

## DELEGATED DECISION REPORT

---

**SMD/2021/0543**  
**Valid 16/08/2021**

**56 MOSS PARK AVENUE**  
**WERRINGTON**

**APPLICATION FOR A LAWFUL  
DEVELOPMENT CERTIFICATE  
FOR A PROPOSED LOFT  
CONVERSION**

**(CERTIFICATE OF  
LAWFULNESS - PROPOSED)**

---

### MAIN ISSUES

Would the proposed development be permitted by the General Permitted Development Order 2015?

### DESCRIPTION OF SITE

Detached dwelling on a 1960s bungalow development. There is an alternating pattern between those bungalows that have gable fronts and those that have a roof ridge parallel to the road.

Applicant's dwelling occupies a corner plot. Its front and principal elevation forms a gable, while its side facing roof slope, to the east, is exposed to Shirley Avenue that runs alongside. Shirley Avenue slopes down from the rear, alongside the dwelling until it meets the road level at the front. Some of the bungalows in the estate have been extended with dormer roof additions. Predominantly these dormers align and coordinate with the dwelling's front elevations.

### PROPOSAL

The applicant already has planning permission to enlarge the dwelling with development that would make additions to each side facing roof slope and also extend at the rear (SMD/2019/0611).

The proposed development presented with this application would not include any rear extension. It would simply make an addition to each of the original dwelling's side facing roof slopes. Both of the additions would be box shaped dormers, neither of the additions would exceed the maximum height of the roof and in total they would add much less than 50 cubic metres to the original roof space.

Additionally, the proposal would alter an existing brick chimney stack increasing its height so that it would exceed the height of the proposed dormer additions but not exceed the max height of the roof by 1m or more (0.7m above max height).

### SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2019/0611 Rear extension and dormer roof additions. Approved.

## **OFFICER COMMENTS**

### **The Enlargement of the Dwellinghouse**

The application proposes - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof. Such development is permitted by Class B of Part 1 of the GPDO subject to conditions and limitations. There would be no conflict with any of the limitations because:

(a)The use of the property as a dwellinghouse does not result from a permission that has been granted only by virtue of Class M, N, P or Q of Part 3 of Schedule 2;

(b)No part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

(c)Neither of the side facing roof slopes or elevations form principal elevations of the dwellinghouse, as such the additions would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

(d)the dwellinghouse is a detached property, 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;

(e)the development to enlarge the dwelling with additions to the roof would not consist of or include— the construction or provision of a verandah, balcony or raised platform, the installation, alteration or replacement of a chimney(the proposal to alter and increase the height of the existing chimney is separate to and can be carried out independently of the roof additions and can be considered against the separate provisions of Class G below)

(f)the dwellinghouse is not in a Conservation Area

**There would be no breach of any of the conditions because:**

(a)the dormer additions would be faced in a render that would be of a similar appearance to the render already used in the front elevation of the existing dwellinghouse;

(b)the enlargement would be constructed so that—

(aa)the eaves of the original roof are maintained; and

(bb)the edge of the enlargement closest to the eaves of the original roof would be not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of 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) the applicant confirms by email that the windows inserted in the dormers on each side elevation of the dwellinghouse would be—(i) obscure-glazed, and (ii) non-opening

On this basis the proposed enlargements would be permitted by Class B.

#### The alteration to the chimney

The proposed development would alter the existing brick chimney by increasing its height to no more than 0.7m above the roof ridge. Such development is permitted by Class G of Part 1 of the GPDO subject to conditions and limitations. There would be no conflict with any of the limitations because:

(a) The use of the property as a dwellinghouse does not result from a permission that has been granted only by virtue of Class M, N, P or Q of Part 3 of Schedule 2;

(b) the height of the chimney, flue or soil and vent pipe would not exceed the highest part of the roof by 1 metre or more; and

(c) The dwellinghouse is not in the conservation area

On this basis the proposed alterations to the chimney would be permitted by Class G

#### **CONCLUSION / PLANNING BALANCE**

The enlargement to the dwelling house consisting of additions to its roof would be permitted by Class B, Part 1 of the GPDO, the alteration to the chimney would be permitted by Class G, Part 1 of the GPDO.

**OFFICER RECOMMENDATION :    APPROVE**

**Case Officer: Ben Hurst**

**Recommendation Date: 11/10/2021**

X *J. Colley*

---

Signed by: Jane Colley Signature

**On behalf of Staffordshire Moorlands District Council**