DELEGATED REPORT

Recommendation Made: 17 June 2009

Reference:- 09/00327/CLU **Parish:- Burbage Parish Council**

Applicant:- Mr W Morris
4 Hillside Road
Burbage
Leicestershire
LE10 2LX

Location:- 4 Hillside Road Burbage Hinckley LE10 2LX

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

Introduction:-

A certificate of lawful proposed development is sought for the erection of a single storey extension to the rear of a detached two-storey dwelling at 4 Hillside Road, Burbage. The extension would involve the demolition of a smaller existing single storey conservatory. The proposed extension would have a monopitch roof to a maximum height above ground level of 3.5 metres, would project 3.9 metres to the rear of the original dwelling and project 0.7 metres past the plane of the side elevation of the original dwelling to within 0.3 metres of the side curtilage boundary. The rear boundary of the curtilage backs onto a highway, Stretton Close. The dwelling is not within a conservation area.

History:-

None.

Consultations:-

Burbage Parish Council have no objection.

Development Plan Policies:-

Legislation

The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, Schedule 2, Part 1, Class A.

Appraisal:-

The main issue for consideration is if the proposal complies with the criteria as stipulated under Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development)(Amendment)(No 2)(England) Order 2008.

(a) as a result of the works, the total area of ground covered by buildings within the curtilage would not exceed 50% of the total area of the curtilage;
(b) the height of the enlarged part of the dwelling would not exceed the highest part of the roof of the existing dwelling;
(c) the height of the eaves of the enlarged part of the dwelling would not exceed the height of the eaves of the existing dwelling;
(d) the enlarged part of the dwelling would extend beyond a wall which backs onto a highway (Stretton Close) rather than 'front' it, but in any case the rear wall does not form a principal or side elevation;
(e) the enlarged part of this detached dwelling would have a single storey and would not extend beyond the rear wall by more than 4 metres or exceed 4 metres in height;
(f) the enlarged part of the dwelling would not have more than one storey;

(g) the enlarged part of the dwelling would be within 2 metres of the curtilage boundary but the height of the eaves of the enlarged part would not exceed 3 metres;
(h) the enlarged part of the dwelling would extend beyond the plane of a wall forming a side elevation of the original dwelling but would not exceed 4 metres in height, have more than one storey or have a width greater than half the width of the original dwelling;
(i) not applicable.

In respect of criteria (h) whilst the overall width of the proposed extension is greater than half the width of the original dwelling, the projection further than the plane of the side elevation is not greater than half the width of the original dwelling.

Conclusion

Subject to the proposed extension and alteration being constructed in similar external materials to the existing dwelling, the proposed development complies with all the criteria of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development)(Amendment) (No 2)(England) Order 2008 and the proposal should be granted a certificate of lawful proposed development.

Recommendation

In the opinion of the Local Planning Authority, the proposed development complies with the criteria as stipulated under Schedule 2, Part 1, Class A (A.1(e)(i)) of The Town and Country Planning (General Permitted Development)(Amendment)(No 2)(England) Order 2008, and therefore the Certificate of Lawful Proposed Development is granted.

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.

Contact Officer:- Richard Wright Ext 5894