

DELEGATED DECISION REPORT

SMD/2021/0811
Valid 08/12/2021

ISAAC WALTON FARM
CRESSWELL LANE
CRESSWELL

LAWFULL DEVELOPMENT
CERTIFICATE FOR
PROPOSED TIMBER
OUTBUILDING.

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

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

DESCRIPTION OF SITE

The site is in the Green Belt to the north of a level crossing, a short run of interwar roadside dwellings to the west of Sandon Road (also within Green Belt) and a small 70s housing development built around the Rookery Crescent loop road that is on the east side of Sandon Road and the otherside of the Green Belt boundary.

The dwelling at Izaak Walton Farm was built in the middle of the 20th Century.

PROPOSAL

Plans are submitted that show the proposed provision of an outbuilding within the accepted curtilage of the dwellinghouse at Isaac Walton Farm, to the rear of the dwelling in what might be considered part of its rear garden. The building would provide two small areas of household storage and an outdoor kitchen.

The building would have a full pitch roof with a max ridge height of just less than 4m. A revised plan has been submitted to show that the building, which would exceed 2.5m in height, would be built no less than 2m from what would be considered the nearest boundary of the curtilage.

PLANNING HISTORY

The existing farm dwellinghouse was granted planning permission in 1986

SM/593.86 erection of dwellinghouse. Approved.

The permission is not subject to a condition that prevents development otherwise permitted by the GPDO.

OFFICER COMMENTS

The Provision of an outbuilding to provide two small household stores and an outdoor kitchen

The revised application proposes - The provision of a building required for a purpose that would be incidental to the enjoyment of the dwellinghouse. Such development is permitted by Class E of Part 1 of the GPDO subject to conditions and limitations. There would be no conflict with any of the limitations because:

- (a) The dwellinghouse is not used as a dwellinghouse by virtue of a permission granted only by virtue of Class M, N, P or Q of Part 3;
- (b) the total area of ground covered by buildings, enclosures and containers within the curtilage would not exceed 50% of the total area of the curtilage;
- (c) No part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- (d) the building would not have more than a single storey;
- (e) the building would —
- (i) have a dual-pitched roof and not exceed 4m in height
- (ii) The building as shown on revised plans would not be within 2 metres of the boundary of the curtilage of the dwellinghouse
- (f) the height of the eaves of the building would not exceed 2.5 metres;
- (g) the building would not be located within the curtilage of a listed building;
- (h) it would not include the construction or provision of a verandah, balcony or raised platform;
- (i) the development does not relate to a dwelling or a microwave antenna.

The development would not take place in a conservation area and would not take place in between a side elevation of the dwelling and the curtilage boundary. On this basis the proposed provision of a building as shown and specified in revised drawings received on the 31st Jan 2022 would be permitted by Class E.

CONCLUSION / PLANNING BALANCE

The proposed provision within the curtilage of the dwelling house of the building required for a purpose incidental to the enjoyment of the dwellinghouse, as shown and specified on the revised drawing A received on the 31st Jan 2022, would be permitted by Class E, Part 1 of the GPDO.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 17/02/2022

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council