

OFFICERS REPORT

Application No: Y17/0773/SH

Location: 109 Sidney Street Folkestone Kent CT19 6HQ

Proposal Certificate of lawful development (proposed) for erection of a single storey rear extension, loft conversion including installation of rear dormer and erection of single storey outbuilding to be used as a garage.

ASSESSMENT

Performance data:-

Date application valid: 13.07.17

Applicable 8 week target date: 07.09.17

Planning Performance Agreement (PPA) or Planning Extension Agreement (PEA)? No

Is the application being determined after 26 weeks without a PPA or a PEA? No

SITE VISIT

Carried out site visit on 07.08.17.

The site and proposals were assessed from the public highway and the key features noted as set out in the report below:

SITE

The application site is located within the settlement boundary of Folkestone. The main building of the application site is a two storey mid-terrace dwellinghouse with pitched roof.

HISTORY

There is no relevant planning history in relation to this application.

PROPOSAL

Certificate of lawful development (proposed) for erection of a single storey rear extension, loft conversion including installation of rear dormer and erection of single storey outbuilding to be used as a garage.

CONSULTATION RESPONSES

Not required

REPRESENTATIONS

Not required

PUBLICITY

Not required

RELEVANT POLICIES

Not applicable

APPRAISAL

In order to be constructed under permitted development the proposed rear extension must fall within Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended):

A.1

- (a) The dwelling was built for the sole purpose of being used as a dwelling and no changes of use have taken place
- (b) The proposed rear extension would not exceed 50% of the total area of curtilage of the dwellinghouse
- (c) The height of the proposed extension would not exceed the highest part of the roof of the existing dwellinghouse
- (d) The height of the eaves of the proposed extension would not exceed the height of the eaves of the existing dwellinghouse
- (e) The proposed extension would not extend beyond a wall which -
 - i. Forms the principal elevation of the original dwellinghouse
 - ii. Fronts a highway and forms a side elevation of the original dwellinghouse
- (f) The proposed extension would be single storey and would not -
 - i. Extend beyond the rear wall of the original dwellinghouse by more than 3 metres
 - ii. Exceed 4 metres in height
- (g) N/A - The proposed extension would not extend more than 6 metres beyond the rear wall of the original dwellinghouse
- (h) N/A - The proposed extension would not have more than single storey
- (i) The proposed extension would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves would not exceed 3 metres
- (j) The proposed extension would not extend beyond a wall forming a side elevation of the original dwellinghouse
- (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) would not exceed the limits set out in subparagraphs (e) to (j)
- (k) The proposed development does not consist of or include: the provision of a verandah, balcony or raised platform or the installation of a microwave antenna/chimney, flue or soil and vent pipe or any alteration to the roof of the original dwellinghouse

A.2

N/A - The application site is not located on article 2(3) land.

A.3

- (a) The materials used would be of similar appearance to those used in the construction of the exterior of the existing dwellinghouse (as confirmed by the submitted proposed elevations)
- (b) N/A - there would be no upper floor windows located in a wall or roof slope forming a side elevation of the dwellinghouse
- (c) The proposed extension would not have more than a single storey

A.4

N/A - the proposed rear extension does not exceed the limits of paragraph A.1(f).

The planning history for the site has been checked and there is no evidence of permitted development rights being removed. In light of the above, the proposed single storey rear extension falls within permitted development rights under Schedule 2, Part 1, Class A.

In order to be constructed under permitted development, the proposed rear dormer must fall within Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended):

B.1

- (a) The dwelling was built for the sole purpose of being used as a dwelling and no changes of use have taken place
- (b) The height of the works will not exceed the height of the highest part of the roof
- (c) The works will not extend beyond the plane of the existing roof slope which forms the principal elevation of the house and fronts a highway
- (d) The cubic content of the resulting roof space would not exceed the cubic content of the original roofspace by more than 40 cubic metres
- (e) It would not include
 - i. a veranda, balcony or raised platform;
 - ii. the installation, alteration or replacement of a chimney, flue or soil vent pipe.
- f) The dwelling is not within article 2(3) land.

Conditions:

B.2

- a) The materials used in the exterior work will be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse, with a hanging tile finish to match tiles of the existing roof of the main house
- b) The edge of the enlargement closest to the eaves of the original roof would not be less than 20 centimetres from the eaves of the original roof
- c) N/A. There are no side windows proposed.

The planning history for the site has been checked and there is no evidence of permitted development rights being removed. In light of the above, the proposed rear dormer extension falls within permitted development rights under Schedule 2, Part 1, Class B.

In order to be constructed under permitted development the proposed outbuilding for use as a garage must fall within Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended):

E.1

- (a) The dwelling was built for the sole purpose of being used as a dwelling and no changes of use have taken place
- (b) The total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)
- (c) No part of the building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse
- (d) The building would not have more than a single storey
- (e) The height of the building, enclosure or container would not exceed—
- (i) N/A

- (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or
- (iii) N/A
- (f) The height of the eaves of the building would not exceed 2.5 metres;
- (g) The building would not be situated within the curtilage of a listed building
- (h) The building would not include the construction or provision of a verandah, balcony or raised platform
- (i) The building would not provide a new dwelling or a microwave antenna; or
- (j) The proposal does not include the construction of a container

E.2 N/A - The application site is not located within an Area of Outstanding Natural Beauty, The Broads, a National Park, a World Heritage Site.

E.3 N/A - The application site is not located on article 2(3) land

The planning history for the site has been checked and there is no evidence of permitted development rights being removed. In light of the above, the proposed detached garage falls within permitted development rights under Schedule 2, Part 1, Class E.

RECOMMENDATION

In light of the above, it is considered that the proposal falls within permitted development and a certificate can be issued.

HUMAN RIGHTS

I have also taken into account the human rights issues relevant to this application. In my view, the Assessment section above and the Recommendation represents an appropriate balance between the interests and rights of the applicant (to enjoy his land subject only to reasonable and proportionate controls by a public authority) [and the interests and rights of those potentially affected by the proposal (to respect for private life and the home and peaceful enjoyment of their properties)] and the wider public interest.

Case Officer: Alex Kalorkoti

Report and draft decision notice completed and passed to senior officer.

Name: Alex Kalorkoti Position: Graduate Planning Officer Date: 01.09.17

Report and draft decision notice amended (if appropriate)

Name: Position: Date:

Senior Officer

Report not agreed. Details of further work required as follows:

Name: Position: Date:

Report and draft decision notice agreed and file passed to admin to issue decision.

Name: Robert Allan Position: Major Projects Team Leader Date: 04/09/17