DELEGATED REPORT

Recommendation Made:

Reference:- 11/00601/CLU **Parish:- Desford Parish Council**

Applicant:- Ms Bale
Laburnham Cottage
Main Street
Botcheston
LE9 9FF

Location:- The Hawthorns Main Street Botcheston Leicester Leicestershire

Proposal:- CERTIFICATE OF LAWFUL PROPOSED DEVELOPMENT FOR EXTENSIONS AND ALTERATIONS TO DWELLING.

Introduction:-

A certificate of lawful proposed development is sought for a roof extension consisting of a rear facing dormer at The Hawthorns, Main Street, Botchestone. The application dwelling is a two storey detached property.

This property has permitted development rights in place.

Consultations:-

No consultations

Development Plan Policies:-

The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 Schedule 2, Part 1"Development within the Curtilage of a Dwelling House", Class B "The enlargement of a dwelling house consisting of an addition or alterations to its roof".

Appraisal:-

The main consideration for the determination of this application is to determine whether the proposed rear extension falls within permitted development under The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 Schedule 2, Part 1, Class B.

Development is not permitted by Class B if;

(a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

No part of the development will exceed the height of the heighest part of the roof.

(b) 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 a plane of the roof which forms the principle elevation.

(c) 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 proposal is a detached dwelling and will result in an increase to the total roof space of 30.8 cubic metres.

(d) it would consist of or include—
(i) the construction or provision of a veranda, balcony or raised platform, or
(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

The proposal does not include the construction of a veranda, balcony or raised platform or the installation, alteration of replacement of a chimney flue or soil vent pipe

(e) the dwellinghouse is on article 1(5) land.

The dwelling is not on article 1(5) land.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Reasons :-

1 The proposed roof alterations are considered to be development permitted under Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development)(Amendment)(No 2)(England) Order 2008 subject to conditions set out at paragraphs B.2 of the Order.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Nick Cox Ext 5659