HUNTINGDONSHIRE DISTRICT COUNCIL

25/00877/CLPD

OFFICER REPORT

Case No: **25/00877/CLPD** **Certificate of Lawfulness proposed**

Proposal: **Application for a Lawful Development Certificate for a Proposed single storey rear extension**

Location: **10 Hill Estate Houghton Huntingdon**

Applicant: **Mr Matthew Ainley**

Grid Ref: **528780 272342**

DESCRIPTION OF SITE AND APPLICATION

The application site at 10 Hill Estate is occupied by a two-storey semi-detached dwellinghouse located within a residential area in Houghton. The site falls within Flood Zone 1 of the Environment Agency's Flood Map for Planning and there are no constraints relative to the site.

A Certificate of Lawful (Proposed) Development is sought for a proposed single storey rear extension.

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.

NATIONAL GUIDANCE

The Town and Country Planning Act 1990

The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended)

RELEVANT PLANNING HISTORY

0300564FUL - Extensions and alterations to dwelling (Permission)

0503863FUL - Extension and alterations to dwelling (Permission)

CONSULTATIONS

No consultations - Certificate of lawful permitted development

REPRESENTATIONS

Houghton and Wyton Parish Council - Do not object, make comments summarised below:

o The road is a Character Area within the Houghton & Wyton Neighbourhood Plan, but we do not believe this extension to the rear would affect this designation or the street scene

Officer comments: whilst officers note the above comments made by the Parish Council, due to the nature of the application the impact on the street scene or designation of a Character Area is not assessed or given any weight as part of the application.

PLANNING ASSESSMENT

* Development within the curtilage of a dwellinghouse

Schedule 2 - Part 1 - Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended) permits the enlargement, improvement or other alteration of a dwellinghouse, subject to certain criteria set out within the Order. The proposed development of a single storey rear extension as indicated on plans "2521-02 Rev A" would be permitted as it falls within the definition of the enlargement of a dwellinghouse and because the following additional tests are satisfied:

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 Assessment: Compliant

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 Assessment: Compliant

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 Assessment: Compliant

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 Assessment: Compliant

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 Assessment: Compliant

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 Assessment: Compliant

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 Assessment: Compliant

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 Assessment: Not applicable, the enlarged part of the dwellinghouse is proposed to be single storey.

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 Assessment: Compliant, the height of the eaves of the enlarged part of the dwellinghouse do not exceed 3 metres.

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 Assessment: Compliant, the enlarged part of the dwellinghouse does not extend beyond a wall forming a side elevation

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 Assessment: Compliant

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 Assessment: Compliant

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

Officer Assessment: Compliant

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 Assessment: Compliant. 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 Assessment: Compliant. The submitted proposed plans and elevations reference 2521-02 Rev A detail that the exterior materials of the extension will match the materials of the existing dwelling.

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 Assessment: Not applicable.

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 Assessment: Not applicable.

CONCLUSION

The proposed erection of a single storey rear extension as shown in plans "2521-02 Rev A" 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 therefore granted planning permission by virtue of Article 3 of this Order. An application for planning permission is not required.

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CONTACT OFFICER:
Enquiries about this report to **Josh France**