High Peak Borough Council

working for our community

Application for a Lawful Development Certificate
for a Proposed use or development.
Town and Country Planning Act 1990: Section 192,
as amended by section 10 of the Planning and Compensation act 1991.
Town and Country Planning (Development Management Procedure) (England) Order 2010

Publication of applications on planning authority websites.
Please note that the information provided on this application form and in supporting documents may be published on the Authority's website.
If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title: Mr | First name: Wendy | Surname: Broomhead

Company name:

Street address: Lower white knowle barn
White knowle
Chinless
Town/City: High peak
County: Derbyshire
Country:
Postcode: Sk236ea

	Country Code	National Number	Extension Number
Telephone number:			
Mobile number:			
Fax number:			

Email address:

Are you an agent acting on behalf of the applicant? ○ Yes ◉ No

2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

3. Site Address Details

Full postal address of the site (including full postcode where available)

House: | Suffix:
House name: Lower White Knowle Barn
Street address: White Knowle
Chinley
Town/City: High Peak
County:
Postcode: SK23 6EA

Description of location or a grid reference
(must be completed if postcode is not known):

Easting: 405130
Northing: 382796

Description:

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ○ Yes ◉ No

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land: ◉ a) Owner ○ b) Lessee ○ c) Occupier ○ d) Other

6. Authority Employee/Member

With respect to the Authority, I am:

(a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

Do any of these statements apply to you? ○ Yes ◉ No

7. Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful:

I believe all of the existing property to be lawfull it is confirmed by planning consents as follows:
HPK/0001/4370 – Change of use of barn to dwelling – approved 1981
HPK/0001/7181 – Proposed porch- approved 1981
HPK/0002/2979 - Proposed extension –approved 1985

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application:

If you consider the existing or last use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended) state which one: A1

Information about the proposed use(s)

If you consider the proposed use is within a 'Use Class' in the Town and Country Planning (Use Classes) Order 1987 (as amended), state which one: A1

Is the proposed operation or use: ◉ Permanent ○ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

I believe that, as confirmed by the planning officer, the 'Permitted develpment rights' are still intact for this property.
I believe that the proposed extension falls within the permitted development rights under Class A & Class F. acording to The Government & Local communities 'Permitted developmecnt for householders, Technical guidance' August 2010.
I consider that the definition of'Original dwellinghouse' to be the perimeter of the dwelling house built according to the planning consent HPK/0001/4370 – Change of use of original working barn to dwellinghouse – approved 1981ref . This consent included the addition of the existing side extension to the original working barn and this contains living accommodation and existing garage. I contend that No 'dwellinghouse' existed proir to this application and therefore the definition cannot apply only to the original agricultural barn which existed in July 1948, and the term "dwellinghouse" must include the extension added at the time of the original conversion.
The proposed extension complies fully with the following as is demonstrated by the drawings submitted with this application:
A.1 (a) 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) does not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)- The garden is approximately 1 acre in size, the extent of all existing and proposed hard standings and building is < 50%
(b) the height of the proposed garage does not exceed the height of the highest part of the roof of the existing dwellinghouse - garage 4m high, main barn 8.3m high
(c) the height of the eaves of the proposed garage extension does not exceed the height of the eaves of the existing dwellinghouse- Garage, 2.250m, main barn, 5.7m high.
(d) the proposed garage does not extend beyond a wall which:
(i) fronts a highway and
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse- it is in line with the existing front elevation.
(e)&(f) the proposed garage is single storey and does not:
(i) extend beyond the rear wall of the original dwellinghouse or
(ii) exceed four metres in height - It is 4m high and extends 5.35m from the front elevation. The existing dwelling is 6.75m deep
(g) the proposed garage is not within two metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part does not exceed three metres - distance to garden boundary is 6m minimum and field beyond is in same ownership.
(h) the proposed garage extends beyond a wall forming a side elevation of the original dwellinghouse, but does not:
(i) exceed four metres in height - 4m high
(ii) have more than one storey or- single storey
(iii) have a width greater than half the width of the original dwellinghouse- garage 5.6m wide, original dwelling house(as defined by first planning consent refHPK/0001/4370 – Change of use of barn to dwelling – approved 1981) 20m wide
(i) The proposed garage extension does not consist of or include:
(i) the construction or provision of a veranda, 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.
A.2 The dwellinghouse is not constructed on article 1(5) land
A.3 The proposed garage extension uses
(a) the materials for any exterior work of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse- natural stone walls and reconsituted stone roof tiles proposed for extension to match natural stone walls and natural stone roof tiles for the original dwellinghouse.
b) Has no upper-floor windows located in a wall or roof slope forming a side elevation of the dwellinghouse.
(c) is one storey
F.1 The drive extension is permitted by Class F because, though:
(a) it would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway and
(b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed five square metres. The hard surface will have provision to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse
Please see attached plans and elevations showing the proposal and the context.
The reason behind the request for extension is to be able to extend the current living accomodation into the existing double garage. Currently this property has only three bedrooms plus a tiny box room and this extension would allow the creation of a forth bedroom which would be more appropriate for a property of this scale. We originally applied for a detached garage extension to the front of the property believing that this would provide a better architectural solution by detracting from the extisting garage like qualities of the existing house and recreating the courtyard feel that would have originally existed when the properties were part of a working farm. This proposal was unfortunately turned down so we now feel that we have to use the option of permitted development rights as we understand that no further planning proposals will be granted for this property regardless of what we put forward.

8. Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations? (•) Yes ( ) No

If Yes, please give detailed descriptions of all such operation and indicate on your plans (includes describing any proposal to alter or create a new access, layout or any new street; construct any associated hardstandings; means of enclosure; or draining the land/building)

The proposal involves constructing a new single storey dual pitch garage to the side of the original dwelling. The proposed extension is:
6500mm wide x 5350mm deep with a maximum height of 4m to the top of the ridge and 2.150m to the underside of the facial board above the proposed garage doors.
The proposed extension is in line with the existing principal elevation and does not extend forwards of this line. The proposed extension does not extend beyond the rear wall of the original dwelling. It is greater than 2m from the side boundary to the garden which separates the garden with a field in my ownership.
The proposed eaves height and ridge height are below the highest eaves and ridge height of the original dwelling.
The materials match the existing dwelling construction having natural stone walls and reconstituted heritage natural stone roof slates. the pitch of the new extension matches as close a possible the pitch of the existing dwelling.
the proposed extension will be built over a grassed area with no loss of trees. the existing leylandii hedge between the front and rear garden will be removed.
The existing cobbled driveway will be extended in a matching material by approximately 3m to provide access to the new garage.
the new drive area will be drained to the surrounding lawn as existing, which is drained into the field where a series of land drains provide soakaways. The garage extension roof will be drained through existing soakaways in the garden and then into the field below the property as is the case for the existing dwelling. Currently no run off from the property enters the public sewers.
The above is shown on the drawings and elevations submitted with the application.

Does the proposal consist of, or include, a change of use of the land or building(s)? ( ) Yes (•) No

Has the proposal been started? ( ) Yes (•) No

9. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ( ) Yes (•) No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

( ) The agent (•) The applicant ( ) Other person

10. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/drawings and additional information. ☒ Date: 09/06/2012

Warning:
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.