Rob Duncan
Planning
Consultancy

Miss. H. Hollins
Development Services
Staffordshire Moorlands District Council
Stockwell Street
Leek
Staffordshire
ST13 6HQ

9th August 2023

Dear Hannah

LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED ERECTION OF DETACHED OUTBUILDING CRUMPWOOD COTTAGE, QUIXHILL LANE, DENSTONE, ST10 4FJ

On behalf of my client Mr. D. Thorley I would be grateful if you would find enclosed a Lawful Development Certificate application relating to the proposed erection of a detached outbuilding at the above site.

Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) allows for the erection of any building required for a purpose incidental to the enjoyment of a dwellinghouse. The proposed outbuilding will provide a home gymnasium, shower room and summer room, which are all uses that can be readily held to be incidental to the enjoyment of the dwellinghouse.

The Permitted Development Order goes on to confirm that development is not permitted if the proposal conflicts with any of the following criteria:

a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);
b) the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
c) any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
d) the building would have more than a single storey;
e) the height of the building, enclosure or container would exceed—

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i) 4 metres in the case of a building with a dual-pitched roof
ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
iii) 3 metres in any other case;

f) the height of the eaves of the building would exceed 2.5 metres;
g) the building, enclosure, pool or container would be situated within the curtilage of a listed building;
h) it would include the construction or provision of a verandah, balcony or raised platform
i) it relates to a dwelling or a microwave antenna; or
j) the capacity of the container would exceed 3,500 litres.

The existing dwelling is long established, and was not granted consent by way of a prior approval submission. The total area covered by buildings will fall well below 50% of the domestic curtilage, and no part of the proposed building will sit forward of the principal elevation of the dwelling. The building will be located more than 2 metres from the site boundary and will not exceed 4 metres in height to its ridge. Its eaves height is furthermore below the maximum permissible height of 2.5 metres. The existing dwelling does not comprise a listed building, and the proposed development does not entail any form of verandah, balcony, raised platform, antenna, or involve the provision of a container.

Consequently the proposed development is considered to accord with the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015, and therefore amounts to Permitted Development. The Local Authority is respectfully requested to grant a Lawful Development Certificate to confirm this.

I trust this proposal will be of interest, and should you have any queries in respect of this matter please do not hesitate to contact me.

Yours sincerely

Rob Duncan
Planning Consultant

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