

DELEGATED DECISION REPORT

HPK/2025/0024
Valid 31/01/2025

12 SUNNINGDALE DRIVE
GLOSSOP

APPLICATION FOR A LAWFUL
DEVELOPMENT CERTIFICATE
FOR - PART CONVERSION OF
EXISTING GARAGE

(CERTIFICATE OF
LAWFULNESS - PROPOSED)

MAIN ISSUES

- Whether the proposed development complies with the relevant provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

DESCRIPTION OF SITE

The application site comprises a two-storey, detached dwelling constructed of red brick under a tiled roof, with driveway and lawned area to the front and rear garden.

Restriction of permitted development rights at the application site consist of no extensions, garages, looseboxes, sheds, or greenhouses.

PROPOSAL

The application is for a Certificate of Lawful Development for the partial conversion of the existing integral garage into a storage room which involves removing the garage door and replacing this with brick and the insertion of a window, and seeks confirmation that the proposed conversion is permitted development and compliant with Schedule 2, Part 1, Class A of the Town and Country (General Permitted Development) (England) Order 2015.

There will be no change to the footprint as a result of the proposal.

SITE HISTORY

HPK/2002/0191 – Rear conservatory. Approved 27/03/2002

HPK/2004/0786 – Extension to existing conservatory. Approved 17/09/2004

HPK/2018/0446 – Two storey rear extension. Approved 26/10/2018

OFFICER COMMENTS

Some permitted development rights have been removed, however, garage conversions is not included in this. As such, in the event that the proposed

development complies with Schedule 2, Part 1, Class A of the General Permitted Development Order (GPDO), a Certificate can be granted. An assessment of the proposed development against the relevant criterion of class A is undertaken as follows:

Development is not permitted by Class A if—

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

The property is a purpose built dwelling house and was not built under any above the above cited permitted development change of use classes.

(b) 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 exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

The proposal relates to a garage conversion and there would be no increase in footprint as a result. Therefore, the proposal would not exceed 50% of the total curtilage of the dwellinghouse.

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

Does not apply – no extension is proposed.

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Does not apply – no extension is proposed.

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Does not apply – no extension is proposed.

(f) subject to paragraph (g), 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 the case of any other dwellinghouse, or (ii) exceed 4 metres in height;

Does not apply – no extension is proposed.

(g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, 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 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height

Does not apply – no extension is proposed.

h) the enlarged part of the dwellinghouse would have more than a single storey and -

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse

Does not apply – no extension is proposed.

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres

Does not apply – no extension is proposed.

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would – (i) exceed 4 metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse

Does not apply – no extension is proposed.

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);

Does not apply – no extension is proposed.

(k) it would 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.

No verandah, balcony or raised platform is proposed. Nor does the proposal include the installation of microwave antenna, a chimney or flue or the alteration to the existing roof of the dwelling.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if -

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;**
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;**
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse; or (ca) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c)**

Section A2 is not applicable as the site is not article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions-

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.**

The garage door is to be replaced with brick and a ground floor window, the plans show the materials are consistent with the original dwelling and comply with this condition.

The above confirms the proposed part garage conversion will comply with Class A, Part 1, Schedule 2 of the GPDO.

CONCLUSION / PLANNING BALANCE

The conversion of the integrated garage would be permitted development and complies with all relevant parameters under Part 1 Class A of the GDPO. As such it is recommended that a Certificate be approved.

OFFICER RECOMMENDATION : Approve

Case Officer: Jennifer Robb

Recommendation Date: 27/03/2025

X *J Colley*

Signed by: Jane Colley Signature

On behalf of High Peak Borough Council