

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:	LW	Date:		Manager:	KH	Date:	02/07/25
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Application Ref:	3/2025/0395			 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	N/A	Site Notice:	N/A	
Officer:	LW			
DELEGATED ITEM FILE REPORT:				APPROVAL

Development Description:	Certificate of Lawfulness for proposed single storey extension to rear.		
Site Address/Location:	38 Beech Drive, Whalley, BB7 9RA.		

CONSULTATIONS:	Parish/Town Council
N/A	

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

CONSULTATIONS:	Additional Representations.
N/A	

RELEVANT POLICIES AND SITE PLANNING HISTORY:

Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Relevant Planning History:

3/2002/1031: Substitution of house type to include conservatories on a total of 66 plots. Re-plan and re-positioning of plots 82-85 and plots 90-92 (Approved).

3/1999/0932: Reserved matters application for residential development of 318no. dwellings with associated garages (Approved).

3/1998/0256: Outline application for redevelopment and re-use of redundant hospital buildings and land for up to 350 dwellings, 46455 sqm of business floorspace, a primary school and open space (Approved).

ASSESSMENT OF PROPOSED DEVELOPMENT:

Site Description and Surrounding Area:

The application relates to a detached two-storey residential dwelling at no.38 Beech Drive, located on a corner plot at the junction of Beech Drive and Oak Close. The property comprises brickwork to the external elevations, concrete roof tiles and white uPVC windows and is located within the defined settlement area of Whalley.

Proposed Development for which consent is sought:

Consent is sought for a Certificate of Lawfulness for the construction of a proposed single storey rear extension measuring 3.6m by 6.4m with an eaves and ridge height of 2.3m and 3.3m respectively.

Other Matters:

Assessment of the 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 (as amended).

In order to be permitted development, the proposed development 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) (England) Order 2015 (as amended) for the enlargement, improvement or other alteration of a dwellinghouse.

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 (change of use);

Permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class G, M, MA, N, P, PA 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 curtilage (excluding the ground area of the original dwellinghouse);

The total area of ground covered by buildings would not exceed 50% of the total area of the curtilage of the 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;

The height of the proposed extension would not exceed the height 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 eaves height of the proposed extension would not exceed the eaves height 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 would not extend beyond a wall which forms the principal elevation or fronts a highway and forms a side elevation of the 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 4m in the case of a detached dwellinghouse, or 3m in the case of any other dwellinghouse, or
- (ii) exceed 4m in height;

The proposed extension would not extend more than 4m from the rear wall of the dwellinghouse and would not 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 8m in the case of a detached dwellinghouse, or 6m in the case of any other dwellinghouse, or
- (ii) exceed 4m in height;

The dwellinghouse is not on article 2(3) land nor on a site of special scientific interest and the proposal would not involve a larger home extension.

h) the enlarged part of the dwellinghouse would have more than a single storey and –

- (i) extend beyond the rear wall of the original property by more than 3m, or
- (ii) be within 7m of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

The proposed extension would not have more than a single storey.

i) the enlarged part of the dwellinghouse would be within 2m of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3m;

The proposed extension would be within 2m of the boundary of the curtilage; however, the eaves height would not exceed 3m.

j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would –

- (i) exceed 4m in height, (ii) have more than a single storey, or
- (ii) have a width greater than half the width of the original dwellinghouse;

The proposed development would not extend beyond a wall forming a side elevation 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-paragraph e to j);

N/A

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

The proposed development would include none of the above.

l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).

The dwellinghouse is not built under Part 20 of this Schedule.

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;

The proposed extension would be finished in brickwork and concrete roof tiles to match the existing dwellinghouse.

b) any upper-floor windows 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 1.7m above the floor of the room in which the window is installed; and

No first-floor windows in a wall or roof slope forming a side elevation are proposed.

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.

The proposed extension would not have more than a single storey.

Observations/Consideration of Matters Raised/Conclusion:

The proposed development constitutes permitted development under Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), subject to the conditions outlined in A.3 of this Part.

RECOMMENDATION:	That the Certificate of Lawfulness be granted
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