
Application Reference: 2023/0384

Type: Lawful Development Certificate

Applicant: Mr & Mrs Brown

Site Address: Woonona, Sheffield Road, Oxspring, S36 8YW

Proposal: Certificate of Lawfulness for proposed development of single storey rear extension

Property Description

The dwelling is a modern yellow stone semi-detached dwelling with a partial wooden fascia between the ground floor and first-floor windows. Located in a heightened and set back position off Sheffield Road. The front comprises of a driveway leading to a raised lawn directly in front of the dwelling and a pair of garages, attached to a neighbour's garage, in front of but to the left of the dwelling.

Through previous planning consent, the dwelling has been extended with a two-story side extension and the garages to the front of the dwelling have been refurbished.

Proposed Development

The proposal is for a single storey rear extension, with a rear projection of 3m, constructed of matching materials to the existing rear elevation of the dwelling. The proposed roof is inclined and would feature a rooflight but would be hidden by a parapet.

On a site visit, it was confirmed that existing planning consent obtained in application 2019/1100 for a rear extension had not been implemented and has now expired.

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

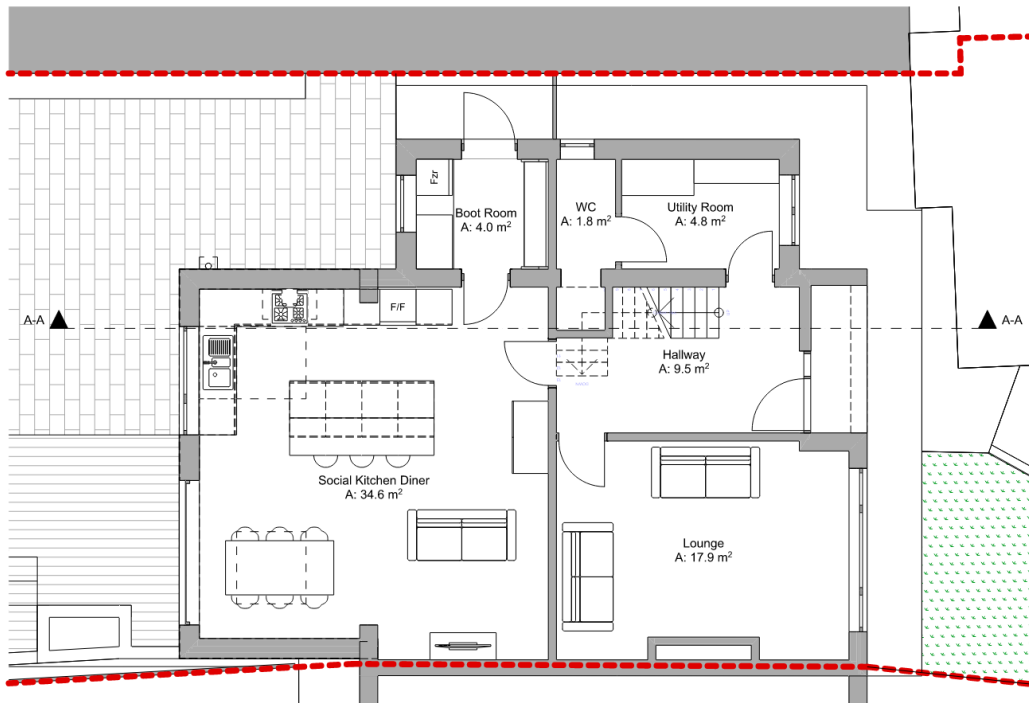
Existing & Proposed 3D Views; PLB-JMA-ZZ-ZZ-DR-A-(10)051B; Existing Floor Plans PLB-JMA-ZZ-XX-DR-A-(10)001B; Existing Site Layout PLB-JMA-ZZ-00-DR-A-(01)101B; Proposed Section A-A PLB-JMA-ZZ-XX-DR-A-(02)102B; Proposed Floor Plans PLB-JMA-ZZ-XX-DR-A-(10)102B; Site Location Plan PLB-JMA-ZZ-00-DR-A-(10)099A; Proposed Site Plan PLB-JMA-ZZ-00-DR-A-(01)102B; Proposed Elevations PLB-JMA-ZZ-ZZ-DR-A-(03)102B

All works relate to the dwelling at Woonona, Sheffield Road, Oxspring, S36 8YW

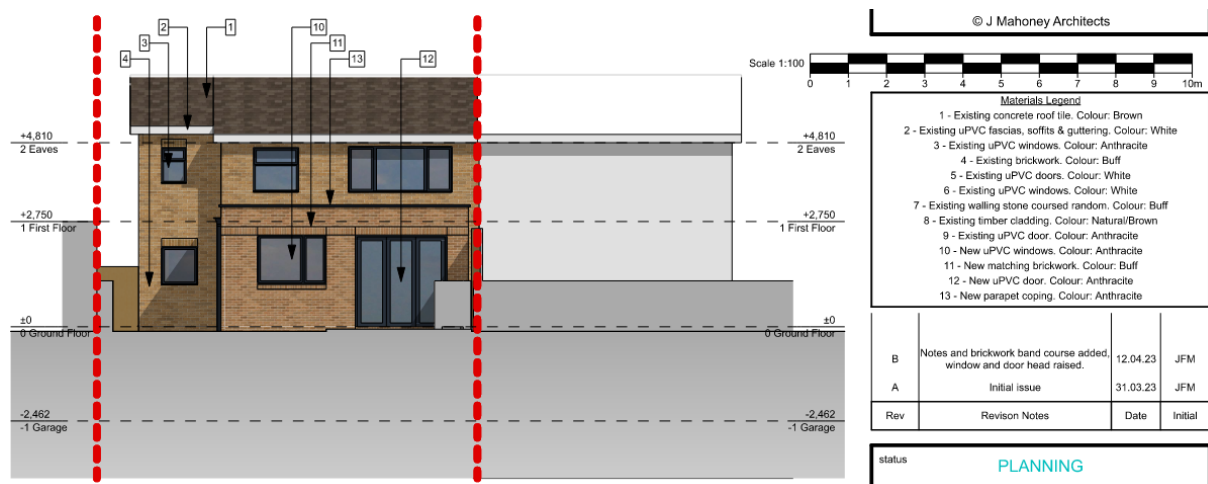
Proposed Section, Floor & Elevations Plan (Extracts)



Section A-A



Proposed Ground Floor Plan



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.

Planning History

2019/1100 - Erection of single storey extension to rear of dwelling and refurbishment of existing garages to front - Approved 24th October 2019

B/04/0675/PR5: Erection of rear single storey and side two storey extensions to dwelling - Approved 18th May 2004

B/92/1279/PR5: Formation of new vehicular access to dwelling - Approved 19th November 1992

Planning Context

Single-storey rear extensions to dwellings are allowed to be constructed without obtaining planning consent, providing they meet the criteria set out in Class A, Part 1, Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.

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 – No Comment

Assessment

Class A of the GPDO 2015 (as amended) permits extensions to domestic dwellings where certain criteria are met. This includes being allowed to erect a single-storey extension with a rear projection beyond the original rear elevation of no more than 3m for a semi-detached dwelling. Height restrictions are a maximum of 4m with additional restrictions imposed when an extension is to be constructed within 2m of a boundary. In this scenario, which affects this application, the height of the eaves does not exceed 3m high. Having thoroughly checked the proposed development against the GPDO 2015 (as amended), the proposed single-storey side and rear extension, complies with this legislation as the eaves height of the inclined roof is 3m, but are obscured by the parapet which is excluded from the eaves height restriction as outlined in “Permitted development rights for householders Technical Guidance” (09/2019) and consequently meets permitted development rights.

Recommendation

Approve with conditions