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| **Report to be read in conjunction with the Decision Notice.** | | | | | | | | | | | | | | |
| **Signed:** | **Officer:** | **EP** | | | | **Date:** | | **06/08/2024** | | **Manager:** | | **SK** | **Date:** | **7.8.24** |
|  | | | | | | | | | | | | | | |
| **Application Ref:** | | | | 2024/0483 | | | | | | |  | | | |
| **Date Inspected:** | | | | N/A | | | **Site Notice:** | | N/A | |
| **Officer:** | | | | EP | | | | | | |
| **DELEGATED ITEM FILE REPORT:** | | | | | | | | | | | **APPROVAL** | | | |
|  | | | | | | | | | | | | | | |
| **Development Description:** | | | | | Certificate of Lawfulness for proposed dormer to rear roof slope. | | | | | | | | | |
| **Site Address/Location:** | | | | | 19 Abbey Road, Whalley BB7 9RP. | | | | | | | | | |
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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.** | | | | | | | | | |
| No comments received. | | | | | | | | | | | | | | |
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| **RELEVANT POLICIES AND SITE PLANNING HISTORY:** | | | | | | | | | | | | | | |
| **Relevant Planning History:**  No planning history. | | | | | | | | | | | | | | |
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| **ASSESSMENT OF PROPOSED DEVELOPMENT:** | | | | | | | | | | | | | | |
| **Site Description and Surrounding Area:**  The application relates to a semi-detached dwelling Whalley on Abbey Road. The application dwelling is sited within a large residential curtilage with an associated detached garaged. The application site itself is not on any designated land, but adjoining Whalley Conservation Area. The surrounding area in predominantly residential in nature. | | | | | | | | | | | | | | |
| **Proposed Development for which consent is sought:**  Consent is sought for the construction of a rear dormer extension to accommodate an additional bedroom. This application seeks to determine whether the proposed works constitute permitted development or whether full planning consent is required. | | | | | | | | | | | | | | |
| Assessment of proposal in relation to the provisions of Schedule 2, Part 1, Class B and Class C 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 B and Class C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the enlargement, improvement or other alteration of a dwellinghouse.  **Class B – Dormer**  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 dormer extension 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 dormer extension 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 below 50 cubic metres.**    (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 constructed in similar materials to the existing dwelling.**  (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 proposal meets the 0.2 metre criteria.**  **The proposal meets the above criteria to be classed as permitted development**. | | | | | | | | | | | | | | |
| **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 subject to the external facing materials being of a similar appearance to those used in the construction of the exterior of the existing dwelling house. | | | | | | | | | | | | | | |
| **RECOMMENDATION**: | | |  | | | | | | | | | | | |
| That the certificate of lawfulness be granted. | | | | | | | | | | | | | | |