2022/0351

Mr Lee Rudd

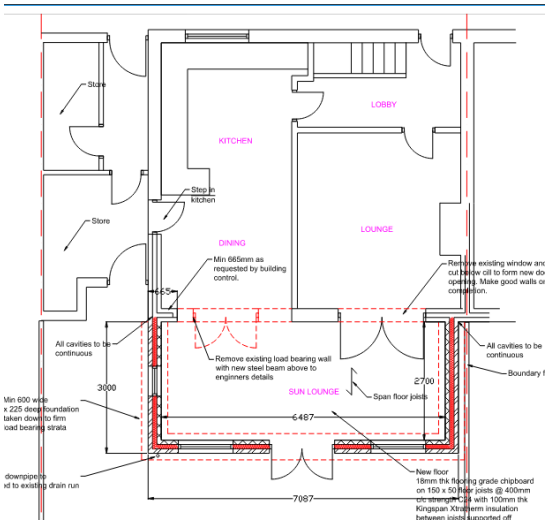
Lawful Development Certificate for proposed single storey rear extension to dwelling

48 Bly Road, Darfield, S73 9DP

Description

The application relates to a brick built semi-detached dwelling located on Bly Road, Darfield. Permitted development rights have not been removed at the property.

Proposed Development



The application is for a certificate of lawfulness for the erection of a single-storey rear extension to the dwelling at 48 Bly Road, under Section 192 of the Town and Country Planning Act 1990. Section 192 (1) 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 the LDC application:

LR/2022/1
LR/2022/2
LR/2022/3
LR/2022/4
LR/2022/5
LR/2022/6
LR/2022/7

On the submitted plans, the extension will project 3 meters from the rear elevation of the dwelling. The extension will feature a lean-to roof with a maximum height of 3.5 meters and a height to the eaves of 2.5 meters. The applicant amended some plans to reflect render and block work which doesn't match the existing red brick property. The applicant has decided to use the original plans rather than the amended. The materials used will be matching brickwork and roof tiles in line with the conditions set out in Paragraph A.3. (a) of Class A of Schedule 2, Part 1 of the GPDO.

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.

Consultations

Legal – No comments

Assessment

Class A permits extensions to domestic dwellings where certain criteria are met. The dwelling is a semi-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. Having checked these specifications, as well as other supplementary specifications of the plans within Class A of the GPDO, the extension would comply with this legislation, and it would meet permitted development rights and therefore the lawful development certificate should be granted.

Recommendation

Approved subject to condition