

Lawful Development Certificate

Supporting Statement

Section 192 Town and Country Planning Act 1990

Site: 35 Quartz Drive, Harpur Hill, Buxton

Property Type: Semi-Detached Dwellinghouse

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Client: Mr. D. Sharpe

1.0 Description of Development

Erection of a single-storey rear conservatory extension to a semi-detached dwellinghouse.

The proposed conservatory:

- Projects 2.8 metres from the original rear wall of the dwelling.
- Has a maximum height of 2.7 metres measured from natural ground level.
- Is single storey.
- Is positioned on the rear elevation of the property.
- Comprises brick dwarf walls and glazed panels with a lean-to, low-pitch glazed roof.

This application is made under Section 192 of the Town and Country Planning Act 1990.

The development is assessed against the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class A: Enlargement, improvement or other alteration of a dwellinghouse.

2.0 Assessment against Class A

A.1 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, N, P, PA or Q of Part 2 of this Schedule (change of use)

Not applicable to this application

(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)

Site area available: 110sq.m

Footprint of Conservatory: 11sq.m (10%)

(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

Proposal is for a single storey conservatory on a 2-storey (with room-in-roof) property.
Conservatory does not exceed the heights given.

(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

The conservatory does not exceed the heights given, with the proposed eaves at approx. 3.8m below the main house eaves.

(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

The proposal is to the rear elevation of the building, not facing any highways.

(f) 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

The conservatory extends beyond the rear wall of the original dwelling by 2.8m. The property is semi-detached. Maximum height given earlier is no more than 2.7m

Clauses (g) and (h) not applicable to this proposal

(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

The conservatory is within 2m of the boundary, and the maximum height is no more than 2.7m. A clearance of approximately 300mm is proposed between boundary and wall for cleaning and maintenance.

(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

Not applicable to this proposal. The conservatory remains within the confines of the rear elevation and does not breach the line of any side elevation.

(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);

Not applicable. No previous additions are present on the site.

(k) it would consist of or include -

- (i) the construction or provision of a verandah, 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 such items form part of this proposal.

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; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse

(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)

Not applicable. The property is not on Article 2(3) land designation

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

Proposed external materials are chosen to match the parent dwelling. Matching stonework, including mortar and coursing to the walls, with uPVC white-framed windows and doors.

b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall be -

(i) obscure-glazed, and

(ii) 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

Not applicable to this application.

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse

Not applicable – Single storey proposal

3.0 Summary

It is noted that no known planning condition removes permitted development rights to this site.

The proposed conservatory complies with all relevant limitations and conditions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Accordingly, the proposed development constitutes permitted development, and a Lawful Development Certificate should be granted.