

## DELEGATED DECISION REPORT

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**SMD/2021/0732**  
**Valid 09/11/2021**

**22 THE GREEN**  
**BROWN EDGE**

**APPLICATION FOR A LAWFUL  
DEVELOPMENT CERTIFICATE  
FOR A PROPOSED USE OR  
DEVELOPMENT: SIDE AND  
REAR EXTENSIONS TO  
EXISTING BUNGALOW**

**(CERTIFICATE OF  
LAWFULNESS - PROPOSED)**

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### MAIN ISSUES

- The application seeks to determine whether the proposal requires planning consent.

### DESCRIPTION OF SITE

The application site relates to a detached bungalow that is located within Brown Edge. The property benefits from a garden to the front with a private driveway to the side. The property also benefits from a detached garage and private garden to the rear.

### PROPOSAL

This is an application for a Certificate of Lawfulness for a proposed single storey extension to the side and rear of the property.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

General Permitted Development Order 2015

### SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant

### CONSULTATIONS

#### Publicity

Site Notice expiry date: n/a  
Neighbour consultation period ends:n/a  
Press Advert: N/A (\*Add date if applicable)

## **Public Comments**

None received

## **Town / Parish Comments**

None received

## **OFFICER COMMENTS**

Assessment of proposal in relation to the provisions of Class A Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015:

A.1 Development is not permitted by Class A if –

(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);

**Permission for use as a dwellinghouse was not granted by virtue of class M, N, P or Q of Part 3.**

(b) as a result of the works the total area of ground covered by buildings within the curtilage of the dwelling house (other than the original dwelling house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);

**The single storey extensions will not exceed 50% of the total area of curtilage of the property.**

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

**The height of the proposed single storey extensions will not exceed the height of the existing dwelling.**

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

**The height of the eaves of the proposed extensions will not exceed the height of the eaves of the existing dwellinghouse.**

(e) the enlarged part of the dwelling house would extend beyond a wall which - (i) fronts a highway; and (ii) forms either the principal elevation or a side elevation of the original dwelling house;

**The proposed single storey extensions will not extend beyond a wall which is considered to front a highway.**

(f) subject to paragraph (g), the enlarged part of the dwelling house would have a single storey and – (i) extend beyond the rear wall of the original dwelling house by more than 4 metres in the case of a detached dwelling house or 3 metres in the case of any other dwelling house, or (ii) exceed 4 metres in height;

**The single storey rear extension will extend beyond the rear wall of the detached dwellinghouse by 3.3m and measure 3.995m in height.**

(g) until 30th May 2019, 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;”

**N/A**

h) the enlarged part of the dwelling house would have more than one storey and – (i) extend beyond the rear wall of the original dwelling house by more than 3 metres, or be within 7 metres of any boundary of the curtilage of the dwelling house opposite the rear wall of the dwelling house;

**The proposed extensions will be single storey.**

(i)the enlarged part of the dwelling house would be within 2 metres of the boundary of the curtilage of the dwelling house, and the height of the eaves of the enlarged part would exceed 3 metres;

**The proposed single storey extensions will measure 2.4m at the eaves.**

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would – (i) exceed 4 metres in height, (ii) have more than one storey, or (i) have a width greater than half the width of the original dwellinghouse; or

**The single storey side extension does not have a width greater than half the width of the original dwellinghouse and is not more than 4m in height or more than one storey.**

(k) it would consist of or include— (i) the construction or provision of a veranda, 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 (ii) an alteration to any part of the roof of the dwellinghouse.

**The proposed single storey extensions do not consist of or includes any of the above criteria.**

## **CONCLUSION / PLANNING BALANCE**

The development is classed as Permitted Development under Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. subject to those conditions imposed under class A, Section A.3.

### **OFFICER RECOMMENDATION:**

To approve the application for certificate of lawfulness

**Case Officer: Rebecca Bowers**

**Recommendation Date: 10/10/2022**

X *B.S. Haywood*

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Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**