

DELEGATED DECISION REPORT

SMD/2025/0125
Valid 31/03/2025

2A NEW CLOSE AVENUE
FORSBROOK

**CERTIFICATE OF
LAWFULNESS FOR
PROPOSED REAR
EXTENSION**

**(CERTIFICATE OF
LAWFULNESS - PROPOSED)**

MAIN ISSUES

- Would the development be permitted by Part 1 Schedule 2 of the General Permitted Development Order?

DESCRIPTION OF SITE

A mid to late 20th C bungalow surrounded by two storey dwellings in an established suburban development in Forsbrook.

The bungalow has a full pitch roof with a roof ridge parallel to the road and a flat fronted elevation that presents to the road.

The rear of the dwelling presents to a sizeable back garden.

PROPOSAL

Enlargement of the dwellinghouse consisting of a single storey brick built addition that would extend from the rear elevation by 3.7m. The addition would span just part (10m) of the rear elevations 13m width. The addition would have a full pitch roof that would project as a wide gable elevation. The addition's roof ridge would intersect mid-way up the roof plain, below the existing ridge.

The eaves height of the addition would be less than 3m and match that of the original dwelling. Both side walls would be built within 1m of the curtilage boundary each side of the plot (garden boundary shared with neighbours)

The addition would be built from brick and roof tile that match those of the original dwelling.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

OFFICER COMMENTS

A direction under Article 4 of the GPDO has not been made in respect of the area or the property and it is not a condition of any relevant planning permission that development shall not be carried out at the property that might otherwise be permitted by the GPDO.

The property is not in a Conservation Area.

The dwellinghouse does not result from development permitted by Part 3 (Change of Use) of the GPDO, it is a long established purpose built dwellinghouse. The dwelling does not appear to have been previously altered or enlarged.

Importantly for any development to be permitted by Part 1 the GPDO it must take place within the curtilage of the dwellinghouse and, in the case of development that might be permitted by Class A (enlargement, improvement or alteration of a dwellinghouse) there is specific criteria relative to the area and shape of the curtilage. To be permitted an enlargement to a dwellinghouse must not (in accumulation with any other development) cover more than 50% of its curtilage and an enlargement consisting of a single storey addition that extends from the rear wall of a dwellinghouse must not extend from the rear wall of a detached dwelling by more than 4m, exceed the height of the dwelling's eaves, exceed 4m in height, or have an eaves height of more than 3m when it is within 2m of a boundary. The enlargement must not include the provision of a veranda or balcony, or the installation of a chimney or flue. To comply with condition of Class A the development must be built from materials that match those of the existing dwelling.

It is found therefore, that 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 not exceed 50% of the total area of the curtilage; and the rear of the single storey extension, which would extend 3.7m from the rear wall of the dwelling would extend to within 2m of the curtilage's rear boundary. The maximum height of the addition's eaves would, however, be less than 3m and would be no higher than the eaves of the original dwelling.

The roof of the enlargement would have a full pitch that would join the dwelling below its existing ridge height and its eaves would match the height of the existing eaves on the elevation, the height of the addition therefore, would not exceed the height of the highest part of the roof of the existing dwellinghouse or the height of the eaves of the existing dwellinghouse. The total height of the addition to the ridge of its full pitch roof would not exceed 4m.

The enlarged part of the dwellinghouse would extend from the rear wall of the dwellinghouse. It would not therefore, extend beyond a wall which forms the principal elevation of the original dwellinghouse; or fronts a highway and forms a side elevation of the original dwellinghouse.

The enlargement would not consist of or include the construction or provision of a veranda, balcony or raised platform, the installation, alteration or replacement of a microwave antenna, the installation, alteration or replacement of a chimney, flue or soil and vent pipe. The development would be built from brick and roof tiles that match those of the existing building.

The proposal includes the provision of a full pitch roof that would join the roof of the existing bungalow dwellinghouse. At limit A.1(k)(iv) development is not permitted if it would include an alteration to any part of the roof of the dwellinghouse.

The Householder technical guidance confirms:

Where an extension to a house under Class A includes works that would require an alteration to the existing roof of the house (for example where the roof of the extension joins the existing roof), the alterations to the existing roof of the house will need to meet the requirements of Class B or C (as appropriate) in order to be permitted development.

In this case the roof of the proposed addition would make an alteration and enlargement to the roof of the existing dwelling.

The roof enlargement would not exceed the height of the existing roof; it would not extend from the principal elevation towards the road; it would not increase the volume of the existing roof by more than 50 cubic metres; it would not consist of the provision of a balcony or the installation of a flue. The roof alteration enlargement would therefore be permitted by Class B of the GPDO.

CONCLUSION / PLANNING BALANCE

The development would be permitted by Class A and Class B Part 1 of the GPDO

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 29/05/2025

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council