DELEGATED DECISION REPORT

SMD/2023/0330 **Valid 05/07/2023**	**BROOKSIDE 8** **MOORFIELDS** **LEEK**	**APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED LOFT CONVERSION TO FORM A BEDROOM** **(CERTIFICATE OF LAWFULNESS - PROPOSED)**

MAIN ISSUES

Whether the proposed development is considered permitted development under the provision of 'The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)'.

DESCRIPTION OF SITE

The proposed site comprises a semi-detached brick, render and tile dwellinghouse and its associated curtilage, situated in the Leek East ward. Additionally, the proposed site is within the Leek Development Boundary, where positive development is encouraged to be concentrated. The site is enclosed by neighbouring dwellinghouses on the North-East and South-West. No. 63 Wood Street is situated to the North-East of the site and No. 9 Moorfields is located to the South-West. The rear curtilage of the site adjoins an area of open countryside land to the South-East. The Moorfields highway runs adjacent to the proposed site on the North.

It is noted that a number of properties within the estate have been extended and Altered. However the established character of the original estate has been retained.

PROPOSAL

The proposed development comprises a loft conversion. To accommodate for the loft conversion, additions of four roof lights would be made to the rear roof plane of the dwelling. The proposed loft conversion would create provision for a larger master bedroom.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1978/0772 – Kitchen extension. Approved.

CONSULTATIONS

Publicity

N/A

Public Comments

N/A

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

Schedule 2, Part 1, Class C.1 (a) states that development is not permitted if the use of a dwellinghouse as a dwellinghouse changes. The loft conversion will be solely used as part of the living space of the residents to fully maintain its status as a dwelling, thus making it compliant under this criterion.

In accordance with Class C.1 (b) of the GPDO, the rear roof lights would not protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.

Class C.1 (c) confirms that the highest part of the alteration cannot exceed beyond the maximum ridge height of the original dwellinghouse; otherwise the development is not permitted. The roof lights would not exceed beyond the highest part of the original roof; thus the development is permitted.

The proposed roof alterations would not include the addition, alteration or replacement of any features such as a chimney, flue or soil and vet pipe. Furthermore, the alterations would not include the installation, alteration or replacement of solar photovoltaics or solar thermal equipment. Therefore, Class C.1 (d.i and d.ii) are not applicable.

The proposed development would not include any glazed openings on any of the side elevations of the dwelling, therefore Class C.2 (a) would not be applicable.

Permitted development rights in relation to the proposed site remain intact.

CONCLUSION / PLANNING BALANCE

The proposed development is considered 'permitted development' under the provision of 'The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)'. Thus, a Certificate of Lawfulness for the proposed development works can be granted based upon the evidence which architectural documentation provides.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins
Recommendation Date: 30/08/2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council