

2022/1158

Mr Rob Greenwell

7 West Green Avenue, Monk Bretton, Barnsley, S71 5SG

Single storey extension to rear (Lawful development certificate for a proposed development)

Site Description

The dwelling is a detached property located in Monk Bretton. West Green Avenue comprises of various dwelling types including detached and terraced properties. Dwellings are mostly similar in size and external materials are also consistent throughout the street scene.

The dwelling is accessed off West Green Avenue close to the junction with Burton Road.

To the front of the dwelling is a small, grassed area and a paved road providing access to neighbouring properties and driveways.

Boundaries to the front of the dwelling compromise of black metal fencing, whilst the rear boundary treatments compromise of brickwork and timber fencing.



2 **SITE PLAN**
1 : 500

Planning History

B/04/0769/BA - Residential Development with open space (Outline). – Approve with Conditions.

B/05/0307/BA - Residential Development of 231 dwellings comprising houses and apartments (Reserved Matters). – Approve with Conditions.

2006/0592 - Variation of Condition 5 of planning permission B/05/0307/BA - Removal of trees/hedgerow. – Approve with Conditions.

2010/0786 - Amended layout and substitution of plots 1-84, 93-111, 116-120, 225-244 (122 units in total) on extant residential development B/04/0769/BA and B/05/0307/BA – Approve Subject to Legal Agreement.

Permitted development rights have not been removed.

Proposed Development

The applicant has submitted an application for a Lawful Development Certificate for the proposed erection of a single storey rear extension at 7 West Green Avenue, Monk Bretton, Barnsley.

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 plans; within the application form and supporting statement it is stated that the proposals and dwelling benefit from Permitted Development Rights as prescribed within the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (as amended) (GDPO).

The applicant has submitted the following plans:

Project Number: 0103

Drawing Number: 0103-EBP-PL-001

Drawing Number: 0103-EBP-PL-003

The applicant proposes a single storey rear extension which is to be constructed from materials which are to match the original dwelling. The proposed extension would have a rear projection of 4 metres from the rear elevation of the original dwelling and a width of 8.62 metres. It would also have an eaves height of 2.25 metres and a ridge height of 3.32 metres.

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 GPDO 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 an access road off West Green Avenue and adjacent to Burton Road. Therefore, the proposal would be considered to be a rear extension and will be assessed against the relevant limitations of the GPDO.

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows householders to extend their property provided certain criteria is met. Under Class A of Part 1 of Schedule 2 of this act, development is permitted for the provision within the curtilage of the dwellinghouse of:

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.; or

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

No consultees were consulted for this application.

Representations

No neighbours were consulted for this application.

Assessment

Class A of part 1 of schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) permits extensions to dwellings where certain criteria are met.

The dwelling is a detached property, and as such, permitted development rights allow homeowners to erect a single storey rear extension.

The applicant seeks approval for the erection of a single storey rear extension with a rear projection of 4 metres from the rear elevation of the original dwelling and a width of 8.62 metres.

The proposed extension would have an eaves height of 2.25 metres and a ridge height of 3.32 metres. It would also utilise matching materials to those of the original dwelling.

Having checked these specifications along with other supplementary specifications of the plans within Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015, the proposed extension would comply with this legislation and requirements for permitted development and therefore, the Certificate of Lawful Development should be granted.

Recommendation

Approve with Conditions