

2023/0067

Mr David Shaw

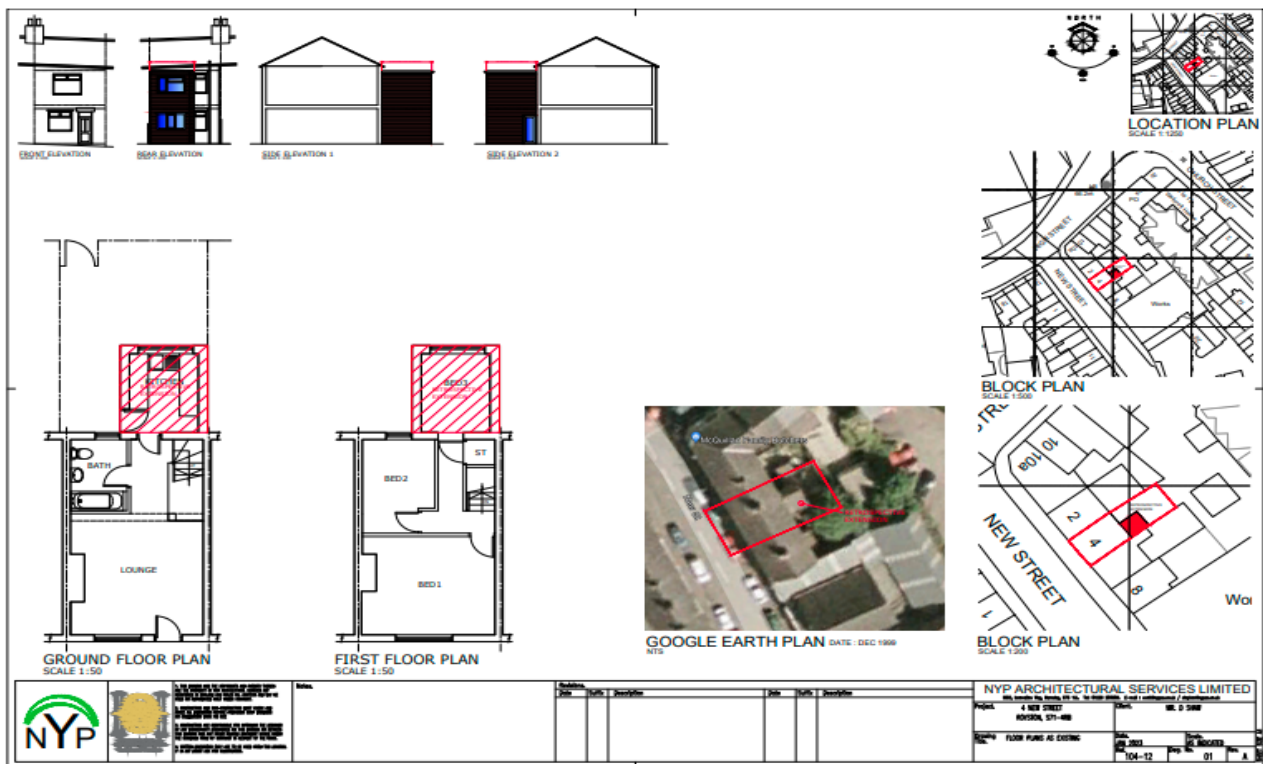
4 New Street, Royston, Barnsley, S71 4RB

Two storey rear extension to dwelling (Lawful development certificate for an existing form of development)

### Site Description

The dwelling is a two-storey terraced property located in Royston. New Street has a consistent residential street scene consisting predominantly of other terraced properties. The dwelling has a two-storey rear extension to the rear which is the subject of this application.

### Proposed Development



The application for a lawful development certificate has been submitted to regularise the two-storey rear extension in respect of Town and Country Planning regulations. The assessment below will distinguish whether a certificate can be issued for this development as requested by the applicant.

### Assessment

The applicant purchased 4 New Street on 12/04/2002, which is a mid-terrace dwelling comprising of: - Ground Floor: lounge, bathroom, staircase & kitchen (located in extension) and First Floor: 3no bedrooms (1no located in extension). At the time of purchase the solicitors never picked up the two-storey rear extension had been built with no planning approval. The applicant is now seeking a lawful development certificate for the two-storey rear extension to minimise future issues should he sell it in the future. The terrace house has brickwork walls and blue slate probably built in the early 1900's, it is thought the extension was added to the property in the early to late 1990's.



Satellite Imagery from 1999 (as pictured above) clearly indicate that the two-storey rear extension has been installed for a significant period of time. Additionally, on 25/06/2018 the site was visited by the LPA's Building Control Service due to reports of a dangerous structure in relation to the extension coming away from the rear wall of the dwelling. When the inspection was carried out it was noted that it had been built over 10 years ago. Regardless of that due to the date of the inspection the build of the extension is clearly in excess of the four-year rule for operational development as set out in S171B of the TCPA 1990. The LPA have no record of complaints having been made about the extension and there does not appear to have been a deliberate concealment of a breach of planning control in this instance. Given the above information, the development is considered to be exempt from planning enforcement and can be classified as an existing lawful development.

### **Recommendation**

**Certificate Granted**