

DELEGATED DECISION REPORT

HNT/2021/0011
Valid 24/03/2021

WILDWOOD FARLEY LANE
FARLEY

UPWARD EXTENSION

(HOUSEHOLDER
NOTIFICATION APPLICATION)

MAIN ISSUES

Compliance with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

DESCRIPTION OF SITE

The application site comprises a detached bungalow circa 1960s/70s constructed of part render, part brick and part reconstituted stone with a tiled pitched roof. The dwellinghouse is located on the southwestern side of Farley Lane, in an isolated position. The property does not appear to have been previously extended. The application site is surrounded by farmland to the west and south and woodland on the opposite side of Farley Lane to the north and east. The site is located in the Open Countryside.

PROPOSAL

The proposed development is to erect an additional storey on top of the existing bungalow under Class AA of the GPDO.

Permitted development rights in relation to the proposed site remain intact.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: N/A
Neighbour consultation period ends: 18/04/2021
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.

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 AA of the GPDO, to determine whether the householder development is permitted.

Class AA allows for the enlargement of a dwellinghouse consisting of the construction of—

- (a) up to two additional storeys, where the existing dwellinghouse consists of two or more storeys; or
- (b) one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction.

The existing dwellinghouse comprises a single storey bungalow and one additional storey is proposed immediately above the topmost storey of the dwellinghouse. Part AA.1 states that development is not permitted by Class AA if:

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, MA, N, O, P, PA or Q of Part 3 of this Schedule (changes of use).

The dwellinghouse was constructed circa 1960/70s (although the Planning Statement considers it to have been built circa 1950s) and was not granted permission by virtue of any of the Classes listed.

- (b) the dwellinghouse is located on (i) article 2(3) land or (ii) a site of special scientific interest.

The dwellinghouse is neither located on Article 2(3) land nor on a site of special scientific interest.

- (c) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018.

No planning records are held for the construction of the dwellinghouse however, its design is of the 1960/70s period and it does not appear on the Local Planning Authority's historic map of 1937-39. The Planning Statement believes the dwellinghouse was constructed circa 1950s. Whichever is correct, the dwellinghouse was constructed after 1st July 1948 and before 28th October 2018.

- (d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise.

No planning records exist for the dwellinghouse however, it is a detached single storey bungalow and no additional storeys have been previously added.

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres.

The highest part of the roof will measure 8.5 metres and therefore it will not exceed 18 metres.

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than (i) 3.5 metres, where the existing dwellinghouse consists of one storey.

The highest part of the proposed roof will measure 2.8 metres higher than the highest part of the existing roof and therefore it does not exceed 3.5 metres.

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres (i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or (ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated.

The dwellinghouse is detached so part (g) is not applicable.

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of (i) 3 metres; or (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse.

The floor-to-ceiling height, measured internally, of the existing dwellinghouse measures 2.4 metres. The additional storey to be constructed will have a floor-to-ceiling height, measured internally, of 2.4 metres. The proposed development will therefore comply with (h)(ii).

(i) any additional storey is constructed other than on the principal part of the dwellinghouse.

The dwellinghouse does not appear to have any obvious extensions, and there is no planning history, although it is possible that the narrower and lower element to the north side is a later addition. Notwithstanding this the proposed additional storey will be sited above the main body of the dwellinghouse which is considered to comprise the 'principal part of the dwellinghouse.

(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development.

The submitted drawings indicate that no visible support structures will be present on the exterior of the dwellinghouse and has been confirmed within the Planning Statement.

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

The submitted Planning Statement confirms that the development would not involve any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

Conditions

In order to comply with the conditions raised in Class AA.2 (2) of the GPDO:

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

The bungalow is constructed of render, brick and reconstituted stone with a tiled roof. The Planning Statement and the submitted drawings indicate that the exterior work will be a similar appearance to the exterior of the existing dwellinghouse.

(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house.

No windows are proposed in either side elevation of the proposed first floor or gables of the roof.

(c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse.

A drawing has been submitted that indicates that the roof pitch of the additional storey will be the same as the roof pitch of the existing dwellinghouse.

(d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

The Planning Statement confirms that the dwellinghouse will be used as a dwellinghouse within the meaning of Class C3 of the Use Classes Order and for no other purpose.

Prior Approval

In order to comply with the conditions raised in Class AA.(3) of the GPDO, the developer must apply to the Local Planning Authority for prior approval as to:

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light.

The dwellinghouse comprises an isolated dwellinghouse surrounded by farmland and woodland. The proposed additional storey will therefore not impact on the amenity of any adjoining premises.

(ii) the external appearance of the dwellinghouse, including the design and architectural features of (aa) the principal elevation of the dwellinghouse, and

(bb) any side elevation of the dwellinghouse that fronts a highway.

The principal elevation of the dwellinghouse faces towards Farley Lane to the northeast. The existing dwellinghouse is of no architectural merit. The principal elevation of the bungalow will retain the existing palette of materials used on the existing bungalow and will retain the existing openings to the ground floor. The design of the principal elevation will be contemporary in appearance. The dwellinghouse is isolated and therefore there are no other buildings that the proposed development needs to take into consideration in terms of its scale or design. The principal elevation of the proposed development is therefore considered acceptable.

(iii) air traffic and defence asset impacts of the development.

The development will not cause any air traffic or defence asset impacts as it is not located in close proximity to any airports or radars etc.

(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012⁴⁵ issued by the Secretary of State.

The dwellinghouse is not sited within an area of Protected Vistas.

CONCLUSION / PLANNING BALANCE

This notification falls within the framework set out within Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015.

As a result, the construction of an additional storey on top of the existing bungalow is permitted development and prior approval is granted.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Ailsa Berry

Recommendation Date: 04/05/2021

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council