DELEGATED DECISION REPORT

HNT/2020/0015 **Valid 18/09/2020**	**SMITHY FARM DIAL LANE CONGLETON**	**PROPOSED SINGLE STOREY REAR EXTENSION MEASURING 7.95M BEYOND THE REAR WALL OF THE ORIGINAL DWELLING, 2.64M MAXIMUM HEIGHT AND 2.64M TO HEIGHT OF EAVES** **(HOUSEHOLDER NOTIFICATION APPLICATION)**

MAIN ISSUES

Compliance with the GPDO (2015)

DESCRIPTION OF SITE

The proposed site comprises a detached stone and tile dwellinghouse and its associated curtilage, situated in the Biddulph North ward. Additionally, the proposed site is on Green Belt land, surrounded by a large amount of open green space. The Biddulph Town 93 Public Right of Way is located to the West of the site. To the South-East of the proposed site are a row of cottages, the closest to the site being Ivy Cottage, Dial Lane. The Dial Lane highway runs adjacent to the proposed site on the South, separating Smithy Farm from the row of cottages to the South-East.

PROPOSAL

The proposed development is a single storey rear extension. The extension will have a maximum height of 2.64 metres and maximum eaves height of 2.64 metres measured externally from natural ground level. It will have a depth of 7.95 metres. Materials used in the construction of the proposed extension would match those used in the construction of the existing dwellinghouse, including stone and white PVCU.

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/1978/0858 – Proposed alterations and extension to kitchen. Approved.
SMD/2020/0100 – Proposed two storey and single storey rear elevation extension and replacement front elevation porch. Refused.
SMD/2020/0316 – Proposed replacement agricultural buildings. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 30/10/2020
Neighbour consultation period ends: 12/10/2020
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 compliant under this criterion.

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 heights 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 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 be in compliance with Class A.1 (e.i) and (e.ii).

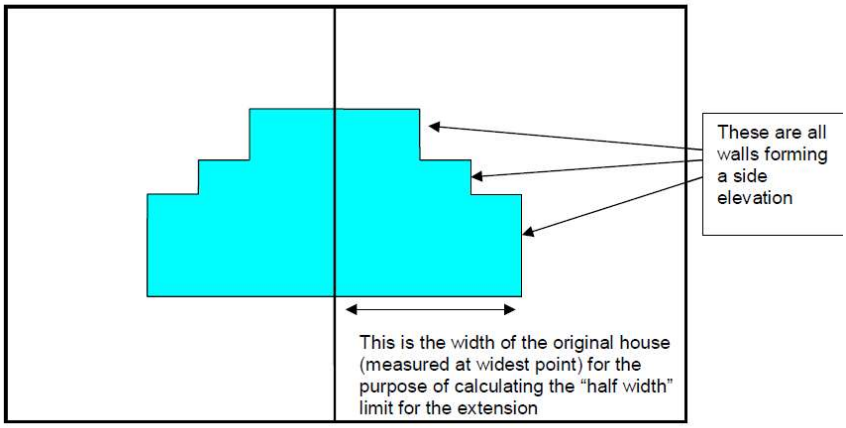
Under Class A.1 (g), the dimensions of the development are within those permissible under PD, now that the Government has released an amendment to the HNT legislation to remove the time limit for completion from the 30th May 2019. With a maximum height of 2.64 metres and a depth of 7.95 metres measured externally, the extension would be in line with the 4 metre height limit and fit within the 8 metre depth limit on detached dwellings. Therefore, the proposed extension does not conflict with these provisions.

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.

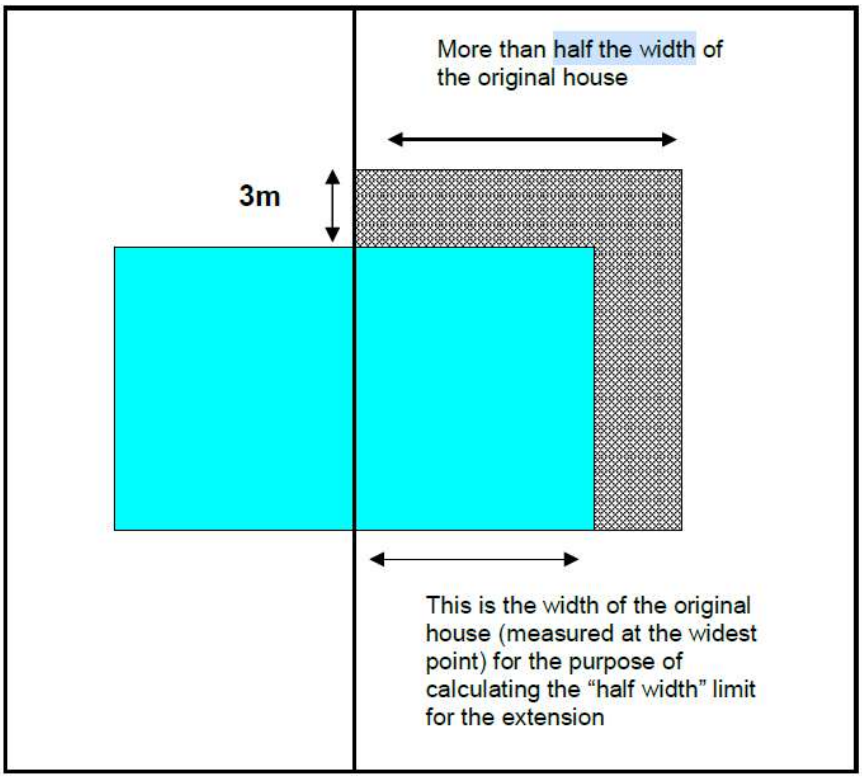
As part of Class A.1 (i), if the proposed extension would be positioned 2 metres from the curtilage boundary of the dwelling, the eaves height of the proposed extension cannot be above 3 metres. The eaves height of the proposed extension would be 2.64 metres; therefore the development would be in conformity with this restriction.

Class A.1 (j) states that the enlarged part of the dwellinghouse cannot exceed beyond a wall forming a side elevation of the original dwellinghouse, unless it abides by certain criteria. Although the proposed extension spans across the full rear elevation of the original dwellinghouse, it wraps around the external wall of the room labelled ‘Store’ on the proposed plans, which is considered as an original side elevation. Therefore as the proposed extension extends beyond an original side elevation of the dwellinghouse and would have a width greater than half the width of the original dwellinghouse, Class A.1 (j.iii) would be breached.

This scenario is covered in the Government Technical guidance. The diagram below shows that where the original rear elevation is “stepped” as is the case here, each “step” forms a side elevation.



Where a rear extension wraps around a side elevation, the total width across its rear elevation must not exceed half the width of the original dwelling. This is illustrated in the diagram below from the technical guidance and reflects the situation here in that the extension exceeds half the width of the original dwelling. On this basis the proposal is clearly not permitted development.



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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 accords with this provision.

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 stone and white PVCU.

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 intact.

CONCLUSION / PLANNING BALANCE

This notification does not fall 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. As the proposed extension would extend beyond a wall forming an original side elevation of the dwellinghouse and would have a width greater than half the width of the original dwellinghouse, Class A.1 (j.iii) would be breached. As a result, planning permission will be required and this HNT application is recommended for refusal.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Hollins
Recommendation Date: 30/10/2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council