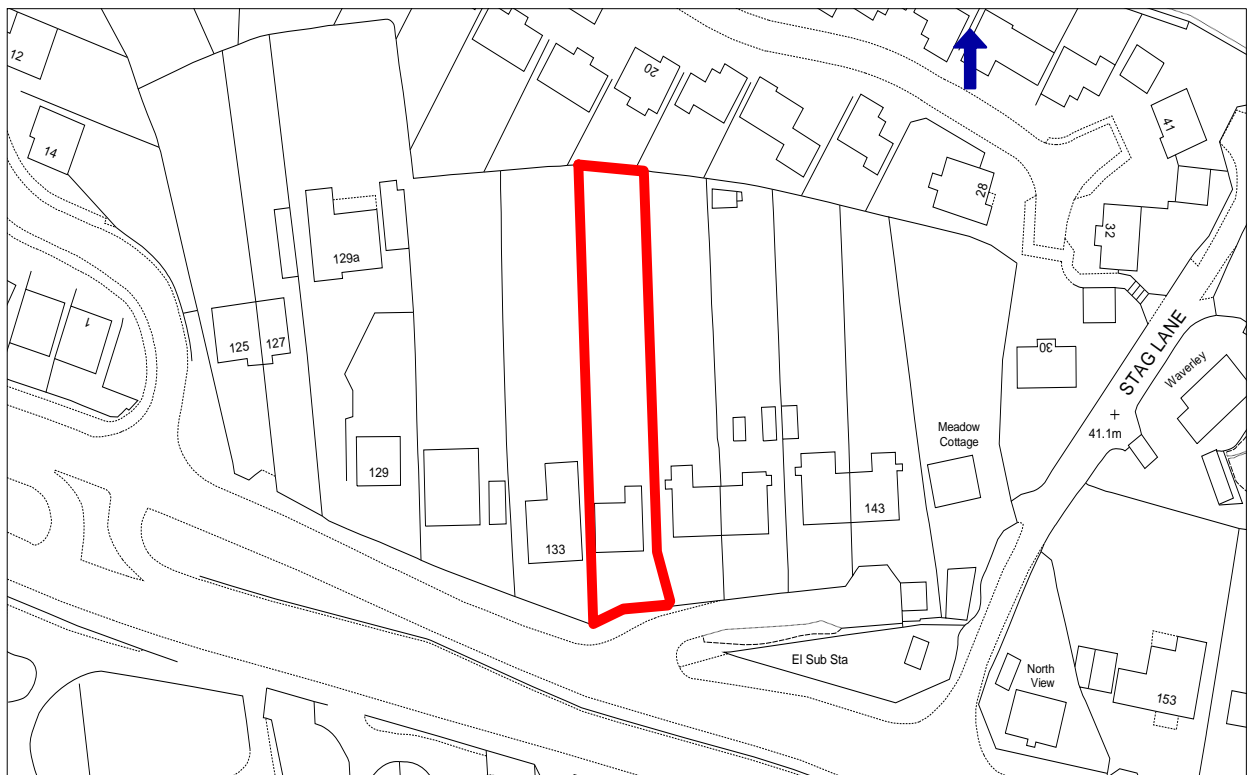


**ITEM: 04**

**Application Number:** 10/02023/PRDE  
**Applicant:** Mr G Evel  
**Description of Application:** Two storey rear extension  
**Type of Application:** LDC Proposed Develop  
**Site Address:** 135 ELBURTON ROAD ELBURTON PLYMOUTH  
**Ward:** Plymstock Dunstone  
**Valid Date of Application:** 24/11/2010  
**8/13 Week Date:** **19/01/2011**  
**Decision Category:** Member/PCC Employee  
**Case Officer :** Simon Osborne  
**Recommendation:** Issue Certificate - Lawful Use Cert (PRO)  
**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



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## OFFICERS REPORT

**This application is brought to committee because the applicant's partner is a Plymouth City Council employee.**

### **Site Description**

135 Elburton Road is a split-level detached dwellinghouse, being single-storey at the front and two-storey at the rear.

### **Proposal Description**

The proposal is for a Certificate of Lawfulness for a Proposed Development of a two-storey rear extension.

### **Relevant Planning History**

None

### **Consultation Responses**

N/A

### **Representations**

N/A

### **Analysis**

The main issue is to consider the application against its compliance with Class A, Part 1, of the Schedule to The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

The proposal complies with section A.1 (a) of the above order and will not result in the total area of the curtilage covered by buildings exceeding 50% of the total area of the curtilage.

The proposal complies with section A.1 (b) and does not exceed the height of the highest part of the roof of the existing dwellinghouse.

The proposal complies with section A.1 (c) and the eaves of the extension do not exceed the height of the eaves of the existing dwellinghouse.

The proposal complies with section A.1 (d) and the extension does not extend beyond a wall which fronts a highway and forms either the principal elevation or a side elevation of the original dwellinghouse.

Section A.1 (e) does not apply for two-storey proposals.

The proposal complies with section A.1 (f). The extension does not extend beyond the rear wall of the dwellinghouse by more than 3 metres and is not within 7 metres of any boundary of the dwellinghouse opposite the rear wall of the dwelling house.

The proposal complies with section A.1 (g). The extension is not within 2 metres of a boundary.

Section A.1 (h) does not apply for extensions located at the rear.

Section A.1 (i) does not apply and the proposal does not include the construction of a veranda, balcony or raised platform, the installation of a microwave antenna, the installation of a chimney, flue or soil and vent pipe or the alteration to any part of the roof of the dwelling house. The proposal does include a Juliet balcony; however Government guidance states that Juliet balconies should not be treated as a balcony or raised platform for the purpose of the legislation.

Section A.2 does not apply and the dwellinghouse is not located within a conservation area.

The extension appears to comply with the conditions set out in section A.3. In this respect, the proposed side windows in the original house are considered to be ground-floor windows.

The recommendation is to issue a Certificate, making reference to the conditions in section A.3.

### **Recommendation**

In respect of the application dated **24/11/2010** and the submitted drawings, **Site Location Plan, 56:01:2010, 56:02:2010, 56:03:2010, 56:04:2010, 56:05:2010, 56:06:2010** , it is recommended to: **Issue Certificate - Lawful Use Cert (Prop)**

### **Conditions**

The proposed development complies with Class A, Part 1, of the Schedule to The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, providing the standard conditions contained in section A.3 are adhered to. The proposal is therefore permitted development (subject to the said standard conditions) and a Certificate of Lawfulness is hereby issued.