DELEGATED DECISION REPORT

SMD/2023/0228 **Valid 03/05/2023**	**1 HILLSWOOD DRIVE** **ENDON**	**LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED GROUND FLOOR FLAT ROOF REPLACMENT WITH A PITCHED ROOF WITHIN THE LIMITS OF 4M IN HEIGHT AND REPLACEMENT OF THE FIRST FLOOR FLAT ROOF. DORMER WINDOWS WITH PITCHED ROOFS.** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES
On the date of the application would the proposed development have been permitted by Class B, Part 1, Sched. 2 of the General Permitted Development Order and therefore immune from action and lawful.

DESCRIPTION OF SITE
Detached gabled roofed dormer roof bungalow occupying a rectangular plot. The ridge line of the house is perpendicular to the road. The dwellings is surrounded by domestic properties.
.

PROPOSAL
The land where the extension is to occur is clearly inside the residential curtilage of the dwelling

To add mono pitched roofs to the two side facing existing flat roofed dormer windows.

An existing flat roofed side extension is to gain a pitched roof. The gabled roof with a ridge running perpendicular to the dormer bungalows ridge but being considerably lower.

The proposed modifications are proposed to be built of materials which match the houses roof. The sides of the dormer are already cladded in what appears to be uPVC.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2020/0222 was for a new house to the side refused Nov 20
SMD/2019/0726 was for a new house to the side refused Feb 20

There is no indication that the permitted development rights have been removed from the dwelling.

OFFICER COMMENTS

Permitted development

B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

Development not permitted

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 or Q of Part 3 of this Schedule (changes of use);

It is not.

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

This is not the case

(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;

This is not the case.

(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;

There are no previous extension to the dwellings roof.

The pitched roof on the north facing dormer is 6.6 cubic meters in size.

The pitched roof on the south facing dormer is 11.2 cubic meters in size.

The pitched roof on the extension is 12.5 cubic meters (This accounts for part of the space below the ridge being part of the existing houses roof and so not an addition)

The proposed increase is a total of 30.3 cubic meters which is considerably less than 50 Cubic Meters.

(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; or

It does not

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

It is not on this land.

Conditions

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

(a)the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

(b)the enlargement must 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—

(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 is, so far as practicable, 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; and

(c)any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must 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.

The development complies with the above all of the above conditions. The proposed materials are indicated to the white Upvc to the cheeks of the former which would match existing and the roof to the extension would be grey concrete tiles to match existing.

CONCLUSION / PLANNING BALANCE
The proposed development would be permitted by Class B, Part 1 of the GPDO.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Alan Lynch
Recommendation Date: 28/06/2023

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council