

DELEGATED DECISION REPORT

HNT/2022/0031
Valid 23/08/2022

9 COMPTON
LEEK

PROPOSED SINGLE STOREY
SIDE EXTENSION MEASURING
5.05M BEYOND THE REAR
WALL OF THE EXISTING
DWELLING, 2.9M MAXIMUM
HEIGHT AND 2.9M TO HEIGHT
OF EAVES

(HOUSEHOLDER
NOTIFICATION APPLICATION)

MAIN ISSUES

Compliance with the GPDO (2015)

DESCRIPTION OF SITE

The proposed site comprises a semi-detached brick and tile dwellinghouse and its associated curtilage, situated in the Leek South ward. Additionally, the proposed site is within the Leek Development Boundary, where positive development is encouraged to be concentrated. The site is enclosed by neighbouring dwellinghouses on the North-East and South-West. No. 8 Compton is situated to the North-East of the site and No. 27 Challinor Avenue is located to the South-West. The curtilage of the site adjoins an area of curtilage belonging to Compton House, Compton to the North. The Compton highway runs adjacent to the proposed site on the East.

I note that although the address given is a flat, the proposed site is not a flat. The site comprises a semi-detached dwellinghouse adjacent to some flats.

PROPOSAL

The proposed development consists of a single storey side and front extension. The extension would have a maximum height of 2.9 metres and maximum eaves height of 2.9 metres measured externally from natural ground level. It will have a width of 5.05 metres. Materials used in the construction of the proposed extension would match those used in the construction of the existing dwellinghouse, including facing brickwork and rubber roof system.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

GPDO (2015) Schedule 2 Part 1 Class A

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 04/10/2022

Neighbour consultation period ends: 14/09/2022

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 side and front 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.

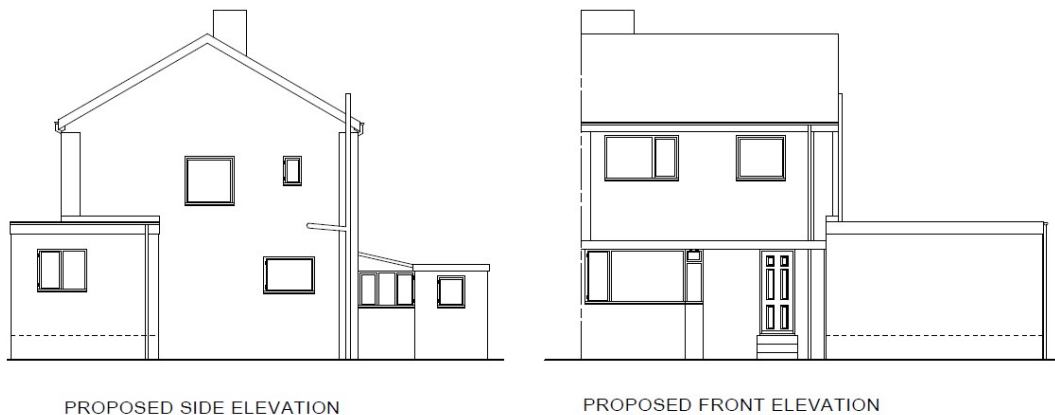
Schedule 2, Part 1, Class A.1 (a) states that development is not permitted if the use of a dwellinghouse as a dwellinghouse changes. The extension would be solely used as part of the living space of the residents to fully maintain its status as a dwelling, thus making it compliant under this criterion.

In accordance with Class A.1 (b) of the GPDO, the ground coverage of the building combined with the addition of the 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.

The extension would be constructed on the principal elevation of the dwelling, therefore it would not comply with Class A.1 (e.i). Although the applicants have stated that the North facing elevation where the proposed extension would be located is the rear elevation, there is a substantial amount of evidence in the form of main architectural features to conclude that this elevation is the principal elevation. For instance, the main entrance to the dwelling as well as the bay window feature. Furthermore, the plans submitted under the application show that the extension would be on the principal elevation of the dwelling, which can be seen in the image below.



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. Class A.1 (g) does not apply to the proposed development, as it is not a rear extension.

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. As the eaves height of the proposed extension would be 2.9 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. Although the proposed extension will extend beyond a side elevation of the original dwellinghouse and not have more than a single storey or exceed 4 metres in height, it would exceed half the width of the original dwellinghouse. The width of the proposed extension is approximately 5.05 metres while the width of the original dwellinghouse is 6.39 metres. Therefore, it would not comply with the above permitted development criteria.

With regard to Class A.1 (ja), any total enlargement including the addition of further enlargements to existing enlargements, cannot exceed any of the limits set out in Class A.1 (e-j). The proposed extension would extend beyond the principal elevation of the dwellinghouse, as well as extend beyond a side elevation of the original dwelling and exceed half the width of the original dwellinghouse. Thus, Class A.1 (ja) would be breached.

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 be of a similar appearance to those used in the construction of the existing dwelling, including brick, rubber roofing and UPVC.

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 extend beyond the principal elevation of the dwellinghouse, therefore it would breach Class A.1 (e.i). Additionally, it would extend beyond a side elevation of the original dwellinghouse and would exceed half the width of the original dwellinghouse, meaning that it would breach Class A.1 (j.iii). As a result the proposed extension is not permitted development.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Hollins

Recommendation Date: 04/10/2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council