# CASE OFFICER'S REPORT

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| **Application Reference:** | PL/2023/07896 |
| **Application Type:** | Lawful development: Proposed use |
| **Site Inspection:** | |
| **Consultation ends:** | 14 September 2023 |
| **Case officer:** | Mary Warner |

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| **Site Address:** | 35 Walmesley Chase, Hilperton, Trowbridge,BA14 7HY |
| **Proposal:** | Single storey side extension |
| **Recommendation:** | Approve |

SITE DESCRIPTION

The property is a modern end of terrace dwelling situated on the north east edge of Trowbridge. It is not sited within a Conservation Area, Area of Outstanding Natural Beauty, is not under an Article 4 Direction, and the permitted development rights for extensions and external alterations are intact.

PLANNING HISTORY

W/88/01650/OUT - Land Between Hilperton Road And, Green Lane, Trowbridge, Wiltshire
Residential development together with local centre, highway improvements and public open space
Approved with conditions, 09/08/1995
No restrictions to permitted development rights

W/97/01120/REM - Area A6, Leap Gate, Hilperton, Wiltshire
Reserved matters - erection of 99 dwellings, roads, landscaping and associated works
Approved with conditions, 20/11/1997
No restrictions to permitted development rights

W/98/00604/REM - Area A6, Leap Gate, Hilperton, Wiltshire
35 dwellings (revised house types)
Approved with conditions, 10/09/1998
No restrictions to permitted development rights

POLICIES

Not applicable, this is an application for a lawful development certificate under section 192 of the 1990 Town & Country Planning Act (as amended).

ASSESSMENT

The development falls within Schedule 2, Part 1, Class A of the Town & Country Planning (General Permitted Development) Order 2015 (as amended).

Class A of the GPDO allows for The enlargement, improvement or other alteration of a dwelling house that complies with the criteria below.

(a) permission to use the dwelling house as a dwellinghouse has only been granted by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use);

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principle elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevationof the original dwellinghouse;

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and --

(i) extend beyond the rear wall of the original dwelling house by more than 4m in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

(g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwelling house, and the height of the eaves of the enlarged part would exceed 3 metres;

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would--

(i) exceed 4metres in height,

(ii) have more than a single storey, or

(iii) have a width greater than half the width of the original dwellinghouse;

The proposal fits within the above criteria and as such falls within permitted development.

Furthermore, no permitted development rights have been removed from the property with regards to this proposal and as such the scheme is lawful.

Not consulted due to the nature of the application.

Not consulted due to the nature of the application.

N/A

CONCLUSION
The information provided indicates that the proposed single storey side extension constitutes permitted development under Class A, Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, therefore the Certificate of Lawfulness (proposed development) can be granted.

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**Informatives:** (1)

2 This decision relates to the following plans/ documents:
Application form, Location Plan, Proposed Elevations, 2316-04, Proposed Floor and Roof Plans, 2316-03 - all dated 14th of September 2023