Application Reference:	**2022/1131**
Type:	**Lawful Development Certificate**
Applicant:	**Donna Roberts**
Address:	**65 Ivy Bank Close, Ingbirchworth, Barnsley S36 7GT**
Proposal:	**Erection of Single Storey Rear Extension**

Property Description

The dwelling is a contemporary, red brick detached dwelling with a grey tiled dormer roof and Integrated garage. The dwelling's garage is located on the right side of the front elevation. The dwelling is situated in a cul-de-sac position within a larger contemporary development of 74 dwellings. Dwelling sizes vary across the development and feature two distinct external finishes. Dwellings are either red brick or yellow stone but all feature grey tiled roofs, canopies, and porches, white UPVC windows and facias, and large yellow coloured window lentils.

The dwelling is not located in a conservation area, it is not, nor within the curtilage of a listed building and permitted development rights have not been removed.

Proposed Development

The application is for a lawful development certificate (LDC) for the construction of a rear extension, with a projection of 2.5m from the existing rear wall.

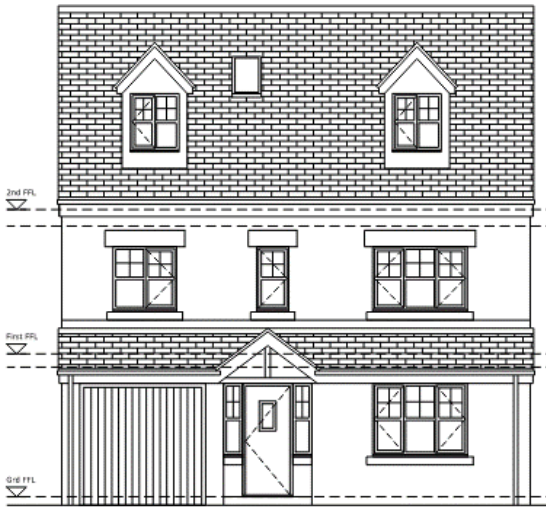
All works relate to the dwelling at 65 Ivy Bank Close, Ingbirchworth, S36 7GT

Section 192(1) of The Town and Country Planning Act 1990 provides that if any person wishes to ascertain whether any operations proposed to be carried out in, on, over or under land, would be lawful, may make an application for the purpose to the local planning authority specifying the land and describing the use or operations in question. Section 192(4) then provides 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.

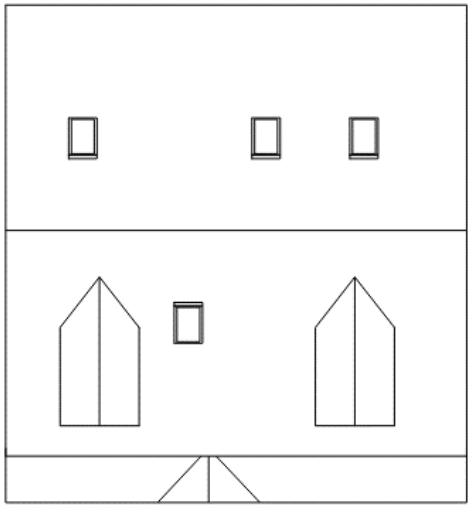
The applicant has submitted the following plans in support of their LDC application:

- Date: 24/10/2022 IBI-(LDC)-002 (Existing and Proposed Plans and Elevations)
- Date: 24/10/2022 IBI-(LDC)-001 (Location Plan, Site Layout and Block Layouts)

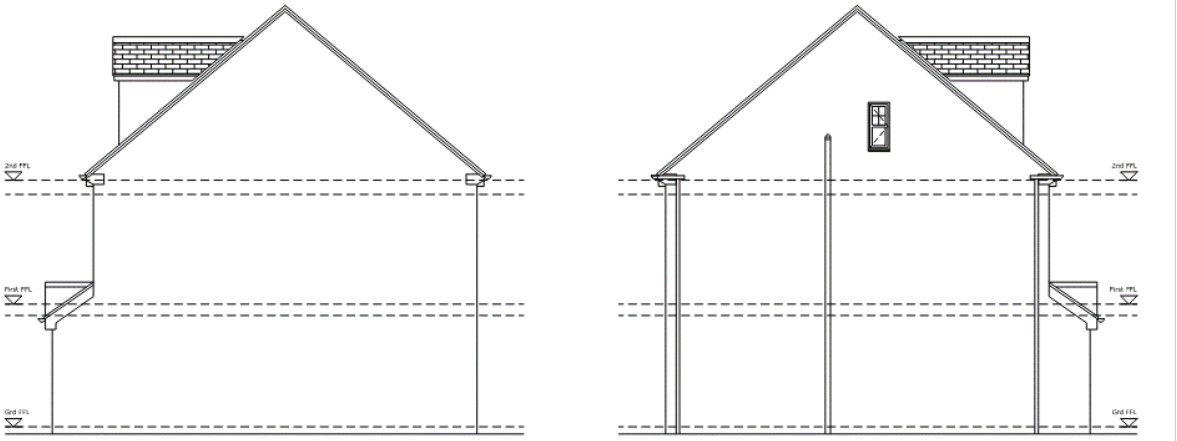
Extracts of Existing & Proposed Elevations Plan, Floor Plans & Measurements All at 1:100 Scale



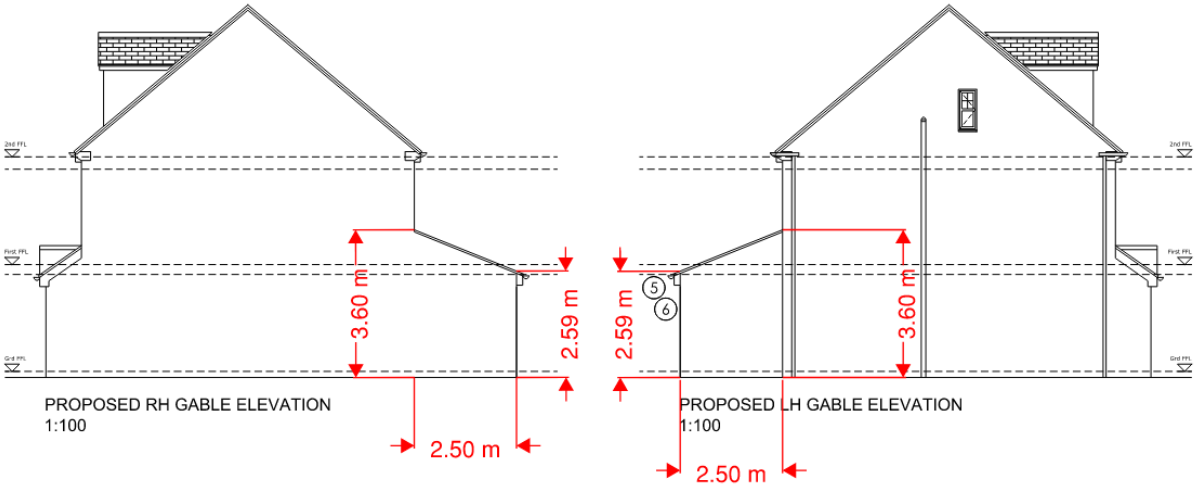
Existing & Proposed Unchanged Front Elevation



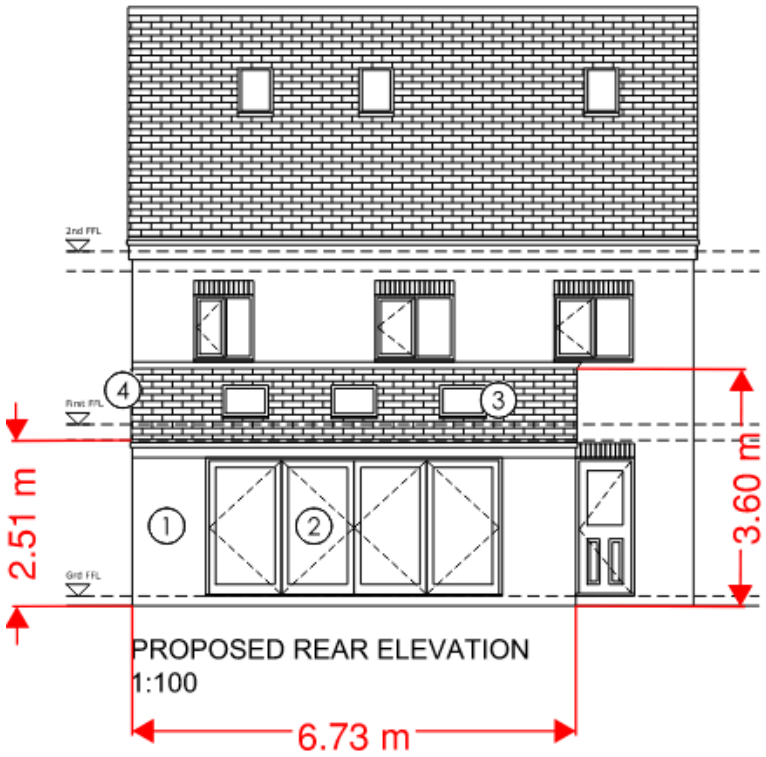
Existing Roof Layout

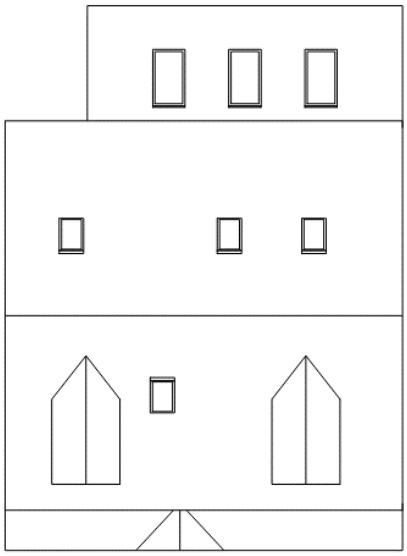


Existing Gable Elevations & Measurements

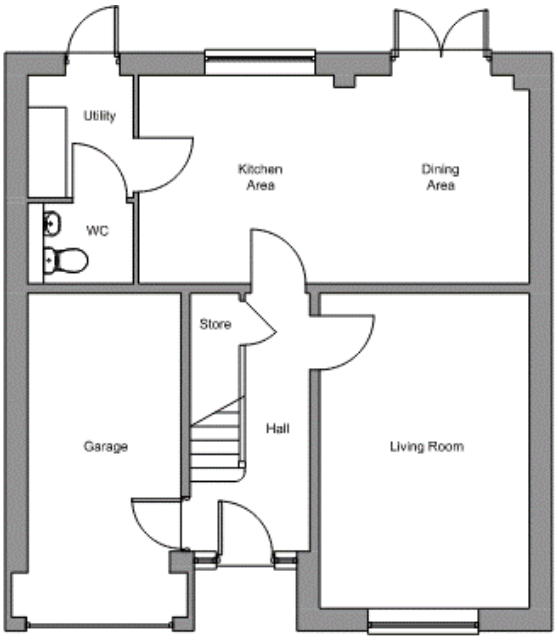


Proposed Gable Elevations & Measurements

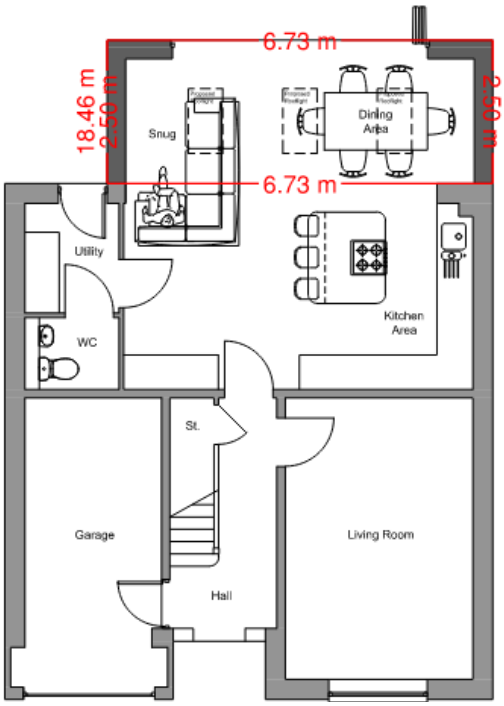




Proposed Roof Layout



Existing Ground Floor Layout



Proposed Ground Floor Layout

(Except for overlooking the extension, the first & second Foor layouts remein unchanged)

The proposed extension has a rear projection of 2.5m from the existing rear wall, a total height of 3.6m and an eaves height of 2.59m, measured on the side elevation. With the dwelling having no other extensions, at 18.46 sqm, the proposed extension would not utilise more than 50% of the original garden space. The extension features no side windows but does feature roof lights.

According to the plan titled: IBI-(LDC)-002, all materials will match the existing materials of the dwelling except for the addition of aluminium bi-fold doors.

The proposed extension would be 0.82 from the boundary with No. 67 Ivy Bank Close but 2.95m from the boundary with No. 63 Ivy Bank Close. Due to a slight curve in the rear boundary line, the distance from the proposed extension to the rear boundary would be approximately 6.5m

Planning Context

The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) states that single-storey extensions, extending beyond the rear of the original house by no more than 4 metres (if a detached house) or 3 meters in any other case and that are no more than 4 meters in height, can be erected without the need to submit a planning application.

Development is not permitted if:

a. permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P 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;

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 not 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 house by more than 3 metres, or

ii. Be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the 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; or

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.

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, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Consultees

Legal – Advice was given that if the proposals met the guidance of the Class A of the GPDO 2015 regulations, as detailed above then a Lawful Development certificate could be issued.

Assessment

Class A of the GPDO 2015 (as amended) permits extensions to domestic dwellings where certain criteria are met. The dwelling is a detached dwelling, and as such, permitted development rights allow homeowners to erect a single-storey rear extension up to 4 meters in projection with a maximum height of 4 meters. Additional restrictions are imposed when an extension is to be constructed within 2m of a boundary. In this scenario, the height of the eaves is limited to ≤3m high.

Having checked these specifications against the GPDO 2015 (as amended), the single-story extension complies with this legislation, and consequently meets permitted development rights. Therefore, the lawful development certificate should be granted.

Recommendation

Approve subject to conditions