


Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	EP	Date:	19/06/2025	Manager:	SK	Date:	19.6.25
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Application Ref:		3/2025/0279		 <div>Ribble Valley Borough Council</div> <hr/> www.ribblevalley.gov.uk
Date Inspected:	N/A	Site Notice:	N/A	
Officer:	EP			
DELEGATED ITEM FILE REPORT:				REFUSED

Development Description:	Certificate of Lawful Development for proposed single-storey extension to rear.
Site Address/Location:	3 Fennel Gate, Whalley BB7 9GQ.

CONSULTATIONS:	Parish/Town Council
N/A	

CONSULTATIONS:	Highways/Water Authority/Other Bodies
LCC Highways:	N/A

CONSULTATIONS:	Additional Representations.
No comments received.	

RELEVANT POLICIES AND SITE PLANNING HISTORY:

The proposal is assessed against the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Relevant Planning History:

No planning history.

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a detached dwelling on a new development accessed via Miton Road in Whalley. The surrounding area is both residential and commercial in nature, with Mitton Road Business Park being located on the opposite side of Mitton Road.

Proposed Development for which consent is sought:

Consent is sought for the erection of a single-storey rear extension .

Principle of Development:

The proposal seeks to determine whether the proposal falls under the realm of permitted development or if full planning consent is required.

Other Matters:

Assessment of proposal in relation to the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015:

In order to be permitted development, the proposal needs to satisfy a number of criteria as comprised in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the enlargement, improvement or other alteration of a dwellinghouse.

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 or Q of Part 3 of this Schedule (changes of use);

Permission for use as a dwellinghouse was not granted by virtue of class M, N, P or Q of Part 3.

(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 single storey extension would not exceed 50% of the total area of curtilage of the property.

(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 height of the proposed single storey extension would not exceed the height of the existing dwelling.

(d) the height of the eaves of the part of the dwelling house enlarged or improved or altered would exceed the height of the eaves of the existing dwelling house;

The height of the eaves of the proposed extension would 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 single storey extension would not extend beyond a wall which forms the principal elevation of the original dwellinghouse or fronts a highway and forms a side elevation of the original dwellinghouse.

(f) subject to paragraph (g), the enlarged part of the dwelling house would have a single storey and –

(i) extend beyond the rear wall of the original dwelling house by more than 4 metres in the case of a detached dwelling house or 3 metres in the case of any other dwelling house, or

(ii) exceed 4 metres in height;

The proposed single storey extension, as per the submitted plans, will adjoin the existing detached garage structure. Given the proposed extension itself will have length of 4m, once combined with the length of the garage building, the overall length will exceed the allowed 4m.

(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;”

N/A

h) the enlarged part of the dwelling house would have more than a single storey and —

(i) extend beyond the rear wall of the original dwelling house by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwelling house opposite the rear wall of the dwelling house;

The proposed rear extension would be single storey.

(i) the enlarged part of the dwelling house would be within 2 metres of the boundary of the curtilage of the dwelling house, and the height of the eaves of the enlarged part would exceed 3 metres;

The proposed single storey extension will not access 3 metres in height to the eaves.

(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 one storey, or

(iii) have a width greater than half the width of the original dwellinghouse; or

The proposed single storey extension will adjoin the existing garage structure and will therefore have a sideways projection. Limited plans have been provided, however, desktop analysis suggests that the existing dwelling is approximately 7m in width. As a result, the width of the development as whole (proposed extension and adjoined garage) will exceed half the width of the original dwelling.

(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.

The proposed single storey extension would not consist of or include any of the above criteria.

The proposal meets the above criteria to be classed as permitted development.

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.

Observations/Consideration of Matters Raised/Conclusion:

The proposed works do not constitute permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 1, Class A as the proposed development at its longest point will measure greater than 4 metres from the rear elevation of the original dwellinghouse with a sideways projection that is greater than half the width of the existing dwellinghouse.

RECOMMENDATION:	To refuse the application for a Certificate of Lawfulness.
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