential development. Approved.
SMD/1987/0441 – Land off Prince Street, Leek – road and sewer details for residential development. Approved.
SMD/1987/0779 – Details of 3 dwellinghouses. Refused.
SMD/1988/1037 – Details of 3 Bungalows (Plots 1, 2 & 3). Approved.

## CONSULTATIONS

### Publicity

Site Notice expiry date: 28/08/2020
Neighbour consultation period ends: 12/08/2020
Press Advert: N/A

### Public Comments

Neighbours have been notified in accordance with the procedure outlined within the GPDO. 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 GPDO, 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 GPDO, 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) and (d) confirm that the height of the roof and eaves of the proposed extension cannot exceed beyond the maximum roof height and eaves height of the existing dwellinghouse; otherwise the development is not permitted. Although the dwellinghouse is a bungalow, neither the height of the roof or the eaves of the single

storey conservatory extension would exceed the maximum roof or eaves heights of the existing dwellinghouse.

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 3.2 metres and a depth of 3.63 metres measured externally, the extension would be under the 4 metre height limit and fit within the 6 metre depth limit on semi-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.

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 eaves height of the proposed conservatory extension would be 2.1 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, unless it abides by certain criteria. 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 6 metre limit set out in Class A.1 (g). The total measurement of the proposed extension would not exceed 6 metres, therefore meaning that it is permitted development. There have been no other extensions made to this dwellinghouse.

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 GPDO, 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 Rosewood PVC frames and a lightweight tiled roof system.

Due to no neighbour objection being raised within the consultation period given, the

necessity to consider neighbour amenity is not required.

PD rights in relation to the proposed site remain in tact.

**CONCLUSION / PLANNING BALANCE**

This notification falls within the framework set out within Schedule 2, Part 1, Class A (g) of the Town and Country Planning (General Permitted Development) (England) Order 2015. Due to there being no neighbour representations raised, there is no requirement to consider neighbour amenity, thus the proposal can proceed as permitted development. As a result it does not require planning permission.

**OFFICER RECOMMENDATION: APPROVE**

**Case Officer: Hannah Hollins**
**Recommendation Date: 20/08/2020**

X

Signed by: Jane Colley

**On behalf of Staffordshire Moorlands District Council**