

Reference No. 14NP0078

TOWN AND COUNTRY PLANNING ACT 1990: Sections 191 and 192

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010: Article 35**

CERTIFICATE OF LAWFUL DEVELOPMENT OR USE

Agent :

Butler Haig Associates
Unit 11
South Acomb
Bywell
Stocksfield
NE43 7AQ

Applicant :

Mr and Mrs Armstrong
Grindon Farm
Haydon Bridge
Northumberland
NE47 6NQ

Northumberland National Park Authority hereby certifies that on 15th October 2014 the use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged in red on the plan attached to this certificate and as assessed and concluded in Planning Report specified in the Third schedule attached to this certificate, was lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 for the following reasons:

- 1) This certificate is issued based entirely on the information contained within the drawing prepared by Butler Haig Associates Reference **GFC/08/PPE/03** received on the 1st of September 2014, and also the site location plan attached to this certificate.

Dated this: **15th October 2014**

National Park Officer

APPLICATION REFERENCE NUMBER : 14NP0078

Page 1 of 11

First Schedule

Proposed Certificate of Lawful Development for single storey rear extension and internal alterations to existing house and is permitted by Class A and G of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008.

Northumberland National Park hereby certify that on the 15th of October 2014 the proposed construction described in the first schedule hereto in respect of land specified in the second schedule hereto and edged in red on the plan attached to this certificate is lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following:

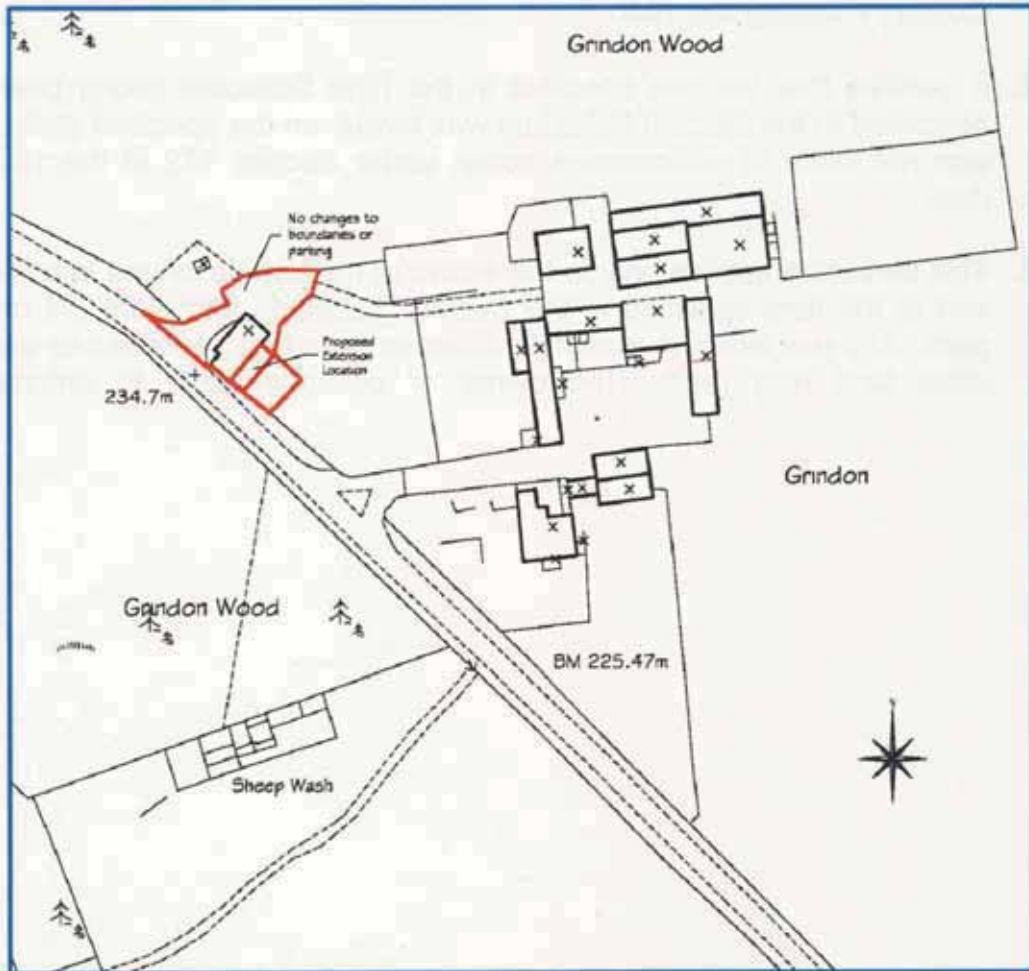
- 1) This certificate is issued based entirely on the information contained within the drawing prepared by Butler Haig Associates Reference **GFC/08/PPE/03** received on the 1st of September 2014, and also the site location plan attached to this certificate.



Second Schedule

Grindon Farm Cottage Plan reference **GFC/08/LP/01** (received 1st September 2014)

GFC/08/LP/01



Grindon Farm Cottage - Scale 1:1250 @ A4



Butler King Associates

NOTES

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990.
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule was lawful, on the specified date and, therefore, was not liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which Relates to other land may render the owner or occupier liable to enforcement action.



Third Schedule

Delegated Planning Report Ref **14NP0078**

DELEGATED DECISION REPORT

Application Reference Number	14NP0078
Description / Site Address	Certificate of Proposed Lawful Use in respect of construction of a single storey rear extension in stone and slate, carry out internal alterations and insert new windows at Grindon Farm, Haydon Bridge, Hexham, Northumberland, NE47 6NQ.
Applicant	Mr and Mrs Armstrong
Agent	Butler Haig Associates
Expiry date of publicity / consultations	N/A
Last date for decision	27 th October 2014

Planning Policy

N/A

Relevant Planning History

N/A

Consultations/Representation

N/A

Assessment

This application seeks the issuing of a certificate of proposed lawful use in respect of the construction of a single storey rear extension in stone and slate, carrying out internal alterations, the insertion of new Upvc windows and three velux rooflights and the introduction of a small flue at Grindon Farm Cottage, Haydon Bridge, Hexham, Northumberland.

The property is a single storey 19th century house built of stone with a rendered section to the western end. The building is under a slate roof.

The proposed changes to the property consist of:

The construction of a single storey rear extension measuring 7.8 metres wide x 4 metres deep, presenting a gable and glazed section to the rear elevation constructed of stone under a slate roof. Internal works include the re-configuration of internal accommodation and the insertion of a staircase to accommodate a new study in the existing roof space. The proposal also includes the insertion of a flue approximately 0.5 metres above the ridge of the roof.

For the purposes of this assessment for compliance with Permitted Development rights, the principal elevation to the property is considered to be the northern elevation of the house containing the front door.

In establishing whether the proposed works constitute permitted development the proposal needs to be assessed against Class A of Part 1 of Schedule 2 of Article 3 of the Town and Country Planning (General Permitted Development) (Amendment)(No. 2) (England) Order 2008 entitled "Development within the Curtilage of a Dwelling house". This application does not assess whether the proposal is acceptable in planning terms but is purely an assessment against the legislation stated above.

In assessing the proposal it is assessed against the following paragraphs:

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) 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 proposed works would not cover more than 50% of the total area of the domestic curtilage

b) 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 highest part of the roof of the proposed works does not exceed the highest part of the roof



c) 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 dwelling;

The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the eaves of the existing dwelling.

d) the enlarged part of the dwellinghouse would extend beyond a wall which
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;

The proposed works do not extend beyond a wall which fronts a highway or the side elevation of the original dwellinghouse.

e) 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 the subject of this application does not exceed past 4 metres beyond the rear wall of the original dwelling house and does not exceed 4 metres in height.

f) 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 enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwelling and the height to the eaves would only be 2.4 metres in height.

h) 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 one storey, or*
- iii) have a width greater than half the width of the original dwellinghouse;*

The proposed extension to the dwelling house would not exceed beyond a wall forming a side extension, will not exceed 4 metres in height, will consist of one single storey and will not have a width greater than half the width of the original dwellinghouse.

i) 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*

The proposed works to the building would not include the construction of a veranda, balcony or raised platform, would not include the installation, alteration or replacement of a microwave antenna. The proposed works do not include the installation, alteration or replacement of soil vent pipe, nor does the proposal involve the alteration of any of the existing roof structure however, The proposal does include the introduction of a small flue at 0.5 metres in height.

A.2 *In the case of a dwellinghouse on Article 1(5) 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 one storey and extend beyond the rear wall of the original dwellinghouse.*

The house the subject of this application is on Article 1(5) land however, works proposed do not include any of the above instances.



G The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse.

G.1 Development is not permitted by Class G if-

- (a) the height of a chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more.*
- (b) in the case of a dwellinghouse on article 1(5) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which-*
 - (i) fronts a highway*
 - (ii) forms either the principal elevation or a side elevation of the dwellinghouse.*

The proposed flue would not exceed 1 metre above the existing ridgeline, being of 0.5 metres in height.

In consideration of the above it is considered that the proposed works the subject of this application constitute permitted development.

Recommendation and Conditions

To Grant the Certificate of Proposed Lawful Development in respect of a single storey extension in stone and slate, carry out internal alterations and insert new windows at Grindon Farm Cottage, Haydon Bridge, Hexham, Northumberland, NE47 6NQ.

Northumberland National Park hereby certify that on the 15th of October 2014 the proposed construction described in the first schedule hereto in respect of land specified in the second schedule hereto and edged in red on the plan attached to this certificate is lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), for the following:

- 2) This certificate is issued based entirely on the information contained within the drawing prepared by Butler Haig Associates Reference GFC/08/PPE/03 received on the 1st of September 2014, and also the site location plan attached to this certificate.

In dealing with this application we have assessed the application in a positive and proactive manner and have implemented the requirement in paragraph 187 of the National Planning Policy Framework.

Condition

A.3 *Development is permitted by Class A subject to the following conditions-*

- (a) *the materials used in any exterior work (other than material 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;*
- (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;*

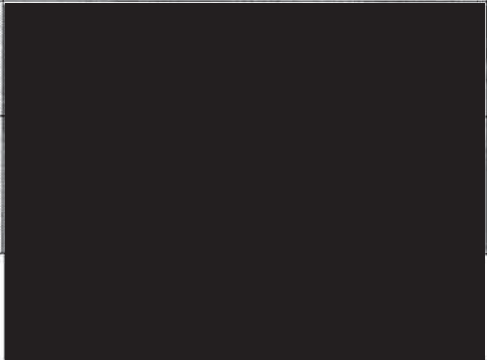

And

- (c) *where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.*



	Signature	Date
Planning Officer		15/10/14.

I hereby certify that the application may be determined by the Chief Executive or the Head of Planning or relevant Director under the current Delegation Scheme, and is hereby Issued,

	Signature	Date
Interim Manager: Development Management		15/10/14
Chief Executive		15/10/14.