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PLANNING STATEMENT FOR LAWFUL DEVELOPMENT

16 CUTLERS AVENUE, BARNSLEY, S70 6LW

FOR: DANIEL CATER

PLANNING STATEMENT FOR LAWFUL DEVELOPMENT

1. INTRODUCTION

1.1 This planning statement is submitted in support of an application for a lawful development certificate relating to the proposed operational development at 16 Cutlers Avenue, Barnsley, S70 6LW

1.2 Photograph 1 below shows the front (west) elevation of the original dwelling. The proposed porch will be situated to this front elevation in front of the existing front door.



Photograph 1. The front (west) elevation.

1.3 Photograph 2 below shows the rear (east) elevation of "16 Cutlers Avenue" on to which the proposed single-story extension will be built. Visible Is the neighboring single-story extension, a search of the Barnsley planning explorer showed no historic information.



Photograph 2. The rear (east) elevation.

2. PLANNING STATUS OF THE SITE

2.1 The application site is not article 2(3) land as defined in Part 1 of Schedule 1 of The Town and Country Planning (general permitted development) (England) Order 2015; i.e it is not within:

- A Conservation Area
- An area of outstanding natural beauty
- An area specified by the secretary of state for the purpose of section 41(3) of the wildlife and countryside act 1981
- A world heritage site.

2.2 16 Cutlers Avenue is not included on the statutory list of buildings of special architectural or historic interest.

3 THE PROPOSED EXTENSION

3.1 The proposed development is the erection of a single-story side extension to be built onto the rear elevation. The development also includes a porch to the front elevation. The front porch will have externally measured dimensions of 1.688 meters (width) by 1.777 meters (depth) and a pitched roof with eaves of 2.330 meters and a ridge height of 2.980 meters.

The single-story lean-to extension will have externally measured dimensions of 4.838 (width) by 2.925 meters (depth) and a lean-to roof with eaves of 2.790 meters and a ridge height of 3.690 meters. The floor plans and elevations of the existing dwelling and as proposed to be extended, together with a location plan are attached to this application.

3.2 The external facing materials to be used in the proposed extension will match those of the existing dwelling.

4 PERMITTED DEVELOPMENT

4.1 It is contended that the proposed single storey rear extension and front porch is permitted development and therefore does not require planning permission because it satisfies the relevant criteria of the General Permitted Development Order.

4.2 The relevant criteria are contained in Schedule 2, Part 1 Class A of the Order concerning “the enlargement, improvement or other alteration of a dwellinghouse” and are set out below together with in each case the reason why the proposed extension is compliant.

A.1 (a) permission to use the dwellinghouse as a dwellinghouse has not 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 not 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 not 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 not exceed the height of the eaves of the existing dwellinghouse;

(e) the enlarged part of the dwellinghouse would not 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 but would not —

(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) until 30th May 2019, 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 would not —

(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 not have more than a single storey and would not —

(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 opposite the rear wall of the dwellinghouse;

(i) the enlarged part of the dwellinghouse would not be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would not exceed 3 metres;

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, but would not —

(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 not 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.

A.2 The proposed extension is not situated on article 2(3) land.

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. The external materials of the proposed extension would match those of the existing house.

(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.

As the proposed extension will not contain any upper floor windows and is of single storey construction, conditions (b) and (c) above do not apply.

` *A.4* This condition concerns development which is permitted by Class A which exceeds the limits in paragraph A.1 (f) but is allowed by paragraph A.1 (g). It is not relevant to the proposed extension which is the subject of this Lawful Development Certificate because the proposed extension would not exceed the limits specified in paragraph A.1(f) i.e. it would not extend beyond the original rear wall of the dwellinghouse by more than 4 metres and it would not exceed 4 metres in height.

5 CONCLUSION

The proposed single storey extension satisfies all the relevant criteria of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, is permitted development and thus does not require planning permission. The erection of the proposed extension would therefore be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended) and a positive Certificate of Lawful Development for the proposed extension should be granted.