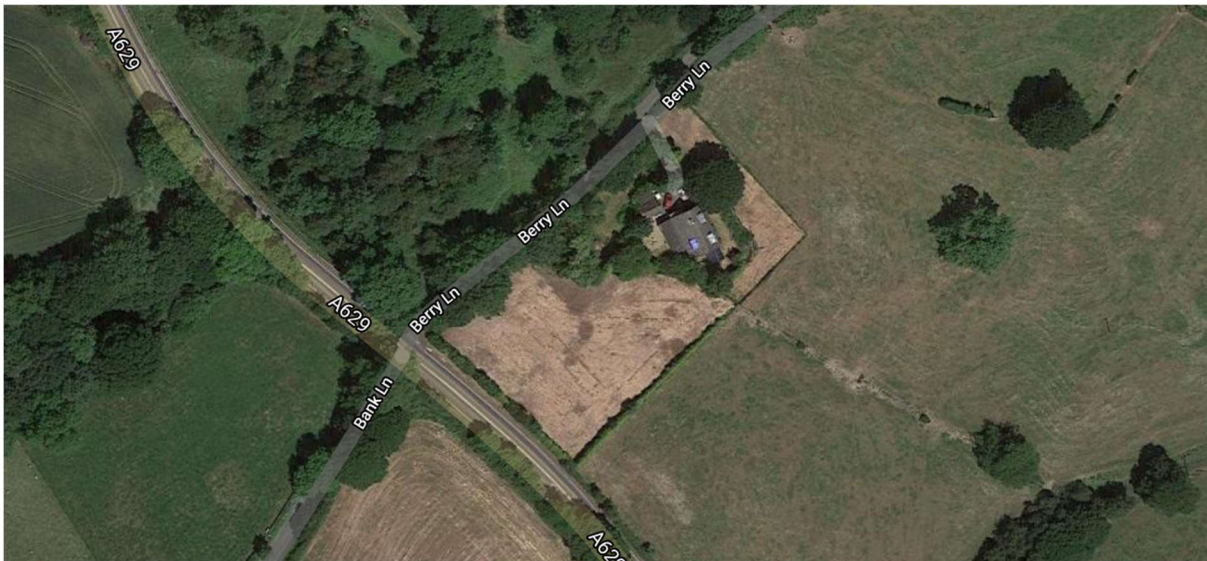


PLANNING STATEMENT

**PRIOR APPROVAL FOR A VERTICAL EXTENSION IN ACCORDANCE
WITH SCHEDULE 2, PART 1, CLASS AA OF THE GENERAL PERMITTED
DEVELOPMENT ORDER (2020)**

At
Ruggen House, Berry Lane, Howbrook, Wortley



Prepared by

SIMMONDS PLANNING Ltd.

November 2021

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1. INTRODUCTION

Simmonds Planning Ltd have been instructed by Mr and Mrs Hanks to submit a prior approval for an upwards extension which accords with Schedule 2, part 1, Class AA of the General Permitted Development Order (2020) of a dwelling at Ruggen House, Berry Lane, Howbrook.

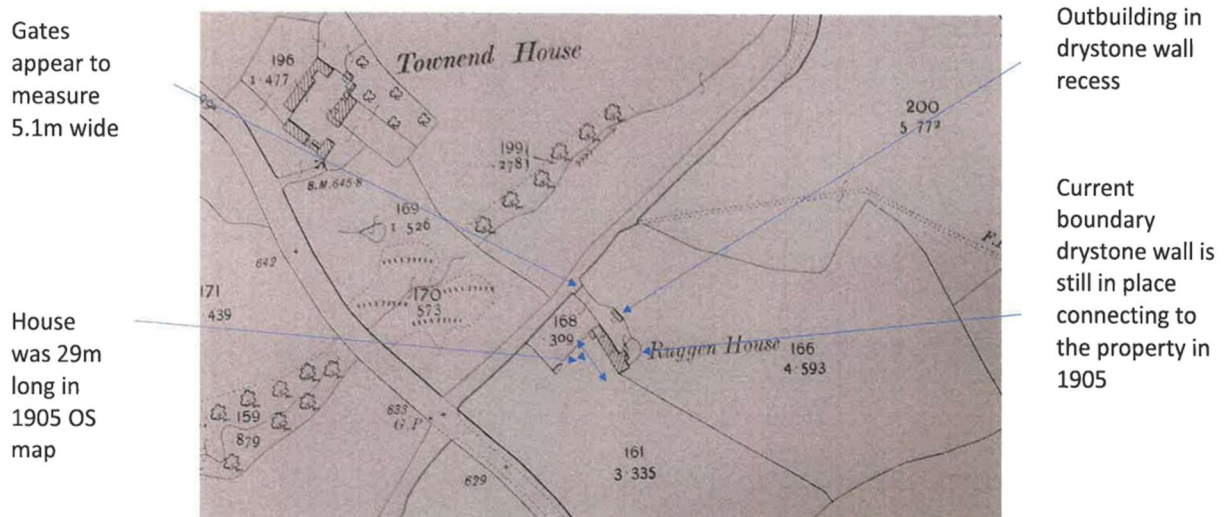
This application arises out of the suggestion of the previous case officer who suggested this application as a way forward in developing the house to suit the needs of the applicant whilst remaining respectful to the Green Belt.

Mr and Mrs Hanks would appreciate any engagement with the Council to discuss any pertinent points within the application.

2. THE SITE, LOCATION AND BACKGROUND

The Site

- 2.1 The dwelling sits on a generous plot located along Berry Lane just as the lane meets the A629 and then follows on to Bank Lane. There are no immediate neighbours in the vicinity of the dwelling and the plot sits in an elevated position with established mature screening to the boundaries.
- 2.2 The applicant has undertaken some research into the site and its history and it would appear that there has been some kind of residential dwelling on the site since before 1905. The extract below from the 1905 OS map has been annotated by my client with the pertinent boundary information.



- 2.3 The current dwelling on site does not reflect the historic footprint shown on the 1905 OS plan and was built around 1956 which is the date contained in the title deeds to the dwelling. The dwelling does represent the 1950's/1960's styling which we would

expect from this era. The applicants purchased the dwelling as a renovation project for themselves and their young family. Over a lengthy period, it would appear that the dwelling has been very poorly maintained and any repairs have been remedial with no visual improvements being apparent. The applicants have found that the dwelling is very poorly insulated and has very high energy usage. Any previous refurbishment of the dwelling has been inadequate in terms of energy efficiency and the applicant has found it difficult to keep the dwelling warm and the heating costs are high. Visually the previous refurbishments have also been of poor quality with inexpensive Upvc windows, doors and cladding which altogether detract from the vista rather than complement the landscape.

The Dwelling

- 2.4 The dwelling, at the moment, reflects a simple design of no great merit which is of a modern style rather than any traditional vernacular which some stone cladding and some timber features and slate roof. Any original traditional materials appear to have been replaced with unattractive Upvc replacements including some cladding and the window frames. On balance the dwelling is a problematic design which does not accommodate the needs of the family.

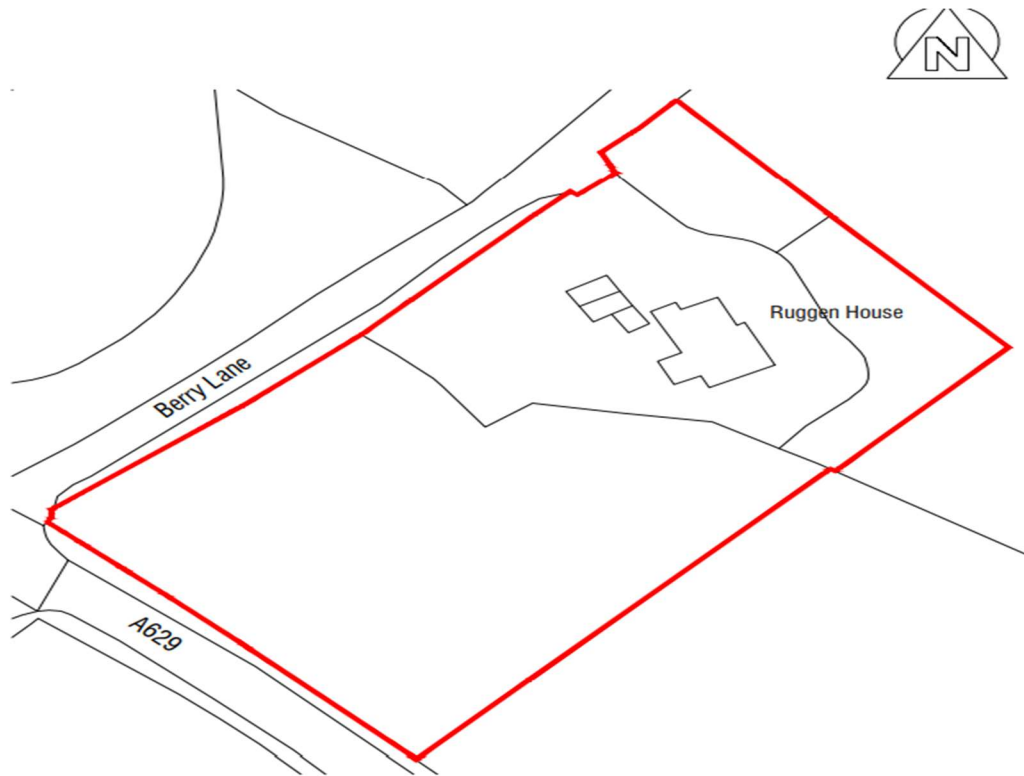


The rear aspect of the dwelling sees a conservatory structure, which again is of no particular merit.



Rear Elevation

- 2.5 The existing dwelling has been set out poorly in terms of the interior and space is wasted and not used to its best potential and the applicants, with their young family need to make best use of the dwelling and expand in a sensitive and measured manner.
- 2.6 The Council is asked to note that in 2011 a planning permission was granted for this dwelling to erect a stable block and extend the garage on site (2011/0458). This permission was not ever implemented, and the garage remains as it was with no additional stabling built. This is the only relevant planning history available on this site. Notwithstanding this, the existing extension to garage, shown on the block plan extract below, was demolished some years ago and has not been replaced.



- 2.7 Access to the dwelling is directly from Berry Lane by way of a spacious driveway. The extensions to the house do not decrease or detrimentally effect the parking arrangements and sufficient off-street parking is maintained for the family. There will be no adverse impacts on the highway, the access and egress remains unchanged with this proposal.
- 2.8 The dwelling is not a listed building and is within low risk Flood Zone 1, however it is set within the Green Belt which does not affect the application under Permitted Development.

3. THE PROPOSAL

- 3.1 The proposal is submitted as a prior approval under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GDPO).
- 3.2 The proposal, therefore is to be assessed a prior approval application as set out within the parameters of the GDPO. As a prior approval there are two stages to assessment
- a. the eligibility
 - b. merits assessment

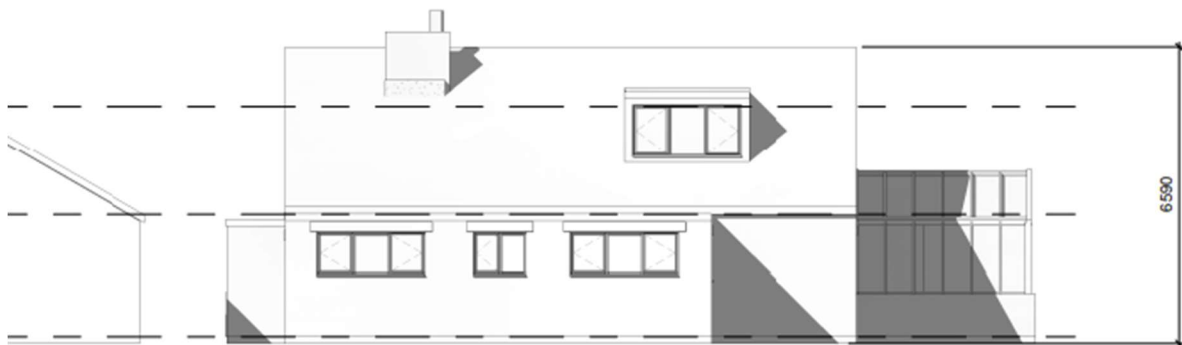
- 3.3 The proposal is for a single storey vertical extension with the ground floor footprint remaining unaltered.



Image 1- existing front elevation



Image 2: proposed front elevation



REAR ELEVATION AS EXISTING [1:50]

Image 3- Existing rear elevation



WEST ELEVATION AS PROPOSED [1:50]

Image 4- Proposed rear elevation

- 3.4 The proposal will create an additional storey to the existing storey. The ground floor will remain unaltered and the first floor will be constructed immediately above the ground floor. The proposal will increase the floor space of the house from 180 sqm to 225 sqm. In terms of the roof the core design remains the same but the out-dated dormer windows will be removed to create a more attractive roofline which is far more in keeping with the dwellings in the locality. The proposal does not include any windows on the proposed side elevations. The proposed windows have been designed to match the existing window design.
- 3.5 The orientation of the proposed dwelling remains the same and with no nearby neighbours there are no issues with privacy, amenity or overlooking. The parking and access arrangements remain unaltered resulting in no highway impacts.
- 3.6 The proposal does not require any removal of trees and the boundaries and screening remain unaffected within the site.

4. THE PERMITTED DEVELOPMENT LEGISLATION

- 4.1 The proposal complies with Schedule 2 part 1 class AA of the General Permitted Development Order (2020).

Class AA allows for “enlargement of a dwellinghouse by construction of additional storeys”.

The legislation allows up to two additional storeys where the existing storey is two or more or one additional storey where the existing dwelling consists of one storey.

The proposal wishes to erect one additional storey to the existing one and a half storey dwelling.

The following sections assess the proposal against the legislation:

AA.1. Development is not permitted by Class AA if—

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

The application dwelling complies as it has not been granted by virtue of Class M, N, P or Q of Part 3 of the General Permitted Development Order

(b) the dwellinghouse is located on— (i) article 2(3) land; or (ii) a site of special scientific interest;

The site is not within a national park, an Area of Outstanding Natural Beauty, a conservation area nor within a site of special scientific interest.

(b) the dwellinghouse was constructed before 1st July 1948 or after 28th October 2018;

The dwelling was constructed in the late 1950's.

(d) the existing dwellinghouse has been enlarged by the addition of one or more storeys above the original dwellinghouse, whether in reliance on the permission granted by Class AA or otherwise;

The dwelling has not been enlarged by any additional storeys

(e) following the development the height of the highest part of the roof of the dwellinghouse would exceed 18 metres;

The height of the proposed dwelling is 9.12 metres.

(f) following the development the height of the highest part of the roof of the dwellinghouse would exceed the height of the highest part of the roof of the existing dwellinghouse by more than—

- (i) 3.5 metres, where the existing dwellinghouse consists of one storey; or
- (ii) 7 metres, where the existing dwellinghouse consists of more than one storey;

The proposed roof will be 2.53 metres higher than the existing roof.

(g) the dwellinghouse is not detached and following the development the height of the highest part of its roof would exceed by more than 3.5 metres—

- (i) in the case of a semi-detached house, the height of the highest part of the roof of the building with which it shares a party wall (or, as the case may be, which has a main wall adjoining its main wall); or
- (ii) in the case of a terrace house, the height of the highest part of the roof of every other building in the row in which it is situated;

The house is detached.

(h) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

- (i) 3 metres; or
- (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing dwellinghouse;

The additional floor will not exceed 3 metres.

(i) any additional storey is constructed other than on the principal part of the dwellinghouse;

The additional storey is on the principal part of the dwellinghouse.

(j) the development would include the provision of visible support structures on or attached to the exterior of the dwellinghouse upon completion of the development; or

The proposal will not include any supporting structures.

(k) the development would include any engineering operations other than works within the curtilage of the dwellinghouse to strengthen its existing walls or existing foundations.

The proposal adheres to the above.

Conditions

AA.2.—(1) Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

(2) The conditions in this sub-paragraph are as follows—

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposal will use similar materials to the host dwelling and will reflect the style and design of similar dwellings in the locality.

(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;

The proposal does not include any windows on the side elevations.

- (c) the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and:

The roof pitch of the proposal has been replicated to match the existing. The dormer windows have been removed but apart from those minor changes the proposed roof design matches the existing.

- (d) following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

The dwelling house will remain in C3 use.

- (3) The conditions in this sub-paragraph are as follows—

- (a) before beginning the development, the developer must apply to the local planning authority for prior approval as to—
 - (i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

The dwelling is detached and does not have any nearby neighbours therefore there are no impacts in terms of overlooking, privacy and loss of light.

- (ii) the external appearance of the dwellinghouse, including the design and architectural features of—

- (aa) the principal elevation of the dwellinghouse, and
- (bb) any side elevation of the dwellinghouse that fronts a highway;
- (ii) air traffic and defence asset impacts of the development; and
- (iii) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(3) issued by the Secretary of State;

The plans submitted with the proposal illustrate the external appearance of the proposal and the development will not impact on any protected views as specified.

- (b) before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated;

A construction management plan can be provided, however due to the location and the lack of immediate neighbours a management plan may not be considered necessary.

- (c) the development must be completed within a period of 3 years starting with the date prior approval is granted;

The applicant is keen to move forward with the development to provide a larger home for his family.

- d) the developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion; and

- (d) that notification must be in writing and include— (i)the name of the developer;
(ii)the address of the dwellinghouse; and
(iii)the date of completion.

Noted by the applicant

5.0 CONCLUSIONS

The proposal is for prior approval for the construction of a single storey vertical extension at Ruggen House. The Council is respectfully asked to consider that the proposal complies with Schedule 2, part 1, Class AA of the General Permitted Development Order (2020).

Angela Simmonds
Planning Consultant and Solicitor non-practising
For and on behalf of Mr and Mrs Hanks

November 2021