DELEGATED REPORT

Recommendation Made: 16 April 2009

Reference:- 09/00147/CLU **Parish:- Sheepy Parish Council**

Applicant:- H J Ward
2 Church Croft
Sheepy Magna
Atherstone
CV9 3RW

Location:- 2 Church Croft Sheepy Magna Atherstone CV9 3RW

Proposal:- PROPOSED LAWFUL DEVELOPMENT CERTIFICATE FOR A CONSERVATORY

Introduction:-

A certificate of lawful proposed development is sought for the erection of a conservatory at 2 Church Croft, Sheepy Magna in place of the existing projecting rear porch. This property is a detached two storey dwelling on a corner plot located in a residential area. The proposed conservatory will be located on the western rear elevation of property with open countryside to the rear of the site.

History

84/00688/4- Erection of chimney- Approved- 29.08.84

87/00927/4- Pitched roof built off existing garage to house extra storage craft room- Approved- 04.11.87

91/01015/4- Extension to dwelling- Approved- 29.11.91

96/00579/FUL- Extension to dwelling- 04.09.96

Consultations:-

None applicable

Development Plan Policies:-

The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Appraisal:-

The central issue to address with this application is to determine whether the proposed conservatory falls within permitted development under The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

The application site has a large rear garden and the limited floor area of the proposed conservatory at 6.6 metres square combined with previous extensions would not exceed 50% of the properties curtilage. The conservatory will stand 3 metres in height and would not exceed the overall height of this two storey dwelling or reach the height of the eaves. The development is to be positioned to the rear of the dwelling, which faces away from a highway and does not form a principle elevation. The conservatory will be single storey, project 3.4 metres from the rear of the detached dwelling and will not exceed 4 metres in height.
The conservatory will be positioned centrally on the properties rear elevation and will stand a minimum of 6 metres from the boundary of the curtilage with eaves not exceeding 3 metres as this is its overall height.

The application property has its permitted developments rights and the proposed development fulfils the criteria under Part 1, Class A of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 and therefore constitutes permitted development.

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

The proposed conservatory is considered to be development permitted under Part 1, Class A of the Town and County Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

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. Your attention is drawn to the conditions attached to Part 1, Class A, of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

4. List of plans used in the determination of this application:-
Drawings- Plan 3,4,5,6,7,8 and Site Plan

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