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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | BT | | | | **Date:** |  | **Manager:** | | **KH** | | **Date:** | **27/01/23** |
|  | | | | | | | | | | | | | |
| **Application Ref:** | | | 3/2022/1065 | | | | | |  | | | | |
| **Date Inspected:** | | | N/A | | | | | |
| **Officer:** | | | BT | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | **Decision** | | **APPROVAL** | | |
|  | | | | | | | | | | | | | |
| **Development Description:** | | | | | Certificate of lawfulness for a proposed dormer loft conversion. | | | | | | | | |
| **Site Address/Location:** | | | | | 24 Oakdale Drive, Whalley. BB7 9FW | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Parish / Town Council** | | | | | | | | |
| N/A | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | |
| **CONSULTATIONS:** | | | | | **Highways/Water Authority/Other Bodies** | | | | | | | | |
| **LCC Highways:** | | | | | N/A | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Additional Representations.** | | | | | | | | |
| N/A | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | |
| N/A | | | | | | | | | | | | | |
| **Relevant Planning History:**  **3/2022/0361:**  Two storey side extension. Change rear conservatory roof. Drop kerb to rear and side. Fence to side of property (Approved)  **3/2011/0660:**  Substitution of house type to include use of part of a garage as additional living accommodation (Approved)  **3/2010/0264:**  Erection of 39 dwellings comprising a mixture of two to five bedroom houses without compliance with condition no.10 attached to planning permission 3/2008/0826P.  **3/2008/0826:**  Erection of 39no. dwellings comprising a mix of 2 - 5 bedroom houses (Approved) | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to a two storey end terraced property in Whalley. The property consists of brick, concrete roof tiles, UPVC windows and composite doors. The proposal site is situated within an area of residential housing on the North-western fringe of Whalley. The property is not situated within a conservation area or the AONB and still benefits from permitted development rights. | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  This is an application for a Certificate of Lawfulness for a rear dormer extension. | | | | | | | | | | | | | |
| **Principle of Development:**  The application seeks to determine whether the proposal requires planning consent. | | | | | | | | | | | | | |
| **Assessment of proposal in relation to the provisions of** **Schedule 2, Part 1, Class B 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 Part 1 Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the enlargement of a dwellinghouse consisting of an addition or alteration to its roof.  **Class B**  B.1 Development is not permitted by Class B 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) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;  **The proposed development would not exceed the highest part of the existing roof.**  (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;  **The proposed development would not extend beyond the plane of an existing roof slope which forms the principal elevation of the dwellinghouse.**  (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—  (i) 40 cubic metres in the case of a terrace house, or  (ii) 50 cubic metres in any other case;  **The application site is a semi-detached dwelling and the total cubic content created by the development would be 14.3 m3.**  (e) it would consist of or include—  (i) the construction or provision of a verandah, balcony or raised platform, or  (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or  **The development would not consist of any of the above.**  (f) the dwellinghouse is on article 2(3) land.  **The dwelling is not sited on article 2(3) land.**  Conditions  B.2 Development is permitted by Class B subject to the following conditions—  (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;  **The proposed dormer would be detailed in grey Zinc / Greencoat PLX cladding which would be in keeping with the grey roofscape of the existing dwellinghouse**  (b) the enlargement must be constructed so that—  (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves;  **The edge of the proposed dormer window would be set 1 metre back from the eaves of the original roof when measured along the roof slope from the outside edge of the eaves.** | | | | | | | | | | | | | |
| **Observations/Consideration of Matters Raised/Conclusion:**  The proposed works constitute permitted development under The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 1, Class B. | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | | To approve the application for a Certificate of Lawfulness. | | | | | | | | | |