

EVIDENCE TO VERIFY APPLICATION

Evidence to verify application for certificate of lawful development (proposed) at:
Misty View, Angel Bank, Bitterley, Ludlow SY8 3HT

The proposal complies with the requirements for Permitted Development as set out within Schedule 2, Classes A and C of The Town and Country Planning (General Permitted Development) (England) Order 2015.

The requirements of the order are set out below and responses for this application are noted in **blue**:

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 M, N, P, PA or Q of Part 3 of this Schedule (change of use)

Not applicable – no change 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)

The total area of ground covered by buildings within the curtilage of the dwelling house does not exceed 50% of the total area of the curtilage - refer to Block Plan drawing ref. MIS-MW-XX-XX-SL-A-30001.

(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

The proposed single storey extension will not 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

The height of the eaves of the proposed extension will not 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

The proposed extension is to the rear of the dwellinghouse, which does not front a highway.

(f) 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

The proposed extension is single storey and will not extend beyond the rear wall of the original detached dwellinghouse by more than 4m or exceed 4m 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

Not applicable – the dwellinghouse is on article 2(3) land.

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- 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

Not applicable.

- (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

The proposed extension will not be within 2m of the boundary of the curtilage of the dwellinghouse.

- (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

The proposed extension will not extend beyond the side elevation of the existing dwellinghouse, is less than 4m in height, is single storey and less than half the width of the original dwellinghouse.

- (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.

The proposed extension does not include the construction or provision of a verandah, balcony or raised platform, the installation, alteration or replacement of a microwave antenna, the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or an alteration to any part of the roof of the dwellinghouse under clause A, however this is covered under clause C.

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;
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse; or
- (ca) 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)

The original dwellinghouse is of blockwork construction with brick plinth and render finish – refer to drawing ref. MIS-MW-XX-XX-EL-A-30604 and Existing Photos ref. MIS-MW-XX-XX-EP-A-00001. Paragraph A.2 means that rendering or otherwise *changing* the external finish of an existing dwelling that isn't currently rendered wouldn't be permitted development in the AONB. However, a new extension which would be rendered to match the existing house, and which meets all the other Class A criteria, would still be permitted development.

The proposed single storey extension will not extend beyond the side elevation of the original dwellinghouse and do not exceed the limits set out in sub paragraphs (b) and (c).

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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) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse

As noted in relation to clause A.2 (a), the proposed extension will be constructed from materials of a similar appearance – refer to elevation drawings MIS-MW-XX-XX-EL-A-34001, MIS-MW-XX-XX-EL-A-34002 & MIS-MW-XX-XX-EL-A-34003.

b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall 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

Not applicable.

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 M, N, P, PA or Q of Part 3 of this Schedule (change of use)

Not applicable – no change 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
The roof of the proposed extension that is permitted development under Class A is joined to the roof of the original dwellinghouse. As such, and as noted in Ministry of Housing, Communities and Local Government *Permitted development rights for householders Technical Guidance*, the roof of the extension should not be considered under Class C as protruding from the original roof.

(c) it would result in the highest part of the alteration being higher than the highest part of the original roof;

Not applicable - the proposed extension is single storey.

or

(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

The proposed extension does not consist of or include the alteration or replacement of a chimney, flue or soil and vent pipe, or the installation, alteration or replacement of solar photovoltaics or solar thermal equipment

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall be -

(a) obscure-glazed; and

(b) 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

Not applicable – the proposed extension does not include a window located in a roof slope forming a side elevation