DELEGATED DECISION REPORT

SMD/2023/0420 **Valid 15/08/2023**	**CRUMPWOOD COTTAGE** **QUIXHILL LANE** **PRESTWOOD**	**LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED ERECTION OF DETACHED OUTBUILDING** **(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 detached sandstone and Staffordshire blue slate tile dwelling and its associated curtilage, situated in the Alton ward. The dwelling lies on the Western bank of the River Churnet and is accessed via a narrow footbridge that crosses over the river to the East of the dwellinghouse. The River Churnet defines the Eastern site boundary, beyond which is an area of parking which accommodates two vehicles and are used by the cottage. Adjacent to the parking area lies a neighbouring cottage which is located to the Northeast of the application site. The Crumpwood Grade II Listed Weir is located to the East of the site.

PROPOSAL

The application is for a proposed certificate of lawfulness for the proposed erection of a detached outbuilding. The proposed outbuilding would accommodate for a gym, shower room and a summer room. The proposed outbuilding would have a depth of approximately 5.1 metres and a width of 8.99 metres. It would have a maximum height of approximately 4.0 metres and a maximum eaves height of 2.20 metres measured externally from natural ground level.

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/1980/0687 – Details of replacement bridge. Approved.
SMD/2007/1128 – Two storey and single storey rear extension. Approved.
SMD/2010/0873 – Variation of condition 1 of planning permission 07/01402/FUL – Extension of time. Approved.
SMD/2018/0761 – Proposed extensions to existing house and conversion of outbuilding to provide additional living accommodation. 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 detached outbuilding within the curtilage of the dwellinghouse adheres to the criteria stated by Schedule 2, Part 1, Class E of the GPDO, to determine whether the householder development is permitted.

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

In accordance with Class E.1 (b) of the GPDO, the ground coverage of the dwelling combined with the addition of the detached outbuilding would not exceed 50% of the total curtilage of the dwellinghouse.

As the detached outbuilding would not be situated on land forward of a wall forming the principal elevation of the original dwellinghouse, this would be in compliance with Class E.1 (c).

The detached outbuilding would not have more than a single storey, therefore Class E.1 (d) is not applicable.

Under Class E.1 (e), the height dimensions of the proposed development are within those permissible. With a maximum height of 4.0 metres measured externally, the outbuilding would be within the 4 metre height limit for outbuildings. The outbuilding would be positioned over 2 metres away from the boundary, therefore Class E.1 (e.ii) is not applicable.

With respect to Class E.1 (f), the eaves height of the outbuilding cannot exceed 2.5

metres. Thus, as the eaves height of the proposed outbuilding would be 2.20 metres, the development would conform to this restriction.

As the proposed outbuilding would not be sited within the curtilage of a listed building, Class E.1 (g) does not apply.

The proposed development does not involve any form of verandah, balcony, raised platform, antenna, or the provision of a container, thus Class E.1 (h), (i) and (j) are not applicable.

The site is not located in a World Heritage Site, a National Park, an area of outstanding natural beauty or the Broads, therefore Class E.2 does not apply.

The proposed site does not fall within article 2(3) land, therefore Class E.3 does not apply.

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: 04/10/2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council