

DELEGATED DECISION REPORT

HPK/2023/0150
VALID 17/04/2023

7, WATFORD ROAD,
BUXTON, DERBYSHIRE,
SK17 6XF

LAWFUL DEVELOPMENT
CERTIFICATE FOR A
PROPOSED GARAGE
CONVERSION

CERTIFICATE OF
LAWFULNESS
– PROPOSED

MAIN ISSUES

Is the proposed dormer permitted development?

PROPOSAL

Application for Certificate of Proposed Lawful Development to convert garage.

LEGISLATION

Section 192 of the Town and Country Planning Act 1990 states that if any person wishes to ascertain whether any proposed use of buildings or other land or any operations proposed to be carried out in, on, over or under land, would be lawful, they may make an application for the purpose to the local planning authority specifying the land and describing the use or operations in question. If, on an application under this section, the local planning authority (LPA) is provided with information satisfying it that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

CONSIDERATIONS

The property has its Permitted Development rights intact.

The property does not fall within a Conservation Area or an Article 4 area and there doesn't appear to be any previous planning conditions that might restrict the proposal. Therefore it is considered that the application property benefits from permitted development rights.

Having considered the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, it is considered that the proposed alterations are indeed permitted development.

CONCLUSION / PLANNING BALANCE

On the basis of the information submitted, the proposals are deemed to be 'permitted development' under the terms of Classes A, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. An application for planning permission is not required to be submitted subject to the condition A.3 (a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

OFFICER RECOMMENDATION: Issue a POSITIVE Certificate

Case Officer: Pet Twigg

Recommendation Date: 5.06.2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council