

DELEGATED DECISION REPORT

SMD/2025/0083
Valid 20/02/2025

16 ST LEONARDS AVENUE
IPSTONES

**CERTIFICATE OF
LAWFULNESS FOR
PROPOSED SINGLE STOREY
FLAT ROOF EXTENSION TO
THE REAR OF THE DWELLING
WITH INTERNAL
ALTERATIONS. RAINWATER
DRAINAGE TO PICK UP THE
EXISTING STORM SYSTEM TO
THE REAR ELEVATION.
PAVED HARD STANDING TO
THE REAR ELEVATION TO BE
STEPPED UP TO THE FLOOR
LEVEL OF THE EXTENSION
WITH A LANDING AREA
FRONTING THE SIDE
ELEVATION PATIO DOORS.**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

Would the proposed development be permitted by Class A, Part 1, Sched 2, of the GPDO 2015, and therefore, have been lawful on the date of the application?

DESCRIPTION OF SITE

A bungalow and its curtilage. The bungalow is positioned at the end of a cul de sac it has a gable elevation to the front and rear. In 1982 a large side extension was added to the dwelling with a planning permission.

PROPOSAL

The application seeks confirmation that proposed development would be permitted development under the terms of the GPDO and therefore considered lawful. The proposal includes enlargements that would include a rear extension. The extension to the rear would be flat roof and extend 3.4m from rear wall.

However, its width would overlap from the edge of the dwelling's side wall and adjoin part of the existing side addition built in 1982.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

82/11682/OLDDC Extension to form larger kitchen, hall, porch and bathroom to dwelling and alterations and extension to garage. APPROVED.

OFFICER COMMENTS

The proposed enlargement of the dwellinghouse includes an extension to the rear that would overlap the original side wall of the dwelling and adjoin part of the existing side extension. This means that the proposed addition would extend beyond a wall forming a side wall of the original dwelling. The total width of the proposed addition is greater than half the width of the original dwelling.

It is a limit of Class A, Part 1, Sched 2, of the GPDO (A.1(j)(iii)) that extensions/development is not permitted if it extends from the side wall of the dwelling and has a width greater than half the width of the original dwelling.

The Development would therefore exceed the limit at A.1(j)(iii) and therefore, they would not be permitted by Class A, Part 1, Sched 2 of the General Permitted Development Order 2015 (as amended).

CONCLUSION / PLANNING BALANCE

The development proposed is not permitted by Part 1, Sched 2 of the GPDO 2015. It would not have been lawful on the date of the application.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 02/05/2025

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council