

Address: 16 Woodcote Way

Application No: 180397

Proposal: Proposed loft conversion with new dormer roof projections to rear of existing building, a hip to gable roof extension and the addition of two roof lights in the front elevation.

Case Officer: Tom French

Introduction & Proposal

The application site contains a two storey semi-detached dwelling located on the east side of Woodcote Way. The application site has a rear amenity area approximately 22m deep and 9m wide. The surrounding area is predominantly residential semi-detached properties of a similar design and character to the application property.

It is proposed to extend the roof with a hip to gable extension and a new dormer. Two roof lights are also proposed in the front elevation.

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

Plans Submitted:

On 07/03/2018 the agent supplied the following drawings:

- Location Plan
- Block Plan
- 1 - Proposed Ground Floor Plan
- 2 - Proposed First Floor Plan
- 3 - Proposed Loft Plan
- 4 - Proposed Roof Cross Section
- 5 - Proposed Elevations

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 & Guidance:

Annex 8 "Lawfulness and the Lawful Development Certificate" of Planning Circular 10/97 'Enforcing Planning Control: Legislative Provisions and Procedural Requirements' sets out the procedure for assessing applications for certificates of lawfulness:

Para 8.26 states, "if the LPA are supplied with information satisfying them that the operations described in the application would be lawful, if instituted or begun at the time of the application, they shall issue a certificate to that effect; and, in any other case, they shall refuse the application." "The burden of proof in a LDC application is firmly on the applicant."

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 Class B and Class C, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO), which relates to 'the enlargement of a dwellinghouse consisting of an addition or alteration to its roof' and 'Any other alteration to the roof of a dwellinghouse' respectively.

The Planning Practice Guidance (PPG) states that 'In the case of applications for proposed development, an applicant needs to describe the proposal with sufficient clarity and precision to enable a local planning authority to understand exactly what is involved'. The PPG also states that 'Without sufficient or precise information, a local planning authority may be justified in refusing a certificate'.

The plans submitted by the agent on 07/03/2018 fail to demonstrate that the proposal complies with the relevant conditions of the GPDO and do not provide sufficient clarity and precision to enable the local planning authority to grant the certificate. As no plans showing the existing dwelling were submitted, the exact extent of the proposed development could not be accurately ascertained. As such the development cannot be accurately assessed against the relevant classes of the GPDO. Further, the submitted plans are not consistent, so it is not possible to determine what is being proposed or if the proposal complies with the relevant conditions of the GPDO. Drawing Number: 4 - Proposed Elevations shows 0.3m between the eaves point and the proposed dormer, whilst Drawing Number: 5 - Proposed Roof Cross Section shows 1.3m between eaves point and the proposed dormer.

As detailed above, the submitted plans are inconsistent and fail to demonstrate that the proposal complies with the relevant conditions of the GPDO.

Conclusion

Insufficient details have been submitted to assess the proposal against the Town and Country Planning Act 1990 (as amended) and Classes B and C Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and therefore it cannot be confirmed that the proposal would be lawful. Further, the submitted plans are inconsistent in representing the proposal. As such the submitted plans fail to demonstrate a development that would satisfy the relevant conditions of the aforementioned order.

The above assessment is on the basis of the following submitted drawings:

- Location Plan
- Block Plan
- 1 - Proposed Ground Floor Plan
- 2 - Proposed First Floor Plan
- 3 - Proposed Loft Plan
- 4 - Proposed Roof Cross Section
- 5 - Proposed Elevations

As received: 07/03/2018

Therefore the Local Planning Authority will, on this occasion, decline to issue the applicant with a Certificate of Lawfulness for the proposed development.

Recommendation:
REFUSE Certificate

Location Plan (not to scale)

