

Agenda Item A8	Committee Date 20 August 2018	Application Number 18/00882/PLDC
Application Site 46 Shrewsbury Drive Lancaster Lancashire LA1 4BA		Proposal Proposed Lawful Development Certificate for the erection of a single storey rear extension and side dormer
Name of Applicant Mr Stephen Metcalfe		Name of Agent J Cronshaw
Decision Target Date 30 August 2018		Reason For Delay None
Case Officer		Mr Andrew Clement
Departure		No
Summary of Recommendation		Planning Consent is not required and a Lawful Development Certificate for a Proposed Use or Development should be issued

(i) Procedural Matters

The application is one which would normally be dealt with under delegated powers but is required to be placed before the Planning and Highways Regulatory Committee as the applicant is an employee of the City Council.

1.0 The Site and its Surroundings

1.1 The application property is a semi-detached mid-20th century dwellinghouse constructed with external facings of brick to the ground floor and dashing to the first floor under a hipped tiled roof. It forms part of a larger development of similarly designed and finished residential properties in the Bowerham suburb of Lancaster.

There are no statutory development restrictions affecting the property. Specifically, it is not situated within Article 2(3) Land; (in Lancaster this means a Conservation Area or Area of Outstanding Natural Beauty) and is not subject to an Article 4 Direction or the removal by condition of householder permitted development rights.

2.0 The Proposal

2.1 This is not a planning application but an application for a Lawful Development Certificate for a Proposed Use or Development (PLDC). PLDC applications seek to establish whether a building, use or activity is 'permitted development' under the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). If it is considered to be 'permitted development' (and thus, does not require express planning permission), then a Certificate is granted to confirm this. It is purely a determination as to whether the proposal complies with the provisions of the aforementioned Order.

2.2 In this particular case the applicant has submitted a PLDC to ascertain whether the erection of a single storey rear extension, rear patio, side dormer and rooflight requires the benefit of planning

permission or whether it is 'Permitted Development' by virtue of the provisions of Schedule 2, Part 1, Classes A, B and C of the aforementioned Order. Class A refers to the enlargement, improvement or alteration of a house, Class B to additions to the roof of a dwellinghouse, and Class C to other alterations to the roof of a dwellinghouse.

2.3 The proposed works would involve the erection of a single story rear extension facilitating the enlargement of the existing kitchen and sitting rooms. The extension will project 3 metres from the existing rear elevation at 6.15 metres wide, and will stand up to 3.8 metres above ground level, with a 3 metre tall eaves height. It will be finished in materials matching the original dwelling house, namely facing brick walls under a Redland concrete tile lean-to roof. The sitting room will open out externally onto a patio area 0.22 metres above the ground level. To the side elevation, an existing opening to the side elevation is to be closed with the construction of a cavity wall finished in matching facing brick.

2.4 To facilitate an additional bedroom within the roof space of the dwellinghouse, a side dormer roof extension is proposed, at a width of 3.4 metres and projecting up to 2.6 metres from the existing roof plane. The dormer will be finished in matching roof tiles to the hipped roof and vertically hung on the walls, with side facing windows to be fixed and obscure glazed. Natural light and outlook from the bedroom is to be provided by one existing rooflight plus one additional new rooflight to the rear facing roof pitch.

3.0 Site History

3.1 The application site was granted a Lawful Development Certificate under the below application at the 11 December 2017 Planning Committee.

Application Number	Proposal	Decision
17/01315/PLDC	Proposed Lawful Development Certificate for the erection of a single storey rear extension	Lawful Development Certificate Issued

4.0 Consultation Responses

4.1 As the application is purely a legal determination based on a factual assessment of the proposal against 'permitted development' rights, no consultations are involved.

5.0 Neighbour Representations

5.1 For the reasons given in 4.1 above, no neighbour consultations were undertaken at the time of writing this report.

6.0 Principal National and Development Plan Policies

6.1 None (not applicable)

7.0 Comment and Analysis

7.1 There are no matters for Members to consider other than to determine whether or not the proposal is 'permitted development'. The wording of the relevant legislation is provided within the background papers.

7.2 For the purpose of determining this proposal it should be considered against the provisions of Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 which allows for the enlargement, improvement or other alteration of a dwellinghouse. The rear extension and patio have been assessed against the aforementioned Order and have been found to wholly comply with all the criteria of Class A of Part 1 to Schedule 2 of the Order. The development is single storey and does not exceed 4 metres in height or that of the original dwellinghouse, the eaves do not exceed 3 metres in height or that of the original dwellinghouse, it is sited to the rear elevation projecting no more than 3 metres from the rear wall of the original dwellinghouse, to be finished in similar appearance exterior materials, and the patio has a height no greater than 0.3 metres.

- 7.3 For the purpose of determining this proposal it should be considered against the provisions of Class B of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 which allows for additions to the roof of a dwellinghouse. The side dormer has been assessed against the aforementioned Order and has been found to wholly comply with all the criteria of Class B of Part 1 to Schedule 2 of the Order. The development does not exceed the highest part of the existing roof, sited to the side elevation roof pitch, resulting in no more than 50 cubic metres of additional roof space, sited more than 0.2 metres from the eaves of the original roof within the outer face of any external wall of the original dwellinghouse, to be finished in exterior materials of a similar appearance with the side facing windows being obscure glazed and non-openable.
- 7.4 For the purpose of determining this proposal it should be considered against the provisions of Class C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 which allows for other alterations to the roof of a dwellinghouse. The rear rooflight has been assessed against the aforementioned Order and has been found to wholly comply with all the criteria of Class C of Part 1 to Schedule 2 of the Order. The development does not exceed the highest part of the original, does not protrude more than 0.15 metres from the plane of the slope of the original roof, and is sited to the rear facing roof pitch.

8.0 Planning Obligations

- 8.1 None (not applicable)

9.0 Conclusions

- 9.1 It is considered that the development as proposed meets the requirements of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) and that Planning Consent **IS NOT REQUIRED** for the proposed works.

Recommendation

That a Certificate of Lawfulness of Proposed Use or Development be granted.

Background Papers

1. Class A, B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)