DELEGATED REPORT

Recommendation Made: 25 October 2011

Reference:- 11/00773/CLU **Parish:- Sheepy Parish Council**

Applicant:- Mr Brendon Burke
2 The Cottages
Bosworth Road
Wellsborough
CV13 6PA

Location:- 2 Bosworth Road Wellsborough Nuneaton Leicestershire CV13 6PA

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

Introduction:-

A certificate of lawful proposed development is sought for the installation of a rear dormer window. The application dwelling is a two storey terrace property.

This property has permitted development rights in place.

Relevant planning history: -

96/00869/FUL - VEHICULAR ACCESS - Planning Permission - 05.12.1996

07/00025/FUL - EXTENSIONS AND ALTERATIONS TO DWELLING - Planning Permission - 15.03.2007

Consultations:-

There are no consultations on this type of application.

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 dwellinghouse,' Class B 'The enlargement of a dwelling house consisting of an addition or alteration to its roof.'

Appraisal:-

The main consideration for the determination of this application is to determine whether the proposed roof 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 dwelling house 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 highest part of the existing roof.

(b) any part of the dwelling house would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwelling house and fronts a highway;

The proposal does not extend beyond a plane of the roof which forms the principal elevation and fronts highway.

(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 application dwelling is a terrace house and will result in an increase to the total roof space of 14.25 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;

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

(e) the dwelling house is on article 1(5) land.

The dwelling house 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:- Robert Morgan Ext:- 5775