DELEGATED DECISION REPORT

SMD/2023/0169 **Valid 05/04/2023**	**LOWER OVERTON FARM** **OVERTON ROAD** **CONGLETON**	**APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED USE OR DEVELOPMENT.** **THE PROPOSAL IS FOR FENESTRATION AMENDMENTS TO A DWELLINGHOUSE** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES
Would the development be permitted by Part 1 Schedule 2 of the General Permitted Development Order?

DESCRIPTION OF SITE
The application site is located within the North Staffordshire Green Belt and comprises an imposing two storey farmhouse constructed from coursed stone with a Staffordshire Blue tiled roof. The building has a traditional symmetrical front elevation, with twin chimneys located at either end of its gabled roof. The farmhouse has a rear wing that extends in a north easterly direction from the rear elevation. The rear wing formerly comprised a farm shippon which was converted, with apparent alteration and rebuilding, to residential use back in the early 1970s.

The farmhouse is located to the southwest of an existing two storey former agricultural building that is also constructed from coursed stone with a Staffordshire Blue tiled roof. An area of domestic curtilage extends to the north, northeast, west and southwest of the farmhouse, with a courtyard on the eastern / south eastern side of the building providing parking and turning facilities. Together the buildings from part of a 19th C historic farmstead listed on County record.

The site occupies an elevated position in relation to the surrounding road network, and is prominent from Overton Road which curves around the dwelling's front elevation, becoming Tunstall Road where it flanks its side elevation and passes its rear to the north west.

PROPOSAL
Alteration to part of the dwellinghouse (the side wall to the rear outrigger that forms the converted shippon) to amend ground floor fenestration arrangements to provide a wide bi fold patio window/door.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
2442/71 Alterations and Extension. Approved

SMD/2021/0725 Conversion to form residential annex. Approved.

OFFICER COMMENTS

A direction under Article 4 of the GPDO has not been made in respect of the area or the property and it is not a condition of any relevant planning permission that development shall not be carried out at the property that might otherwise be permitted by the GPDO. The property is not in a Conservation Area.

The dwellinghouse does not result from development permitted by Part 3 (Change of Use) of the GPDO, it is a long established purpose built dwellinghouse that pre dates the Planning Act.

Importantly for any development to be permitted by Class A, Part 1 the GPDO it must be either the enlargement, improvement or other alteration of a dwellinghouse.

In this case the proposed development consists of the introduction of a wide bifold/patio window at ground floor to the side elevation of the dwelling's two storey rear outrigger. The rear outrigger was formerly a long shippon that ran behind the rear elevation of the dwelling, the planning permission granted in the 1970s was for the conversion and alteration of the shippon to make it part of the dwellinghouse and additional living accommodation. The permission was not subject to a condition that sought to limit or remove the rights granted under the GPDO.

The introduction of the ground floor bifold window would, if not an 'improvement', amount to an 'other alteration' to the dwellinghouse:

- The height of the part altered would not exceed the height of the highest part of the roof of the existing dwellinghouse; and

- The alteration would not consist of or include the construction or provision of a verandah, balcony or raised platform, the installation, alteration or replacement of a microwave antenna, the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or an alteration to any part of the roof of the dwellinghouse.

The proposed development would comply with the conditions of Class A by using fenestration frames that match the dark brown timber used in the side elevation of the existing dwellinghouse; and there would be no upper floor windows in the side elevation.

CONCLUSION / PLANNING BALANCE

The development would be permitted by Class A Part 1 of the GPDO

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst
Recommendation Date: 01/06/2023

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council