

DELEGATED DECISION REPORT

SMD/2022/0560
Valid 16/11/2022

INGLEWOOD, BAGNALL
ROAD, BAGNALL,
STAFFORDSHIRE, ST9 9JU

LAWFUL DEVELOPMENT
CERTIFICATE FOR A
PROPOSED PITCHED ROOF
TO REAR

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

Whether the proposed development comprises permitted development under Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

DESCRIPTION OF SITE

The application site comprises a dormer bungalow detached rendered dwellinghouse constructed of brick with clay tiles. The property has previously extended to the rear with a flat roof extension and conservatory tagged on projection to rear and side.

The application site is located on a hillside and fronts onto fields and a private drive, the side elevation faces Bagnall Road.

The application site is located in the countryside.

PROPOSAL

The Lawful Development Certificate proposes to add a roof to roof over the existing extension and conservatory, effectively filling in a void and extending the roof slope of the main roof of the dwelling down to the eaves of the extensions.

SITE HISTORY

SMD/2000/0417	Inglewood	Conservatory and first floor dormer extension	Approved	28/06/2000
SMD/1985/0633	Inglewood	Erection of wooden stable	Approved	24/07/1985

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 alteration to the roof of the dwellinghouse adheres to

the criteria stated by Schedule 2, Part 1, Class B of the GPDO, to determine whether the householder development is permitted.

Additions etc to the roof

B.1 Development is not permitted by Class B 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)

Enlargement is not permitted where the house was created under the permitted development rights to change use, set out in Classes M, N, P, PA, and Q of Part 3 of Schedule 2 to the Order. **N/A**

(b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof

Additions and alterations made to a roof to enlarge a house (for example a loft conversion or the replacement of an existing flat roof with a pitched roof) will only be permitted development if no part of the house once enlarged exceeds the height of the highest part of the roof of the existing house. If it does, planning permission will be required. **N/A**

(c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway **N/A**

(d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than -

(i) 40 cubic metres in the case of a terrace house, or

(ii) **50 cubic metres** in any other case

For the purposes of Class B “resulting roof space” means the roof space as enlarged, taking into account any enlargement to the original roof space, whether permitted by this Class or not.

To be permitted development any additional roof space created must not increase the volume of the original roof space of the house by more than 40 cubic metres for terraced houses and 50 cubic metres for semi-detached and detached houses. Any previous enlargement to the original roof space in any part of the house must be included in this volume allowance.

‘Original roof space’ will be that roof space in the ‘original building’

The cubic volume of the void enclosed that becomes roof space and the dormer extension (SMD/1985/0633) cumulatively does not exceed 50 cubic metres.

(e) it would consist of or include -

(i) the construction or provision of a verandah, balcony or raised platform, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe

Alterations to the roof of a house for loft conversions involving the creation of balconies are not permitted development and will require planning permission. **N/A**

(f) the dwellinghouse is on article 2(3) land

In National Parks, the Broads, areas of outstanding natural beauty, conservation areas, and land within World Heritage Sites, roof extensions are not permitted development and will require an application for planning permission. **N/A**

Conditions

B.2 Development is permitted by Class B subject to the following conditions -

(a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse **Materials to match existing house**

This means that the materials used should be of similar visual appearance to those in the existing house, but does not mean that they need to be the same materials or match exactly.

Window frames should also be similar to those in the existing house in terms of their colour and overall shape. **N/A**

(b) the enlargement shall be constructed so that –

(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension – **N/A as this is an enlargement which joins the original roof to the roof of a rear and side extension**

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse **N/A as this is an enlargement which joins the original roof to the roof of a rear or side extension**

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall be -

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed

N/A no windows proposed

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed single storey rear extension conforms with the rules stated within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - adhering to the criteria stated by Schedule 2, Part 1, Class B of the GPDO - the householder development is permitted.

OFFICER RECOMMENDATION: **Issue a POSITIVE Certificate**

Case Officer: Pet Twigg

Recommendation Date: 6.01.2023

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council