

**Application Reference:** 2025/00898

**Site Address:** 6 Psalters Drive, Oxspring, Sheffield, S36 8ZW

**Introduction:**

This application seeks approval for a ‘Lawful Development Certificate for proposed development of demolition of conservatory and erection of single storey rear extension’

**Relevant Site Characteristics**

The dwelling is a large, detached house constructed of dark coloured buff brick, and features a cross gable roof. The house has previously been extended over the attached double garage, and possibly upon the eastern side elevation, but the approved, and since expired proposal for a large rear extension in 2014, has not been implemented.

**Site History**

<b>Application</b>	<b>Status</b>	<b>Description</b>
2014/0233	Approved	Erection of single storey rear extension with a rearward projection of 8m and a height to the eaves of 2.5 m and 3.7 m to the highest point (Prior Notification).
B/01/286/PR	Approved	Erection of first floor extension to dwelling
B/96/0056/PR	Approved	Erection of three village terrace houses and adjacent play area
B/89/0489PR	Approved	Substitution of house types to plots 1,2,12,13,17
B/88/0765/PR	Approved	Erection of 31 dwellings (Approval of Reserved Matters)
B/87/0343/PR	Approved	Outline for residential development

**Detailed description of Proposed Works**

The proposal is for the demolition of an existing conservatory located on the original rear (north) elevation of the dwelling, and the erection of a larger replacement extension. The new extension would also include 3 rooflights. The existing flue and soil pipes are proposed s proposed to be altered, both are and will remain located on the rear elevation of the dwelling.

**Relevant Legislation**

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.

For a lawful development certificate to be issued for the enlargement, improvement or other alteration of a dwellinghouse, it must meet the criteria set out in Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Specific to this application is Class A (1-3), Class C and Class G of this legislation which is detailed below, and referred to in the assessment at GPDO 2015.

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### **Permitted development**

**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 sub-paragraphs (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 [F8; 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.

### **Permitted Development**

#### **C. Any other alteration to the roof of a dwellinghouse.**

#### **Development not permitted**

##### **C.1** Development is not permitted by Class C 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) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- (c) it would result in the highest part of the alteration being higher than the highest part of the original roof;
- (d) it would consist of or include—
  - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
  - (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment or
- (e) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

### **Permitted Development**

**G.** The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

#### **Development not permitted**

##### **G.1** Development is not permitted by Class G 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) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more;
- (c) in the case of a dwellinghouse on article 2(3) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which—
  - (i) fronts a highway, and
  - (ii) forms either the principal elevation or a side elevation of the dwellinghouse or
- (d) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

## **Consultations**

Consultations were not required for this application.

## **Planning Assessment**

In addition to the application form, the following plans have been submitted in support of this application:

- Existing and Proposed 3D Views 1 MWE-JMA-ZZ-ZZ-DR-A-(01)501C
- Existing and Proposed 3D Views 2 MWE-JMA-ZZ-ZZ-DR-A-(01)502B
- Existing Elevations MWE-JMA-ZZ-00-DR-A-(03)001B
- Existing Floor Plans MWE-JMA-ZZ-00-DR-A-(03)001B
- Existing Site Plan MWE-JMA-ZZ-00-DR-A-(01)001B
- Proposed Elevations MWE-JMA-ZZ-00-DR-A-(03)101B
- Proposed Floor Plans MWE-JMA-ZZ-00-DR-A-(01)101B
- Proposed Site Plan MWE-JMA-ZZ-00-DR-A-(03)001B
- Site Location Plan MWE-JMA-ZZ-00-DR-A-(01)099A
- Location Plan PP-14253858v1

### Assessment:

General Permitted Development Rights were not removed from the dwelling through any conditions of the recorded planning applications relating to the address, which all correspond to the approval of the whole development. Therefore, the application address benefits from the provision of the general permitted development rights, as detailed above.

The proposal is for a single storey rear extension which would be sited in place of the existing conservatory. The proposed extension would have a larger footprint and height compared to the conservatory it replaces. The approximate measurements for the proposed extension would be a 3m the rear projection, with a width of 11.6m, an eaves height of 2.58m, and a mono-pitched roof height of 3.7m. Whilst the eaves and roof heights have been measured from the plans at heights higher than claimed with the accompanying planning statement, they have been measured at their maximum heights, along with the extension in general would remain fully within the allowances afforded by Class A of the GPDO 2015.

Alterations to an existing flue and soil pipe are proposed, the alterations would not result in the flue or pipe exceeding the highest part of the roof by more than 1m, and although not within a conservation area (article 2(3) land), neither would be located on a on an elevation between a principle or side elevation and the highway. These works would be complaint with Class G of the GPDO 2015

Three Velux style rooflights are proposed within the roof of the rear extension. The plans show that they would not extend beyond 0.15m above the roofline of the extension roof, so would be compliant with Class C of the GPDO 2015

#### Conclusion

For the purposes of considering this application, the application was assessed against the criteria set out in Classes A, C and G from Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) and was found to be compliant, therefore a lawful development certificate may be issued.

#### **RECOMMENDATION: Approve subject to conditions**

#### **Justification**

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

#### **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**