

PLANNING STATEMENT

APPLICANT : MR & MRS A CLOWES

**ADDRESS : PARK HAYES FARM, BLACKWOOD
HILL, ENDON, STAFFORDSHIRE, ST9 9AH**

**PROPOSAL : CERTIFICATE OF PROPOSED
LAWFULNESS FOR THE ERECTION OF TWO
SINGLE STOREY SIDE EXTENSIONS AND A
TWO STOREY REAR EXTENSION**

DATE : OCTOBER 2021

JOB No. : 2021-2603

INTRODUCTION

This statement is submitted in support of a certificate of lawfulness application of proposed development for two single storey side extensions and a two storey rear extension to the existing dwelling at Park Hayes Farm, Blackwood Hill, Endon. This statement demonstrates that the proposed extensions are lawful as they comply with the relevant criteria laid out in Part 1, Class A and Class D of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore no formal planning application is required.

The application has been submitted by Sammons Architectural Ltd on behalf of Mr & Mrs Clowes and is accompanied by drawing numbers 2021-2603-02A and 2021-2603-07 which should be read in conjunction with this statement.

APPLICATION SITE & SURROUNDING AREA

The application site comprises of a detached two storey traditional Moorlands longhouse constructed from coursed stone under a plain clay tile roof which sits within a wedge shaped plot. According to the council's website the application property is not subject to an Article 4 Direction and permitted development rights have been retained.

THE PROPOSAL

The proposal is for the erection of two single storey side extensions and a two storey rear extension.

PLANNING POLICIES & GUIDANCE

This is a certificate of proposed lawfulness application and for the avoidance of doubt it should be noted that the sole consideration in the determination of this application is whether the proposed development comprises permitted development

under Schedule 2, Part 1, Class A and Class D of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

ASSESSMENT SINGLE STOREY SIDE EXTENSIONS AND TWO STOREY REAR EXTENSION

The provisions of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 relate to 'Development within the curtilage of a dwellinghouse', and allows for the enlargement, improvement or other alteration of a dwellinghouse. Part 1, Class A, section A.1 stipulates that development will not be permitted by Class A if the proposal conflicts with any of the following criteria:

(a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, or Q of Part 3 of this Schedule (changes of use);

The existing dwellinghouse was not granted by virtue of a change of use under the aforementioned permitted development provisions and therefore part (a) is not applicable to this application.

(b) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of curtilage (excluding the ground area of the original dwellinghouse).

The application building sits within a substantial sized plot and as such the total domestic curtilage of the existing property is considerable (395 sq. metres). In accordance with Class A.1 (b) the ground coverage of the application building combined with the proposed side and rear extensions would not exceed anywhere near 50% of the total domestic curtilage. The proposed development is therefore considered to meet this criterion.

(c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

The height of the proposed extensions will not exceed the highest part of the roof of the existing dwellinghouse. The proposed development is therefore considered to meet this criterion.

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The eaves height of the proposed extensions will not exceed the eaves height of the existing dwellinghouse. The proposed development is therefore considered to meet this criterion.

(e) the enlarged part of the dwellinghouse would extend beyond a wall which –

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

As the proposed extensions 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 Class A.1 (ei) and (e.ii) are not applicable to this application

(f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and –

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height

The proposed rear extensions are two storey in nature and therefore paragraph A.1. (f) is not applicable. The proposed single storey extensions are positioned on the side elevation of the dwelling and again paragraph A.1 (g) is not applicable.

(g) For a dwellinghouse not on Article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and –

- (i) Extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
- (ii) exceed 4 metres in height;

The proposed rear extensions are two storey in nature and therefore paragraph A.1. (g) is not applicable. The proposed single storey extension is positioned on the side elevation of the dwelling and again paragraph A.1 (g) is not applicable.

(h) The enlarged part of the dwellinghouse would have more than a single storey and –

- (i) Extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
- (ii) Be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

The proposed extension would have more than a single storey however it is considered that it complies with paragraph A.1. (h.i) as it does not extend beyond the rear wall of the original dwellinghouse by more than 3 metres and (h.ii) no part of it is within 7 metres of the boundary of the curtilage opposite the rear wall of the dwellinghouse.

(i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.

Whilst the single storey side extension attached to the north eastern gable of the application building would lie within 2 metres of the boundary of the curtilage of the dwellinghouse the eaves height of the proposed extension would not exceed 3m in height. It is therefore considered that this criteria is complied with.

(j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation to the original dwellinghouse, and would –

- (i) Exceed 4 metres in height
- (ii) Have more than a single storey, or
- (iii) Have a width greater than half the width of the original dwellinghouse

The proposed side extensions will extend beyond the original side elevation of the dwellinghouse, but each individual extension will not have a width that is greater than half the width of the original dwelling. In addition both side extensions will have a single storey form and not exceed 4m in height. The proposed development will therefore meet the requirements of this criterion.

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j)

The proposed single storey side extensions and two storey rear extension will not be joined to any existing enlargement to the dwellinghouse. The proposed extensions will extend from the original dwellinghouse and therefore Class A.1 (ja) is not applicable to the proposed development.

(k) It would consist of or include –

- (i) The construction or provision of a verandah, balcony or raised platform;
- (ii) The installation, alteration or replacement of a microwave antenna;
- (iii) The installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
- (iv) An alteration to any part of the roof of the dwellinghouse;

The proposed development would not include the addition of 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 accordance with Class A.3 (a) the proposed development proposes to utilise materials of construction that match the colour and texture of those of the original dwellinghouse and will not have any side facing upper floor windows (Condition A.3 (b) refers). The proposed development is therefore considered to satisfy the criteria in this respect.

ASSESSMENT FRONT PORCH

The proposed front porch needs to be considered against Schedule 2, Part 1, Class D of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). This provides permitted development rights for the erection of a porch outside any external door of a house.

Development is not permitted by Class D if – (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use).

As stated above the existing dwellinghouse was not granted by virtue of a change of use under the aforementioned permitted development provisions and therefore part (a) is not applicable to this application.

(b) the ground area (measured externally) of the structure would exceed 3 square metres

The ground area of the structure, measured externally, would not exceed 3 square metres. The proposed development is therefore considered to satisfy the criteria in this respect.

(c) any part of the structure would be more than 3 metres above ground level or

No part of the structure would be more than 3 metres above ground level. The proposed development is therefore considered to satisfy the criteria in this respect.

(d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway

No part of the structure is within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway. The proposed development is therefore considered to satisfy the criteria in this respect.

CONCLUSION

For the reasons set out above it is considered that the proposed development will fully accord with the provisions of Part 1, Class A and Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and as such would be lawful and not require the submission of a planning application.

The Local Authority is therefore respectfully requested to issue a Lawful Development Certificate to confirm the lawfulness of this proposed development.