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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | **EP** | | | | **Date:** | | **6.3.23** | | **Manager:** | | **SK** | **Date:** | **6.3.23** |
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| **Application Ref:** | | | | 3/2023/0028 | | | | | | |  | | | |
| **Date Inspected:** | | | | N/A | | | **Site Notice:** | | N/A | |
| **Officer:** | | | | EP | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | **APPROVAL** | | | |
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| **Development Description:** | | | | | Certificate of Lawfulness for a proposed hip to gable extension with single side window, addition of 2 Velux roof lights to front elevation and rear dormer to facilitate a loft conversion. | | | | | | | | | |
| **Site Address/Location:** | | | | | 10 Chatburn Park Drive Clitheroe BB7 2AY | | | | | | | | | |
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| **CONSULTATIONS:** | | | | | **Parish/Town Council** | | | | | | | | | |
| **N/A** | | | | | | | | | | | | | | |
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| **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:** | | | | | | | | | | | | | | |
| Part 1 Class B and Class C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the enlargement of a dwellinghouse. | | | | | | | | | | | | | | |
| **Relevant Planning History:**  **3/2022/0422:**  Proposed side and rear dormer to dwelling. Resubmission of 3/2021/1148. (Refused)  **3/2021/1148:**  Proposed hip to gable extension and addition of rear dormer. (Refused)    **3/2014/1104:**  Proposed single storey rear and side extension following demolition of existing garage and store (Resubmission of application 3/2014/0447). (Approved)    **3/2014/0447:**  Proposed single storey rear and side extension following demolition of existing garage and rear porch. (Refused – Appeal Dismissed) | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to a semi-detached two-storey property situated on the southern side of Chatburn Park Drive, the site is within the defined settlement limits of Clitheroe. The dwelling is faced in a mixture of natural stone, with both pebbledash and white render. The surrounding area is predominantly residential in character, largely typified by pairings of semi-detached dwellings. | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  The application seeks to determine whether the proposed alterations to the roof require planning consent. | | | | | | | | | | | | | | |
| **Principle of Development:**  **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 and Class C 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;  **Neither the proposed dormer or hip to gable extensions would exceed the height of 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 proposal would not extend beyond the plane of the existing roof slope which forms the principal elevation.**  (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 dwelling is semi-detached and the proposed dormer would measure approximately 47 cubic meters.**  (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 proposal does not include the above.**  (f) the dwellinghouse is on article 2(3) land.  **The dwelling is not 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 materials consist of concrete roof tiles, Zinc cladding, grey uPVC windows and White render, all of which will match the existing dwelling.**  (b) the enlargement must be constructed so that—   1. other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—   (aa) the eaves of the original roof are maintained or reinstated; and  (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; and  (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and  **The proposal includes a hip to gable extension. The dormer would not be less than 0.2m from the eaves measured along the roof slope.**  **Neither the proposed dormer nor hip to gable extensions would extend beyond the outside face of any external wall.**  (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—   1. 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  **The additional window proposed in the newly formed gable shall be non-opening and will consist of obscure glazing.**  **Class C**  C1. Development is not permitted by Class C if—   1. 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); N/A   **Permission for use as a dwellinghouse was not granted by virtue of class M, N, P or Q of Part 3.**  (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 proposed roof lights would not protrude more than 0.15m beyond the plane of the existing roof slope.**  (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or  **The proposed roof lights would not project beyond the highest part of the existing roof.**  (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 above do not apply to the proposal.**  Conditions  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 must 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.  **The proposed roof lights are not on a roof slope forming a side elevation.** | | | | | | | | | | | | | | |
| **Landscape/Ecology:**    Although it is not a requirement for a Lawful Development Certificate, a bat survey has been provided which established that there is negligible roosting potential at the dwelling. | | | | | | | | | | | | | | |
| **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 and Class C, subject to conditions B.2 and C.2 of those parts. | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | | Permission Not Required. | | | | | | | | | | | |