

**CUMBERLAND COUNCIL
DELEGATED PLANNING DECISION**

1.	Reference No:	4/23/2278/0E1
2.	Proposed Development:	APPLICATION FOR LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED DEVELOPMENT - CONSTRUCTION OF A FLAT ROOF DORMER PROJECTION TO AN EXISTING DWELLING
3.	Location:	23 MOUNTBATTEN WAY, MILLOM
4.	Parish:	Millom
5.	Constraints:	ASC;Adverts - ASC;Adverts Coal - Off Coalfield - Data Subject To Change Key Species - Potential areas for Natterjack Toads
6.	Publicity Representations &Policy:	None required.
7.	Report:	<p>Site and Location</p> <p>The application site relates to 23 Mountbatten Way, a residential dwelling located on an existing terraced row within Millom.</p> <p>Proposal</p> <p>This application seeks a Lawful Development Certificate for a proposed development. The proposal is for works to construct a flat roof dormer projection on the rear elevation of an existing dwelling.</p> <p>The proposed dormer will project 3.6 metres from the existing roof, with a width of 4.3 metres, and an overall height of 3 metres.</p> <p>Planning Policy</p> <p>Town and Country Planning Act 1990 – Section 192 as amended by Section 10 of the Planning and Compensation Act 1991</p>

	<p>Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)</p> <p>Assessment</p> <p>The provision of Schedule 2, Part 1 Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 is applicable which relates to other alterations to the roof of a dwellinghouse.</p> <p>The provision of Schedule 2, Part 1, Class B of the GPDO 2015 are considered in turn below:</p> <p>In respect of the provisions of B. – The proposal comprises the addition to the roof of a dwelling house.</p> <p>In respect of the provisions of B.1 -</p> <p>(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);</p> <p>(b) Any part of the proposed works would not exceed the height of the highest part of the existing roof;</p> <p>(c) Any part of the proposed works would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;</p> <p>(d) The cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than 40 cubic metres in the case of a terrace house;</p> <p>(e) It would not consist of or include—</p> <p>(i) the construction or provision of a verandah, balcony or raised platform, or</p> <p>(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;</p> <p>(f) The dwellinghouse is not on Article 2(3) land.</p> <p>The proposed dormer will project 3.6 metres from the existing roof, with a width of 4.3 metres, and an overall height of 3 metres and will be suitably located to the rear roof slope.</p> <p>Conclusion</p> <p>Having considered the proposal against the criteria outline in Class B 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>



**Cumberland
Council**

Case Officer: Demi Crawford	Date : 20/11/2023
Authorising Officer: N.J. Hayhurst	Date : 22/11/2023
Dedicated responses to:- N/A	