DELEGATED DECISION REPORT

SMD/2023/0205 **Valid 25/04/2023**	**21 WALLFIELD CLOSE** **UPPER TEAN**	**LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED SIDE EXTENSION TO FORM WC AND UTILITY ROOM** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES

- Consider whether the proposed extension complies with Class A Permitted Development Rights.

DESCRIPTION OF SITE

A semi-detached, two-storey dwelling occupying an end of cul-de-sac location. The dwelling benefits from a detached garage, off-road parking area and rear garden space.

PROPOSAL

A single-storey, pitched roof, side/rear extension to provide a utility room and separate WC. There would be single, high-level windows to the front and rear elevations and a pedestrian door within the side wall.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The application is for a certificate of lawfulness and therefore Local and National Planning Policies cannot be applied. Determination of this application relates solely to whether the proposed extension complies with the domestic permitted development rights allowances within the General Permitted Development Order (2015) (as amended), Schedule 2, Part 1, Class A.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

OFFICER COMMENTS

The General Permitted Development Order (2015) (as amended), Schedule 2, Part 1, Class A is the part of the GPDO to be considered in respect of a single-storey extension. The application dwelling is not a Listed Building and the site does not form part of any Conservation Area. There is no record of Permitted Development Rights being removed from this property.

The existing rear extension complies with the Class A allowances for the following reasons;

A.1
A) Dwelling is not formed as a result of a Part 3, Class M, N, P or Q application approval;

B) Extension does not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);

C) Extension does not exceed the height of the existing house;

D) Extension eaves height does not exceed the eaves height of the existing house;

E) The extension does not extend beyond a principal elevation and does not front a highway and form a side extension;

F) This is a semi-detached dwelling. Extension would not be greater than 3.0m rear of the rear wall and does not exceed 4.0m high.

G) Does not extend more than 6.0m from the rear of the house (semi-detached dwelling) or exceed 4.0m high.

H) Does not relate to an extension greater than single storey in height;

I) Extension would not be within 2.0m of the boundary of the curtilage of the dwelling and the eaves height does not exceed 3.0m;

J) The extension does extend beyond a wall forming a side elevation, however it would;
i) not exceed 4.0m in height;
ii) have more than a single storey;
iii) not have a width greater than half the width of the original dwellinghouse.

J.a. Not applicable as the proposed extension will not be joined to any previous addition.

K)
(i) Does not include provision of verandah, balcony or raised platform;
(ii) Does not relate to microwave antennas;
(iii) Does not relate to chimneys, flue, soil, vent pipes;
(iv) Does not relate to any alteration to the roof of the house;

L) The dwellinghouse is not built under part 20 of Schedule 2.

A.2. Not relevant as dwelling is not on Article 2(3) land.

A.3 Class A Conditions
A) The application contains no details regarding the external building materials either on the application form or the proposed plans. For this reason it is recommended that in the event of a certificate being approved, an informative note should be added to inform the applicant/developer that exterior materials must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

B) Not relevant as there are no upper floor windows;

C) Not relevant as the extension is single-storey only.

A.4 Not relevant as this is a Certificate of Lawfulness application and not a Larger Homes notification.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above it is recommended that the Certificate of Lawfulness is approved. Although not relevant to the determination of the certificate application, it is noted that the extension is of an acceptable design and would not result in any neighbour amenity harm. The application site lies within a Coal Development Low Risk Area and similar to materials, an informative note could be added to the decision to remind/inform the developer/applicant of their responsibilities in relation to development within coal areas.

OFFICER RECOMMENDATION :

Approve. Is Permitted Development.

Case Officer: Lisa Jackson

Recommendation Date: 29/6/2023.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council