HUNTINGDONSHIRE DISTRICT COUNCIL

24/02220/CLPD

OFFICER REPORT

Case No: **24/02220/CLPD** **Certificate of Lawfulness proposed**

Proposal: **Lawful development certificate for the enlargement and reconfiguration of existing side and rear windows to the property**

Location: **12 Parkway St Ives PE27 5NS**

Applicant: **Mr & Ms Jackson & Smith**

Grid Ref: **531634 271909**

DESCRIPTION OF SITE AND APPLICATION

The application site is occupied by a two-storey detached dwellinghouse in St Ives.

A Certificate of Lawfulness is sought for the enlargement and reconfiguration of existing rear windows to the property.

While the permitted development rights of the property have not been removed, in order for the proposed development to be considered, the criteria outlined in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) must be met and this is assessed below.

RELEVANT PLANNING HISTORY

95/01490/FUL - Extension to dwelling - Permission

The original permission for the development does not contain any conditions which remove permitted development rights connected with the Part 1 of the General Permitted Development Order.

PLANNING ASSESSMENT

A. The enlargement, improvement or other alteration of a dwellinghouse.
A.1 Development is not permitted by Class A if—
a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);
Officer comment: Not applicable.

b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
Officer comment: Not applicable.

c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;
Officer comment: Not applicable.

d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

Officer comment: Not applicable.

e) the enlarged part of the dwellinghouse would extend beyond a wall which—
i. forms the principal elevation of the original dwellinghouse;
or
ii. fronts a highway and forms a side elevation of the original dwellinghouse;
Officer comment: Not applicable.

f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
i. extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse,
or
ii. exceed 4 metres in height;
Officer comment: Not applicable.

g) For a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
(i)extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
(ii)exceed 4 metres in height;
Officer comment: Not applicable.
h) the enlarged part of the dwellinghouse would have more than a single storey and—
i. extend beyond the rear wall of the original dwellinghouse by more than 3 metres,
ii. be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;
Officer comment: Not applicable.

i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;
Officer comment: Not applicable.

j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the
original dwellinghouse, and would—
i. exceed 4 metres in height,
ii. have more than a single storey,
or
iii. have a width greater than half the width of the original dwellinghouse;
Officer comment: Not applicable.

ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);
Officer comment: Complies.

k) it would consist of or include—
i. the construction or provision of a verandah, balcony or raised platform,
ii. the installation, alteration or replacement of a microwave antenna,
iii. the installation, alteration or replacement of a chimney, flue or soil and vent pipe,
iv. an alteration to any part of the roof of the dwellinghouse
Officer comment: Not applicable.

l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).
Officer comment: Complies.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—
(a)it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
(b)the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
(c)the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse;
(d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).
Officer comment: Not applicable. The dwellinghouse is not on article 2(3) land.

A.3 - Conditions
a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
Officer comment: Complies. The plans appear to show matching materials, however, a condition will be added.

b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—
i. obscure-glazed, and
ii. non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and
Officer comment: Complies.

c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.
Officer comment: Not applicable.

Conclusion
The proposed enlargement and reconfiguration of existing side and rear windows to the property on Existing & Proposed Plans & Elevations Plan 1145.01B accords with the criteria and conditions set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The development is considered to be permitted development and is granted planning permission by virtue of Article 3 of this Order. An application for planning permission is not required.

CONTACT OFFICER:
Enquiries about this report to **Robyn Kerrigan**