

DELEGATED DECISION REPORT

HNT/2021/0036
Valid 08/12/2021

THE LEASOWS TOWN END
LANE
SWINSCOE

**AN APPLICATION TO
DETERMINE IF PRIOR
APPROVAL IS REQUIRED FOR
A PROPOSED SINGLE
STOREY, DUAL PITCHED
EXTENSION TO THE REAR OF
THE EXISTING DWELLING
HOUSE. NATURAL STONE
FACING, CLAY TILE ROOF
FINISH, TIMBER WINDOWS.**

**(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 Hamps Valley ward. Additionally, it is surrounded by a series of public rights of way; the Blore with Swinscoe 32 and Blore with Swinscoe 33 to the West of the site and the Bloor with Swinscoe 30, 31 and 27 to the East. A large pocket of open countryside land is situated to the North of the site, separating the site from its closest neighbour at Chapel House, Town End Lane. The Stanton Pastures & Cuckoocliff Valley SSSI is located to the West of the site, separated from the site by a large area of countryside. The Town End Lane highway runs adjacent to the proposed site on the North.

PROPOSAL

The proposed development consists of a single storey rear extension. The extension will have a maximum height of 4.0 metres and maximum eaves height of 2.50 metres measured externally from natural ground level. It will have a depth of 8.0 metres. Materials used in the construction of the proposed extension would match those used in the construction of the existing dwellinghouse, including natural stone, clay tiles and timber windows.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

GPDO (2015) Schedule 2 Part 1 Class A

Permitted development rights for householders: Technical Guidance

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1979/1554 – Conversion of cattle shed / barn to dwelling house. Closed.

SMD/1980/0044 – Conversion of barn to holiday accommodation. Approved.

SMD/1980/1359 – Erection of carport. Approved.

SMD/1984/0225 – Extension to form bedroom and wood cellar. Approved.

SMD/2020/0173 – Single storey rear extension to provide living space and allow accessible reconfiguration of the existing property. Refused.

SMD/2020/0260 – Lawful development certificate for a proposed replacement of a dilapidated greenhouse, concrete base and area of hardstanding with the erection of a lightweight steel storage building to house animal feed / land maintenance equipment. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 19/01/2022

Neighbour consultation period ends: 30/12/2021

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.

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.

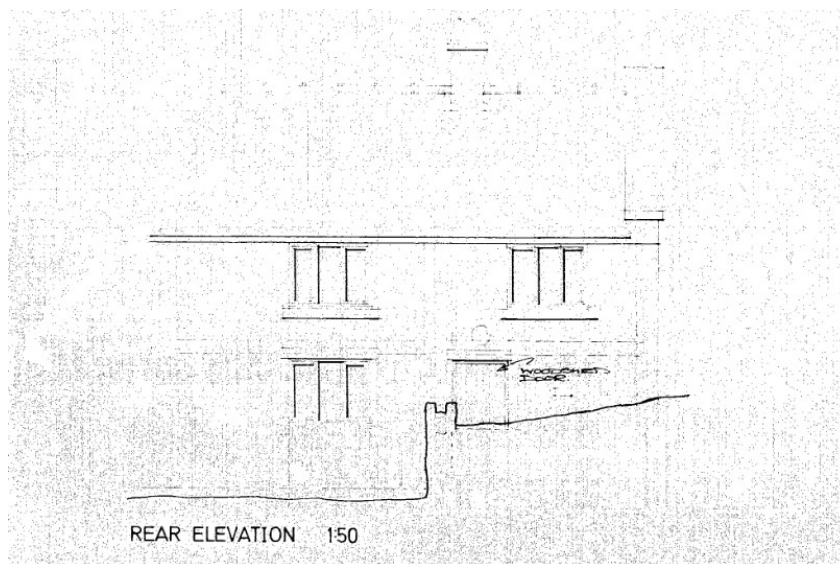
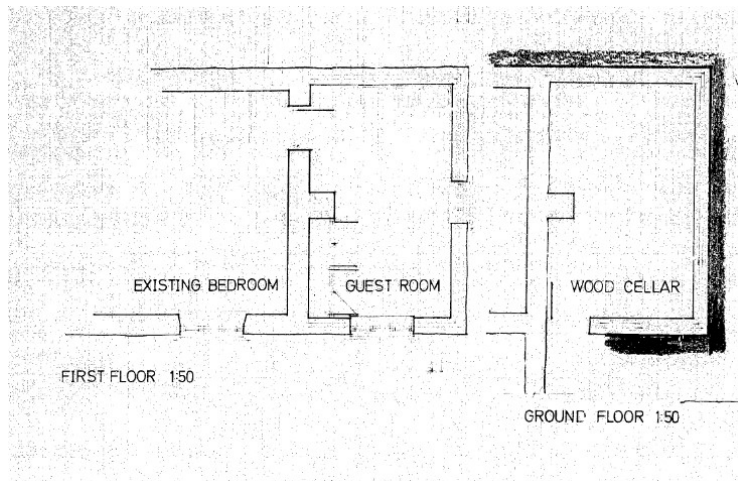
Class A.1 (c) and (d) confirm that the height of the roof and eaves of the proposed extension cannot exceed beyond the maximum roof height and eaves height of the existing dwellinghouse; otherwise the development is not permitted. Neither the height of the roof or the eaves of the single storey extension would exceed the maximum roof or eaves heights of the existing dwellinghouse.

As the extension would be constructed on the original principal elevation of the dwelling, it would not be in compliance with Class A.1 (e.i). Although the proposed extension is on the opposite side of the dwelling to the existing principal elevation, it is believed that the principal elevation of the dwelling has changed over time. I note that the Permitted development rights for householders: Technical Guidance provides the following definition for 'principal elevation':

"In most cases the principal elevation will be that part of the house which **fronts (directly or at an angle) the main highway serving the house** (the main highway will be the one that sets the postcode for the house concerned). It will **usually contain the main architectural features** such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house."

The main highway which serves the host dwelling is Town End Lane. The dwellinghouse shares a postcode with several nearby houses on Town End Lane, indicating that as Town End Lane sets the postcode for the site, this would be the main highway which serves it. Thus, as the North facing elevation faces the main highway which serves the dwelling, this elevation would be considered to be the original principal elevation.

Planning history under the application reference SMD/1984/0225 shows the rear elevation to be the South facing elevation, which the applicants have stated is the principal elevation. This can be seen on the planning drawings below:



The annotation on the door on the rear elevation of the dwelling says 'woodshed's door', which can also be seen on the 'ground floor' plan. It is clear from a site photograph taken in 2020 that the woodshed door is on the Southern facing elevation, as per the photograph below:



Therefore, as it is clear that the woodshed door is positioned on the Southern elevation, titled as the rear elevation on plans comprising planning history of the site, the elevation where the proposed extension would be positioned is on the original principal elevation.

The proposed extension would not front the highway and form a side elevation of the existing dwellinghouse, therefore this would be in compliance with Class A.1 (e.ii).

This is an application under the larger extension procedure of the GPDO, therefore Class A.1 (f) does not apply. The proposed extension would not comply with Class A.1 (g), as it would be an extension to the principal elevation of the original dwellinghouse.

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.

With respect to Class A.1 (i), if the proposed extension would be positioned 2 metres from the curtilage boundary of the dwelling, the eaves height cannot exceed 3 metres. Thus, as the eaves height of the proposed extension would be 2.50 metres, the development would conform to this restriction.

Class A.1 (j) states that the enlarged part of the dwellinghouse cannot extend beyond a wall forming a side elevation of the original dwellinghouse, unless it abides by certain criteria. The proposed extension would only project from the original principal elevation, 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 8 metre limit set out in Class A.1 (g). The proposed extension would project forward of the principal elevation of the original dwellinghouse, therefore it would not comply with this criterion.

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.

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 natural stone, clay tiles and timber windows.

Permitted development 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. The proposed extension would breach Class A.1 (e.i), in the sense that it would project forward of the original principal elevation of the dwellinghouse. As a result the proposed extension is not permitted development.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins
Recommendation Date: 19/01/2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council