

Report to be read in conjunction with the Decision Notice.

Signed:	Officer:		Date:		Manager:		Date:	
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Application Ref:	3/2021/0097	 Ribble Valley Borough Council www.ribblevalley.gov.uk
Date Inspected:	N/A	
Officer:	RB	
DELEGATED ITEM FILE REPORT:		GRANTED

Development Description:	Certificate of lawfulness for proposed rear dormer and rear single storey extension.
Site Address/Location:	3 Abbey Farm View, Whalley, BB7 9YF

CONSULTATIONS:	Parish/Town Council
N/A	

CONSULTATIONS:	Additional Representations.
N/A	

RELEVANT POLICIES AND SITE PLANNING HISTORY:

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

Relevant Planning History:

No relevant planning history

ASSESSMENT OF PROPOSED DEVELOPMENT:

Proposed Development for which consent is sought:

The proposed development is for the construction of a rear extension and a rear dormer. The application site benefits from its householder permitted development rights.

This application seeks a determination as to whether the proposed development meets the requirements for a certificate of lawfulness. In this particular instance the relevant part of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) to consider is Schedule 2 Part 1 Class A and Class B

Observations/Consideration of Matters Raised/Conclusion:

In order to be permitted development, the proposed work needs to satisfy a number of criteria as comprised in Part 1 Class A and Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) for the enlargement, improvement or other alteration of a dwellinghouse.

Class A

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 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 dwelling house (other than the original dwelling house) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);

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 dwelling house enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwelling house;

The height of the proposed single storey extension will 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 existing dwelling house;

The height of the eaves of the proposed extension will not exceed the height of the eaves of the existing dwellinghouse.

(e) the enlarged part of the dwelling house would extend beyond a wall which

- (i) fronts a highway; and
- (ii) forms either the principal elevation or a side elevation of the original dwelling house;

The proposed single storey extension would not extend beyond a wall which is considered to front a highway.

(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 single storey extension will extend beyond the rear wall of the detached dwellinghouse 2.35m measure 3.1m in total height.

(g) until 30th May 2019, 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 one storey and –

- (i) extend beyond the rear wall of the original dwelling house by more than 3 metres, or 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 flat roof height of the proposed single storey extension will measure 2.6m tall.

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

(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
- (ii) an alteration to any part of the roof of the dwellinghouse.

The proposed single storey extension would not extend beyond a wall forming the side elevation of the dwellinghouse or consist of or includes any of the above criteria.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

The application site is not sited on article 2(3) land.

Class B

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 proposal would not exceed the height of 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 proposal does not extend beyond the plane of the principle elevation roof slope and does not front a highway.

- (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 proposed cubic content of the proposal is 20.76 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 proposal would not consist of any of the above.

(f)the dwellinghouse is on article 2(3) land.

The proposal is not situated on article 2(3) land.

The proposed works meets Class A and Class B and is considered to be permitted development.

RECOMMENDATION:

That consent for a certificate of lawfulness be granted.