

Delegated Application Report

Target Date: 09/09/19

Address: 28 Waldeck Street

Application No: 191020/CLP

Proposal: Single storey rear extension

Case Officer: Sian Hickey

Introduction and Proposal

The application site is a two storey terraced property with a pitched roof. The property benefits from a two storey rear gable projection. The application site falls within an Article 4 area which removed permitted development rights for changes from C3 dwellinghouses to C4 small HMOs. The property is not Listed and it doesn't fall within a Conservation Area. The surrounding area is predominantly residential.

The proposal is for a single storey rear extension which would extend from the rear elevation of the existing two storey gable projection. The proposed extension would extend at a width of 1.942m, projecting to a depth of 2.499m. The maximum height of the proposed extension would be 3m. The proposed extension would have a flat roof with one rear facing window and one side facing door. Materials have been selected to match those of the existing property.

Plans Submitted

The applicant supplied the following, received on 5th August 2019:

Drawing No: 2019/CD/AJS/28WS01 – Existing and Proposed Floor Plans

Drawing No: 2019/CD/AJS/28WS02 – Existing and Proposed Elevation Plans

Drawing No: 2019/CD/AJS/28WS03 – Location and Block Plans

Relevant Planning History

None

Summary of Consultations

No consultations were undertaken as it is not required for an application of this type.

Relevant Planning Policy and Guidance

National Planning Practice Guidance.

The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO).

Permitted development rights for householders – Technical Guidance April 2016

Assessment

A Certificate of Lawfulness for a proposed development has been submitted as the applicant considers the proposal falls within the permitted development rights of the property.

The proposal must be assessed to ensure that it complies with the conditions of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, which relates to the 'enlargement, improvement or other alteration of a dwellinghouse'.

The relevant conditions of the GPDO for a single storey rear extension, which is not listed or in a conservation area, are as follows:

A.1 Development is not permitted by Class A if:

A.1 (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); **complies**

A.1 (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); **complies**

A.1 (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; **complies**

A.1 (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse; **complies**

A.1 (e) the enlarged part of the dwellinghouse would extend beyond a wall which (i) forms the principle elevation of the original dwellinghouse; **complies** or (ii) fronts a highway and forms a side elevation of the original dwellinghouse; **complies**

A.1 (f) subject to paragraph (g), 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 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, **complies** or (ii) exceed 4 metres in height; **complies**

A.1 (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, **complies** or (ii) exceed 4 metres in height; **complies**

A.1 (h) the enlarged part of the dwellinghouse would have more than a single storey and – (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, **complies** or (ii) be within 7 metres of

any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse; **complies**

A.1 (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres; **complies**

A.1 (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, **complies** (ii) have more than a single storey, **complies** or (iii) have a width greater than half the width of the original dwellinghouse; **complies** or

A.1 (k) it would consist of or include – (i) the construction or provision of a verandah, balcony or raised platform, **complies** (ii) the installation, alteration or replacement of a microwave antenna, **complies** (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, **complies** or (iv) an alteration to any part of the roof of the dwellinghouse. **Complies.**

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

A.2 (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; **n/a**

A.2 (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; **n/a** or

A.2 (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse. **n/a**

Conditions

Development is permitted by Class A subject to the following conditions:

A.3 (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the dwellinghouse; **complies**

A.3 (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be (i) obscure-glazed, **n/a** 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; **n/a** and

A.3 (c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse. **n/a**

Recommendation

Evidence has been provided to demonstrate that a Certificate of Lawfulness should be granted for the proposed single storey rear extension.

The proposal has been assessed against the Town and Country Planning Act 1990 (as amended) and Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. It can be confirmed that the proposed operation would be lawful for planning purposes on the basis of the drawings received on 5th August 2019:

Drawing No: 2019/CD/AJS/28WS01 – Existing and Proposed Floor Plans

Drawing No: 2019/CD/AJS/28WS02 – Existing and Proposed Elevation Plans

Drawing No: 2019/CD/AJS/28WS03 – Location and Block Plans

The materials to be used in the construction of the external surfaces of the development have been confirmed shall match those used on the existing building.

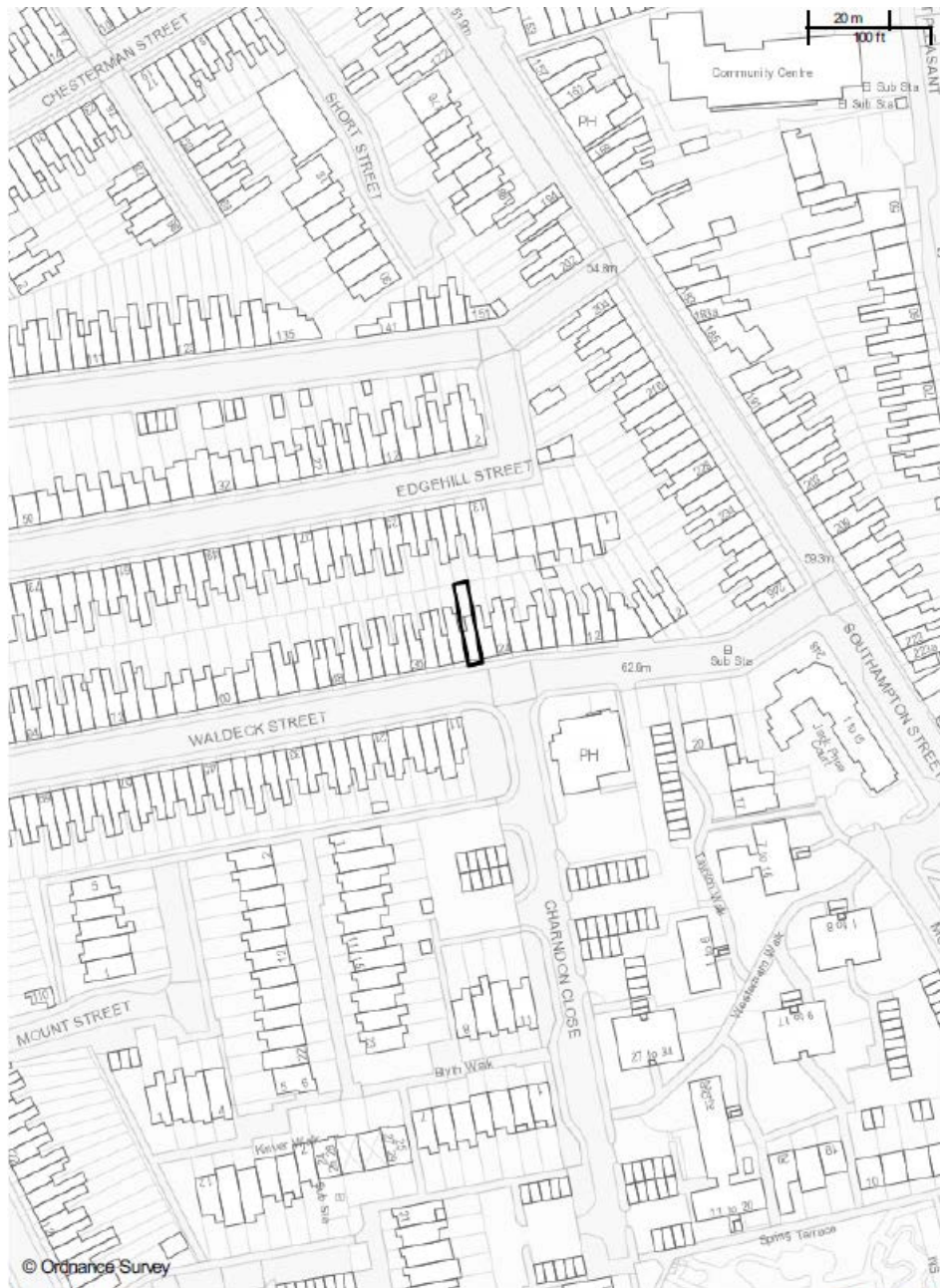
Therefore the Local Planning Authority can issue the applicant with a Certificate of Lawfulness for the proposed development.

Informatives

Building Regulations

Construction and Demolition

Encroachment and Party Wall Act



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