

DELEGATED DECISION REPORT

SMD/2024/0369
Valid 22/08/2024

THE GARTH 297
DRAYCOTT OLD ROAD
DRAYCOTT

**APPLICATION FOR A LAWFUL
DEVELOPMENT CERTIFICATE
FOR -
PROPOSED REAR AND SIDE
EXTENSION TO A DETACHED
PROPERTY IN ACCORDANCE
WITH PERMITTED
DEVELOPMENT RIGHTS.**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

- Whether the proposal is lawful and complies with Class A of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

DESCRIPTION OF SITE

The site consists of a detached dwellinghouse and its associated curtilage. The property is red brick with a hipped tile roof.

PROPOSAL

The application seeks confirmation that the proposed development complies with Class A of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The development is a flat roofed rear extension and single storey side extension. The rear extension is to extend 4 metres from the rear elevation of the original dwelling, and will be 3 metres in height, finished in brick to match the existing. The proposed side extension will be 4 metres in height and extend approximately 3.28 metres from the side elevation, which is no more than half the width of the original house, which is approx. 6.56 metres.

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/2024/0363. DESCRIPTION: Demolition of current kitchen extension, w/c and garage and replace with new garage with habitable room over to the side, with a single story kitchen extension to the rear. DECISION: TRIAGE

- SMD/1995/0467. (OLD REFERENCE: 95/00970/OLD). DESCRIPTION: TWO STOREY DOMESTIC EXTENSION. DECISION: APPROVED.
- SMD/1981/1083. (OLD REFERENCE: 81/10114/OLDDC). DESCRIPTION: Lean to garage, porch and WC. DECISION: APPROVED.
- SMD/1978/0641. (OLD REFERENCE: 78/05960/OLDDC). DESCRIPTION: Site for residential development. DECISION: APPROVED

CONSULTATIONS

N/A

OFFICER COMMENTS

The proposal will be assessed against Class A of Part 1 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), in order to determine if the proposed works comply, and therefore would constitute Lawful Development.

Class A – enlargement, improvement or other alteration of a dwellinghouse.

Permitted Development:

A. The enlargement, improvement or other alteration of a dwellinghouse.

A.1 Development is not permitted by Class A if—

(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); **the proposal complies – N/A.**

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); **the proposal complies – The house occupies a large site, more than large enough to accommodate the development and comply.**

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse; **the proposal complies – the proposed enlargements are single storey.**

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

the proposal complies – the side elevation of the dwelling does not face a highway. The proposal is set back from the principal elevation.

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or **the proposal complies – the enlargement would not extend beyond 4 metres from the rear wall.**

(ii) exceed 4 metres in height; **the proposal complies – the enlargements would not exceed 4 metres in height.**

(g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height; **the proposal complies – the enlargements would not exceed 4 metres in height or 4 metres beyond the rear wall.**

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse; **the proposal complies as the enlargements are single storey.**

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres; **the proposal complies – the eaves are less than 3 metres.**

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse; **the proposal complies.**

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j); **the proposal complies – the enlargements would not be joined to another existing enlargement.**

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.; or **the proposal complies – none of the above elements are proposed.**

(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses). **The proposal complies – N/A.**

CONCLUSION / PLANNING BALANCE

The proposal has been found to comply with relevant Parts and Classes of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and therefore the proposal is permitted development.

OFFICER RECOMMENDATION : APPROVE.

Case Officer: Reuben Berriman

Recommendation Date: 23/10/2024

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council