

Name of Applicant Ref.	Proposal	Expiry Date	Plan
Mr. Bakul Kumar	Single-storey rear extension 32 Mearse Lane, Barnt Green, Worcestershire, B45 8HL	20.12.2024	24/00904/ CPL

This application is being considered by Planning Committee rather than being determined under delegated powers as the applicant is a serving District Councillor.

RECOMMENDATION: APPROVAL

Consultations

None required

Publicity

None required

Relevant Policies

Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Relevant Planning History

There are no previous applications regarding Development Management which are relevant to this application.

Site Description

The site is located in an established residential area of Barnt Green. The two-storey dwelling is detached and is located on the eastern side of Mearse Lane. The property benefits from permitted development rights.

Proposal Description

The proposal relates to a Certificate of Lawfulness for a Proposed Use or Development (CLOPUD) application for the erection of a single-storey extension to form an orangery at the rear of the property.

The extension will have a parapet roof with a central lantern roof light. The extension has dimensions of 4 metres by 5.6 metres with a height of 3 metres to the flat element of the roof. The eaves height would also be 3 metres.

Procedural Matters

Members should note that this application is **not** a planning application, it is an application for a Certificate of Lawfulness.

This application is a legal determination to assess whether the proposal falls within permitted development rights under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

Class A allows for extension to a detached dwelling to extend beyond the rear wall of the original dwellinghouse by up to 4 metres and up to 4 metres in height.

Assessment of Proposal

The information submitted has been assessed against Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and it meets all criteria, notably:

- The proposed extension is not in excess of dimensions permitted;
- The extension will not extend beyond a wall which forms the principal elevation;
- Buildings do not cover more than 50% of the residential curtilage of the dwellinghouse

I am therefore of the view that the proposal is thereby permitted under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

This is subject to the relevant condition set out under Schedule 2, Part 1, Class A.3 of the Town and Country Planning (General Permitted Development) England Order 2015 (as amended), which states that materials used in any exterior work to be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse. The applicant is aware of this requirement.

RECOMMENDATION: APPROVE

The Certificate of Lawfulness can be granted as per the following plans:

1311_01 Site Location and Block Plans – dated 5th of September
1311_03 Plans as Proposed – dated 5th of September

Approval is subject to the condition that:

Materials used must be of similar appearance to those used in the construction of the existing building.

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