
2024/0208

Mr Darren Artley

39 Champany Fields, Dodworth, Barnsley, S75 3TS

Lawful development certificate for proposed single storey rear extensions.

Site Description

The application relates to an end-of-street plot on the east side of Champany Fields (cul-de-sac) and in an area that is principally residential. The property in question is a two-storey detached dwelling with a single storey attached garage. The property (including the attached garage) has a brick construction and a pitched roof with red coloured roof tiles.



Planning History

There are several previous applications associated with this site and permitted development rights have not been removed.

1. B/01/0185/DO – Residential development – 67 dwellings with garages, plus re-building of 16 No. garages. – Approved.
2. B/04/1947/DO – Variation of planning consent B/01/0185/DO - amendments to approved access (deletion of access to railway station) - conditions 19 and 27. – Approved.
3. B/05/0303/DO – Vary Condition No. 19 of Planning Consent B/01/0185/DO to: The highway improvement works be constructed prior to the occupation of any dwellings. – Approved.
4. B/05/0544/DO – Substitution of house types and siting (amendment to planning consent B/01/0185/DO). – Approved.
5. 2006/0689 – Substitution and re-siting of 12 house types on plots 34-45 (Resubmission). – Approved.
6. 2006/1162 – Erection of advertisement boards around building site. – Approved.

Proposed Development

The applicant has applied for a Lawful Development Certificate for the proposed erection of single storey rear extensions. The proposed extensions comprise 2 no. extensions to the rear elevation of the main dwelling and 1 no. extension to the rear of an existing attached garage. The existing garage forms part of the original construction of the dwelling.

The proposed extensions to the rear of the main dwelling would be erected either side of an existing extension to form a larger extension. The proposed larger extension would project from the rear elevation of the dwelling by approximately 2 metres and would have a total (combined) width of approximately 9 metres. The extension would adopt a mono pitched roof with an approximate eaves and ridge height of 2.5 metres and 3.5 metres respectively. The extension would adopt external materials that would be similar in appearance to those used in the exterior construction of the existing dwelling.

The proposed extension to the rear of an existing attached garage would project from the north-west side elevation of the main dwelling by approximately 3.1 metres with a depth of approximately 2.8 metres. The extension would not project beyond the main rear wall of the original dwelling and would adopt a flat roof with a total height of approximately 2.9 metres. The extension would adopt external materials that would be similar in appearance to those used in the exterior construction of the existing dwelling.

The applicant has submitted the following plan(s) in support of the application:

Ref. 01 Dwg. No. 23-167 Rev. A



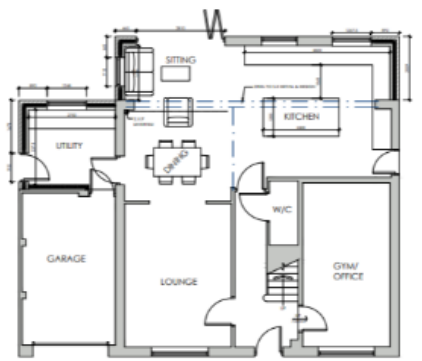
EXISTING REAR ELEVATION
SCALE 1:100



PROPOSED REAR ELEVATION
SCALE 1:100



EXISTING GROUND FLOOR PLAN
SCALE 1:50



PROPOSED GROUND FLOOR PLAN
SCALE 1:50



LOCATION PLAN
SCALE 1:1250



BLOCK PLAN
SCALE 1:500

White Agus		02023 2000 11, GARDEN BARNETT, B70 5AA	Phone: 0128 28880 Email: info@whiteagus.com Web: www.whiteagus.com
PROJECT PROPOSED EXTENSION AT 10 CHAMPAIN FIELDS, OCCOYNORTH, DUNDEE, DD1 3TD		DRAWN MR D. AITLEY	
DATE PLANS AND ELEVATIONS		DATE 01 FEBRUARY 2024	SCALE 50 & 1:100 (R.A.)
NO.	DATE	DESCRIPTION	BY
001	1	FOR PER 1:500 & 1:100	DAVID

Policy Context

For the avoidance of doubt, and to ensure proper assessment, it should be established what the principal elevation of the dwelling is. The Permitted development rights for householders Technical Guidance supporting document states that in most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned).

It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house. In this case, the principal elevation is that which fronts Champany Fields. Therefore, the proposal would be considered to be a rear extension and will be assessed against the relevant limitations of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Section 192(1) the Town and Country Planning Act 1990 states that if any person wishes to ascertain whether any operations proposed to be carried out in, on, over or under land, would be lawful, they may make an application for the purpose to the Local Planning Authority describing the use or operations in question.

Section 192(2) then states 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 enlargement, improvement or other alteration of a dwellinghouse is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Other alterations to the roof of a dwellinghouse are allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The installation or alteration etc of solar equipment on domestic premises is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 14, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Permitted Development (Part 1, Class A)

- 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 subparagraphs (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.; 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.

Consultations

Legal – No response.

Representations

No neighbours were consulted for this application.

Assessment

The enlargement, improvement or other alteration of a dwellinghouse is allowed without obtaining planning consent provided that it meets the criteria set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Purely internal alterations are lawful pursuant to section 55(2)(a) of the Town and Country Planning Act 1990.

Having checked these specifications along with other supplementary specifications, the proposals would comply with this legislation and requirements for permitted development. Therefore, the Certificate of Lawful Development should be granted.

Recommendation - Approve