


Report to be read in conjunction with the Decision Notice.								
Signed:	Officer:	BT	Date:	9/4/2021	Manager:		Date:	
Site Notice displayed	N/A	Photos uploaded	COVID 19					

Application Ref:	3/2021/0178	 <div>Ribble Valley Borough Council</div> <div>www.ribblevalley.gov.uk</div>	
Date Inspected:	N/A		
Officer:	BT		
DELEGATED ITEM FILE REPORT:		Decision	Approval

Development Description:	Removal of existing conservatory and construction of a replacement rear extension.
Site Address/Location:	12 The Crescent, Whalley, Lancashire. BB7 9JW

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:
The proposal is assessed against the provisions of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
Relevant Planning History: 3/2004/0508: Erection of conservatory at the rear (Approved) 3/2007/1170: Two storey side extension (Approved)

ASSESSMENT OF PROPOSED DEVELOPMENT:
Site Description and Surrounding Area: The proposal relates to a terraced property in Whalley. The property is constructed from red brick and render, concrete roof tiles and white UPVC windows and doors. The surrounding area is largely residential and is characterised by numerous other terraced properties.

Proposed Development for which consent is sought:

This is an application for a Certificate of Lawfulness for the proposed removal of an existing conservatory and construction of a replacement rear extension.

Principle of Development:

The application seeks to determine whether the proposal requires planning consent.

Assessment of proposal in relation to the provisions of Class A Part 1 Schedule 2 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 A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) for the enlargement, improvement or other alteration of a dwellinghouse.

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

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 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 single storey extension would 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 eaves of the existing dwelling house;

The height of the eaves of the proposed extension would not exceed the height of the eaves 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 single storey extension would not extend beyond a wall which forms the principle elevation of the original dwellinghouse or fronts a highway and forms a side elevation of the original dwellinghouse.

(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 proposed single storey extension would extend beyond the rear wall of the original dwellinghouse by 2.8 metres and measure 3.5 metres 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 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 a single storey and —

(i) extend beyond the rear wall of the original dwelling house by more than 3 metres, or

(ii) 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 proposed single storey extension would be within 2 metres of the boundary of the curtilage of the dwellinghouse and would be 2.4 metres in height to the eaves measured from the highest part of the surface of the ground adjacent to it.

(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

(iii) 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

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

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

The building is not within a World Heritage Site, a National Park, an area of outstanding natural beauty or the Broads.

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 A 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:

To approve the application for a Certificate of Lawfulness.