

**COPELAND BOROUGH COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/21/2440/OE1
2.	Proposed Development:	LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED REAR EXTENSION
3.	Location:	46 JUBILEE ROAD, WHITEHAVEN
4.	Parish:	Whitehaven
5.	Constraints:	ASC;Adverts - ASC;Adverts, Coal - Standing Advice - Data Subject To Change
6.	Publicity Representations & Policy	Neighbour Notification Letter: NO Site Notice: NO Press Notice: NO Consultation Responses: See report Relevant Planning Policies: See report
7.	Report: Site and Location This application relates to 46 Jubilee Road, a semi-detached property located on an existing housing estate within Whitehaven. Proposal This application seeks a lawful development certificate for a proposed development. The proposal includes the erection of a single-storey extension that will project 3 metres from the rear elevation and it will have an overall width of 6 metres. The proposal has been designed to include a flat roof with an overall height of 2.925 metres and it will be lit a skylight. The proposal will also include a patio door on the rear elevation, a window on the side elevation facing the garden and the side elevation along the boundary will be blank.	

Planning Legislation

Town and Country Planning Act 1990 – Section 192 as amended by Section 10 of the Planning and Compensation Act 1991

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

Assessment

Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 permits the enlargement, improvement or other alteration of a dwelling house.

The application relates to a semi-detached house; therefore, the provisions of Schedule 2, Part 1, Class A of the GPDO 2015 are applicable.

The provision of Schedule 2, Part 1, Class A of the GPDO 2015 are considered in turn below:

In respect of the provisions of A. –

The proposal comprises the enlargement of a dwelling house.

In respect of the provisions of A.1 -

- (a) The property has not been granted permission to use the dwelling house as a dwelling house by virtue of Part 3 of the GPDO (change of use);
- (b) The total area of ground covered by building within the curtilage of the dwelling house will not exceed 50% of the total area of the curtilage;
- (c) The proposed height will not exceed the height of the highest part of the roof of the existing dwelling house;
- (d) The proposed eaves height will not exceed the height of the eaves of the existing dwelling house;
- (e) The development does not comprises that referenced in (i) or (ii);
- (f) The proposal will be single storey, extend 3 metres from the rear wall of the original dwelling house and will have an overall height of 2.925 metres;
- (g) Not applicable;
- (h) The proposal will be single storey;
- (i) The proposed height will not exceed 3 metres;
- (j) Not applicable;
- (k) Not applicable;
- (l) Not applicable.

In respect of the relevant provisions of A.2 -

The dwelling house is not located on article 2(3) land.

	<p>In respect of the relevant provisions of A.3 -</p> <ul style="list-style-type: none"> (a) The proposed exterior materials will be similar in appearance to the existing dwelling house; (b) The proposal will be single storey; (c) The proposal will be single storey. <p>In respect of the relevant provisions of A.4 -</p> <p>The proposed extension will not project more than 3 metres from the original rear wall and therefore this section is not applicable.</p> <p>The proposed extension will be located to the rear of the dwelling and will be similar in materials to match the existing dwelling and this will therefore minimise the impact of the development on the surrounding residential area.</p> <p><u>Conclusion</u></p> <p>Having considered the proposal against the criteria outline in Class A Part 1 of this Order, I am satisfied that the proposed works comply and falls within the definition of permitted development, therefore the Certificate of Lawfulness should be granted.</p>	
8.	<p>Recommendation:</p> <p>Approval of Certificate of Lawfulness</p>	
9.	<p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.</p>	
Case Officer: C. Unsworth		Date : 25/11/2021
Authorising Officer: N.J. Hayhurst		Date : 25/11/2021
Dedicated responses to:- N/A		