
2024/0808

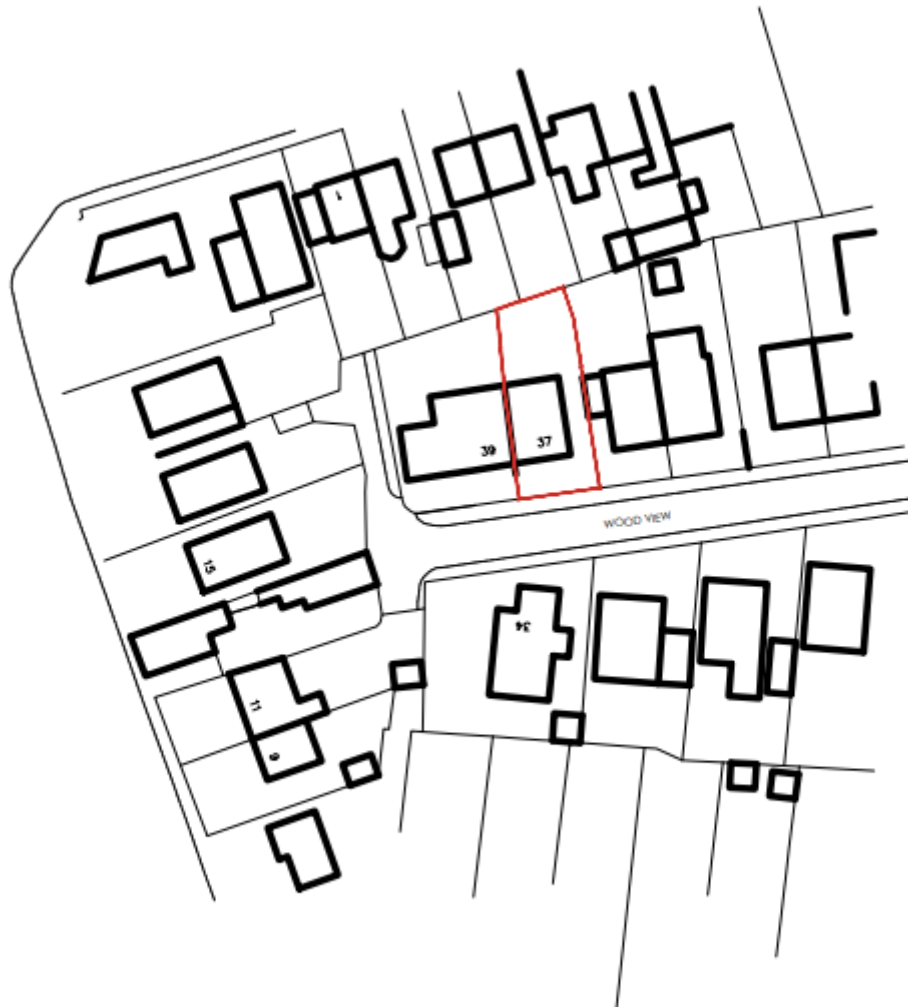
Ms Sarah Hardy

37 Wood View, Elsecar, Barnsley, S74 8JB

Erection of single storey side extension to dwelling (Certificate of Lawfulness - Proposed Development)

Site Description

The application relates to a bungalow on Wood View within the Elsecar area. The property is formed from white brick with stone features and a gable pitched, tiled roof. The street scene is characterised by similar properties. The surrounding area is characterised by similar properties as well as semi-detached two storey properties.



Planning History

No previous History

Proposed Development

The applicant has submitted an application for a Lawful Development Certificate for the proposed erection of a single storey extension to the east side elevation.

The proposal is a single storey side extension with a sideways projection of approximately 1.7 metres and an eaves height of approximately 2.3 metres. The total height of the proposal is approximately 3.6 metres. A door is proposed to the principal elevation of the proposal along with access steps. The existing side elevation stepped access to the property is to be removed and the existing door and window bricked.

The applicant has submitted the following plan in support of the application:

Drawing Title PLANS AND ELEVATIONS – Ref: 24-104 Drawing No. 01



Policy Context

Section 192(1) the Town and Country Planning Act 1990 states that if any person wishes to ascertain whether 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 describing the use or operations in question.

Section 192(2) then states that if, on an application under this section, the Local Planning Authority are provided with information satisfying them 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 shall refuse the application.

The enlargement, improvement or other alteration of a dwellinghouse is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Other alterations to the roof of a dwellinghouse are allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The installation or alteration etc of solar equipment on domestic premises is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 14, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Principle of development

Permitted Development (Part 1, Class A)

A. The enlargement, improvement or other alteration of a dwellinghouse.

Development not permitted

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 G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

(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);

(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;

(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;

(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;

(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;

(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;

(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;

(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;

(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;

(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 subparagraphs (e) to (j);

(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.; or

(l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

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.
- d. 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).

Conditions

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) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must 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; and
- (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.

Consultations

No consultation

Representations

No neighbours were consulted for this application.

Assessment

The enlargement, improvement or other alteration of a dwellinghouse is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Having checked these specifications along with other supplementary specifications, the proposals would comply with this legislation and requirements for permitted development. Therefore, the Certificate of Lawful Development should be granted.

**Recommendation -
Approve**