DELEGATED DECISION REPORT

SMD/2023/0355 **Valid 14/08/2023**	**715 QUARRY HOUSE** **CHEADLE ROAD** **WETLEY ROCKS**	**LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED 3 SIDED BLOCK CONSTRUCTED SHED THAT ADJOINS TO THE MAIN HOUSE** **(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 stone, brick, render and tile dwellinghouse and its associated curtilage, situated in the Cheddleton ward. Additionally, the proposed site is on greenbelt land, where development is more restricted. The site is enclosed by neighbouring dwellinghouses on the North, South and East. Heathercroft, Cheadle Road is situated to the North of the site. The curtilage of the site adjoins the curtilage of Wetley View, Cheadle Road to the South-East, where the Consall 6 public right of way runs through. The Cheadle Road highway runs adjacent to the proposed site on the West.

PROPOSAL

The application is for a proposed certificate of lawfulness for a proposed single storey rear extension. The proposed extension would have a depth beyond the rear elevation of the dwellinghouse of approximately 3.0 metres and a width of 3.80 metres across the rear elevation. It would have a maximum height of approximately 3.60 metres and a maximum eaves height of 2.03 metres measured externally from natural ground level. The extension would be constructed from materials which would match the materials used in the construction of the host dwelling, including brick and tiles.

The structure would be attached to the main dwelling and therefore assessment against Part 1 class A is appropriate.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HNT/2015/0001 – Rear and side extension. Permitted development.

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 rear extension to the dwellinghouse adheres to the criteria stated by Schedule 2, Part 1, Class A of the GPDO, to determine whether the householder development is permitted.

Schedule 2, Part 1, Class A.1 (a) states that development is not permitted if the use of a dwellinghouse as a dwellinghouse changes. The rear extension 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 A.1 (b) of the GPDO, the ground coverage of the building combined with the addition of the rear extension would not exceed 50% of the total curtilage of the dwellinghouse.

Class A.1 (c) and (d) confirm that the height of the roof and eaves of the proposed extension cannot exceed beyond the maximum roof height and eaves height of the existing dwellinghouse; otherwise the development is not permitted. Neither the height of the roof or the eaves of the single storey extension would exceed the maximum roof or eaves heights of the existing dwellinghouse.

As the extension would not be constructed on the principal elevation of the dwelling, nor would it front the highway and form a side elevation of the existing dwellinghouse, this would be in compliance with Class A.1 (e.i) and (e.ii).

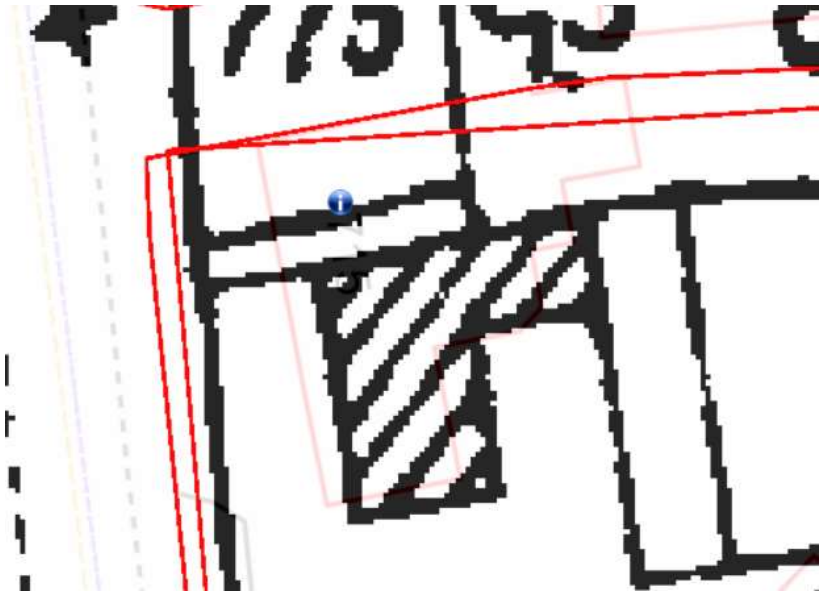
Under Class A.1 (f), the dimensions of the proposed development are within those

permissible. With a maximum height of 3.60 metres measured externally and a depth of 3.0 metres, the extension would be under the 4 metre height limit and fit within the 4 metre projection limit on detached dwellinghouses. Thus, the proposed extension would comply with Class A.1 (f).

From a photograph submitted to accompany the application, it is clear that the projecting gable style outrigger and the outrigger beyond the chimney to the rear of the dwellinghouse are extensions. There is a clear distinction between the roof tiles of the original dwelling (to the left of the photograph), the tiles on the gable projecting outrigger to the rear of the dwelling and the section beyond the smaller chimney to the rear of the dwelling. This can be viewed in the photograph of the site submitted by the applicant shown below:



Although it seems as though the projecting gable style outrigger and the outrigger beyond the chimney to the rear of the dwellinghouse are extensions to the dwelling, historic maps (dated 1922-1925) show that these extensions were built before 1940, which can be seen in the image below:



Measurements taken from the submitted site plan (dated 2023) compared to measurements taken from the historic map dated 1922-1925 demonstrate that the dwelling (minus the new proposed extension) has a depth of approximately 11.9 metres on both plans. Thus, although the new proposed extension is considered to extend beyond a couple of existing extensions, the existing rear extensions are believed by the Council to have been built before 1940. Therefore, the proposed extension with a depth of 3 metres would not breach the 4 metre depth allowance under permitted development.

This is not an application under the larger extension procedure of the GPDO, therefore Class A.1 (g) does not apply.

The enlarged part of the dwellinghouse does not have more than a single storey and therefore, Class A.1 (h) does not stand applicable to the proposed development.

With respect to Class A.1 (i), if the proposed extension would be positioned 2 metres from the curtilage boundary of the dwelling, the eaves height cannot exceed 3 metres. Thus, as the eaves height of the proposed extension would be 2.03 metres, the development would conform to this restriction.

Class A.1 (j) states that the enlarged part of the dwellinghouse cannot extend beyond a wall forming a side elevation of the original dwellinghouse, unless it abides by certain criteria. The proposed extension will only extend beyond the rear elevation of the dwellinghouse, meaning that it would comply with the above permitted development criteria.

With regard to Class A.1 (ja), any total enlargement including the addition of further enlargements to existing enlargements, cannot exceed the 4 metre limit set out in Class A.1 (f). The total measurements of the proposed extension would not exceed 4 metres in depth, 4 metres in height or 3 metres to the eaves. Thus, the proposed extension would therefore conform to this restriction.

The proposed extension would not include the addition of any new ornamentation features such as a verandah, microwave antenna, a chimney or flue or the alteration to the existing roof of the dwelling. Therefore, Class A.1 (k) is not applicable.

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

The proposed development would be constructed from materials which would harmonise with the existing colours, textures and materials of the dwellinghouse. Initially, wood cladding was proposed to be used for the external walls of the extension, which would not be of a similar appearance to the exterior walls of the host dwelling. Since this concern was raised, the applicant agreed to change the external walls to brick. In accordance with Class A.3 (a), all proposed materials are now set to be of a similar appearance to those used in the construction of the existing dwelling, including brick and tiles.

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 shall be granted based upon the evidence which architectural documentation provides.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins
Recommendation Date: 18/10/2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council