

DELEGATED DECISION REPORT

HPK/2023/0460
Valid 30/10/2023

11, SALISBURY STREET,
HADFIELD, GLOSSOP,
DERBYSHIRE, SK13 1NP

APPLICATION FOR LAWFUL
DEVELOPMENT FOR
PROPOSED USE - SINGLE
STOREY REAR EXTENSION
AND VELUX WINDOWS TO
FRONT ELEVATION

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

Whether the proposed development comprises permitted development under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

DESCRIPTION OF SITE

The application site comprises a two-storey, end terraced dwellinghouse constructed of stone and slate materials. The property has not been previously extended.

New extension measures:

- The extension projects 2802.5mm from the rear wall and spans across the rear wall 4265.5mm
- Eaves height - 2415mm
- Max/apex height - 3515mm

The application site is located in Hadfield, within a residential area.

PROPOSAL

The application seeks a Lawful Development Certificate for the proposed single storey rear extension and two rooflights on the roof at the front elevation.

SITE HISTORY

None.

OFFICER COMMENTS

It is necessary to assess whether the proposed extension to the dwellinghouse adheres to the criteria stated by Schedule 2, Part 1, Class A of the GPDO, to determine whether the householder development is permitted.

Single storey rear extension

The dwellinghouse was not granted by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use) and therefore part (a) is not applicable.

In accordance with Class A.1 (b) of the GPDO, the ground coverage of the proposed rear extension would not exceed 50% of the total curtilage of the dwellinghouse.

Class A.1 (c) and (d) confirm that the height of the roof and eaves of the proposed extension cannot exceed beyond the maximum roof height and eaves heights of the existing dwellinghouse; otherwise, the development is not permitted. Neither the height of the roof or the eaves of the proposed extension would exceed the maximum roof or eaves heights of the existing dwellinghouse.

Class A.1 (e.i) it is confirmed that the extension would not be constructed on the principal elevation of the dwelling.

(e.ii) does not front a highway or form a side elevation of the original dwellinghouse

Class A.1 (f) and (g) relate to rear extensions are applicable to the proposed replacement extension.

Class A.1 (f) states that 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 any other case

(ii) exceed 4 metres in height;

The enlarged part of the dwellinghouse does not have more than a single storey, and is not more than 4m high (it is 3.515m high) and does not extend from the original rear wall by more than 3m (it projects 2.8m), therefore, Class A.1 (f) is satisfied.

Class A.1 (g) is not applicable. Nor is Class A.1 (h) as two storeys is not proposed.

Class A.1 (i) states that if the proposed extension would be positioned 2 metres from the curtilage boundary of the dwelling, the eaves height of the proposed extension cannot be above 3 metres.

The extension would be sited within 2 metres from the curtilage boundary and the eaves height will be 2.415m (under 3 metres).

Class A.1 (j) states that the enlarged part of the dwellinghouse cannot extend beyond a wall forming a side elevation of the original dwellinghouse, unless it abides by certain criteria. N/A as the extension will not extend beyond a side wall of the original dwellinghouse.

The proposed extension will therefore comply with Class A.1 (j). With regard to Class A.1 (ja), any total enlargement including the addition of further enlargements to existing enlargements, cannot exceed the limits set out in Class A.1 (e) to (j). Class A.1 (ja) is not applicable to the proposed development.

The proposed extension would not include the addition of a verandah, microwave antenna, a chimney or flue or the alteration to the existing roof of the dwelling. Therefore, Class A.1 (k) is not applicable.

Class A.1 (l) is not applicable. The existing dwelling was not built under Part 20 of the Order.

The proposed site does not fall within article 2(3) land; therefore Class A.2 does not apply.

In accordance with Class A.3 (a), all proposed materials are set to match those used in the construction of the existing dwelling, whilst A.3 (b) and (c) are not applicable to the proposed extension as it will not have more than one storey.

The proposed single storey rear extension will comply with Class A, Part 1, Schedule 2 of the GPDO.

Class C – installation of rooflights on front elevation roof

C.1 Development is not permitted by Class C if:

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (change of use) N/A

(b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.

The agent has confirmed that the roof light/window and its frame will not protrude beyond the plane of the slope of the original roof
By more than 0.15m.

(c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or N/A

(d) it would consist of or include:

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, N/A or

Guidance on these limits is covered under Class B above and will also apply to development under Class C. Note, however, that in the case of Class C, measurement of height is made against the original roof and not as in Class B where it is the existing roof. N/A

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment N/A, not proposed here.

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be:

(a) obscure-glazed, N/A not on side elevation; and

(b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed
N/A not on side elevation

The proposed roof lights will comply with Class C, Part 1, Schedule 2 of the GPDO.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed single storey rear extension and roof lights to front elevation conform with the rules stated within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - adhering to the criteria stated by Schedule 2, Part 1, Class A & C of the GPDO - the householder development is permitted.

OFFICER RECOMMENDATION: **Issue a POSITIVE Certificate**

Case Officer: Pet Twigg

Recommendation Date: 14.12.2022

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of High Peak Borough Council