

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	ER	25/05/2023
Planning Manager / Team Leader authorisation:	AN	30/05/23
Planning Technician final checks and despatch:	CC	31.05.2023

Application: 23/00600/LUPROP **Town / Parish:** Great Oakley Parish Council

Applicant: Mr L Guilfoyle

Address: 2 Park View School Road Great Oakley

Development: Proposed loft and garage conversion.

1. Town / Parish Council

Great Oakley Parish Council Not Required

2. Consultation Responses

Not required

3. Planning History

23/00600/LUPRO P Proposed loft and garage conversion. Current

4. Relevant Policies / Government Guidance

Not required

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site comprises of a two storey detached dwelling known as 2 Park View. The house is set back from the front boundary with an integral garage.

Description of Proposal

This application seeks the issuing of a Lawful Development Certificate for the proposed development of conversion of the existing garage and the conversion of the loft by introducing 4no roof lights to the rear and 3no roof lights to the front roof slopes.

A lawful use certificate is, 'a certificate issued by a local planning authority, on application, stating that an existing (LDC 191) or proposed use (LDC 192), or other forms of development, can be considered as lawful for planning purposes'.

Main considerations are;

- Planning History;
- General Permitted Development Order
- Conclusion.

Planning History

The application dwelling was constructed as part of planning permission 19/01320/FUL. This permission did not remove permitted development rights for the conversion of the existing garages or for alterations to the roof.

General Permitted Development Order

Garage Conversion

CLASS A - The enlargement, improvement or other alteration of a dwellinghouse

(a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Not applicable.

(b) 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);

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;

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;

Not applicable.

(e) The enlarged part of the dwellinghouse would extend beyond a wall which
(i) fronts a highway, and
(ii) forms either the principal elevation or a side elevation of the original dwellinghouse;

Not applicable.

(f) 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;

Not applicable.

(g) 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;

Not applicable.

(h) The enlarged part of the dwellinghouse would have more than one storey and would
(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;

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;

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 one storey, or

- (ii) have a width greater than half the width of the original dwellinghouse; or

Not applicable

k) It would consist of or include

- (i) the construction or provision of a veranda, 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, or
- (iv) an alteration to any part of the roof of the dwellinghouse.

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

A.2

In the case of a dwellinghouse is on article (3) land development is also not permitted by Class A if

- (a) It would consists of or include the cladding of any part of the exterior of the dwellinghouse with, artificial stone, pebble sash, 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 one storey and extend beyond the rear wall of the original dwellinghouse.

The site is not located within the conservation area and therefore the above is not applicable in this case.

A.3 Conditions

- (a) the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The proposal will be constructed from materials which match the existing house.

- (b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall 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

Not applicable

- (c) where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Not applicable.

Rooflights (loft conversion)

Class C - Other alterations to the roof of a dwellinghouse

C.1 Development is not permitted by Class C if:-

- (a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

Permission to use the dwellinghouse as a dwelling house has not been granted only by virtue of Class M, N, P, or Q of Part 3 of this schedule (changes of use). The proposal complies.

- (b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

The alteration would not protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from perpendicular with the external surface of the original roof. The proposal complies.

(c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or

it would not result in the highest part of the alteration being higher than the highest part of the original roof. The proposal complies.

(d) it would consist of or include—

(i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

The proposal does not consist of or include the installation, alteration or replacement of a chimney, flue or soil and vent pipe, solar photovoltaics or solar thermal equipment. The proposal complies.

Conditions

C.2 Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be obscure-glazed; and

(a) 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.

The rooflights will be on the rear and front elevation. The rooflights will not be within the side elevation and therefore the above is not applicable.

Conclusion

It is therefore concluded that the proposed garage conversion and alterations to the roof are permitted development and therefore a Certificate of Proposed Lawful Development can be issued.

6. Recommendation

Lawful Use Certificate Granted

7. Conditions

- 1 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class A and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

8. Informatives

Not required