

# PLANNING APPLICATION REPORT



<b>Application Number</b>	15/01224/PRDE	<b>Item</b>	02
<b>Date Valid</b>	07/07/2015	<b>Ward</b>	Moor View

<b>Site Address</b>	15 CHALLOCK CLOSE PLYMOUTH		
<b>Proposal</b>	Single storey rear extension		
<b>Applicant</b>	Mr and Mrs S Saunders		
<b>Application Type</b>	LDC Proposed Develop		
<b>Target Date</b>	<b>01/09/2015</b>	<b>Committee Date</b>	<b>Planning Committee: 27 August 2015</b>
<b>Decision Category</b>	Member/PCC Employee		
<b>Case Officer</b>	Aidan Murray		
<b>Recommendation</b>	Issue Certificate - Lawful Use Cert (Pro)		

**Click for documents** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2015 Scale 1:1000

## 1. Description of site

Challock Close is a small cul-de-sac road in the Thornbury area of Plymouth.

## 2. Proposal description

Single-storey rear extension

## 3. Pre-application enquiry

None

## 4. Relevant planning history

None

## 5. Consultation responses

None

## 6. Representations

None

## 7. Relevant Policy Framework

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

## 8. Analysis

1. This application is a Certificate of Lawful Use and therefore the Local Planning Authority assesses the evidence submitted as part of the application and decides whether there is sufficient evidence or not to prove whether the proposed rear extension meets with the Development Guidelines set out within the General Permitted Development Order 2015 and is therefore lawful or not.
2. The development is considered to comply with Class A of Part 1 of Schedule 2 of the Town and country Planning (General Permitted Development) (England) Order 2015 for the following reasons:
  - The dwelling has always been a dwelling;
  - The proposed development will not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);
  - The proposed development does not extend beyond a wall which forms the principle elevation of the original dwelling house;
  - The proposed development does not extend beyond the rear wall of the original dwelling house by more than 3 metres;
  - The proposed development does not exceed 4 metres in height;
  - The eaves of the proposed development do not exceed 3 metres;

- The proposed development does not include the construction or provision of a veranda, balcony or raised platform;
  - The proposed development does not include the installation, alteration or replacement of a microwave antenna, chimney, flue or soil and vent pipe;; and
  - The proposed development is not located on article 2(3) land.
3. Providing the conditions outlined within section A.3 is complied with, the proposed development would constitute permitted development and would therefore not require planning permission.

## 9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## 10. Local Finance Considerations

Community Infrastructure Levy – no charge for this scheme under the current charging schedule

## 11. Planning Obligations

Planning obligations are not applicable for this type of application/proposal

## 12. Equalities and Diversities

None applicable to this application

## 13. Conclusions

This application is compliant with the Town and Country Planning (General Permitted Development) (England) Order 2015 Class A and Part 1 of Schedule 2 providing the standard conditions contained within section A.3 adhered to. The proposal is therefore permitted development and this Certificate of Lawfulness should be issued.

## 14. Recommendation

In respect of the application dated **07/07/2015** and the submitted drawings Site Location Plan, Law Dev 1, Law Dev 2, it is recommended to: **Issue Certificate - Lawful Use Cert (Pro)**

## 15. Conditions

ISSUE LAWFUL DEVELOPMENT CERTIFICATE: REASON

The proposed development is compliant with relevant classes of the Town and Country Planning (General Permitted Development) (England) Order 2015 - specifically Schedule 2 Part 1 Class A. Providing the standard conditions contained in A.3 are adhered to. The proposal is therefore Permitted Development (subject to the said standard conditions) and the Certificate of Lawfulness may be issued.

**Informatives**

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(I) The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).