

Allerdale Borough Council

Planning Application CLDP/2021/0002

Development Panel Report

Reference Number: CLDP/2021/0002
Valid Date: 03/06/2021
Location: 3 Honister Drive, Cockermouth, CA13 0BZ
Applicant: Andrew Seekings
Proposal: Certificate of Lawful Development application for a proposed porch

RECOMMENDATION

The development is Permitted Development as defined by the Town & Country Planning General Permitted Development Order 2015 (as amended) and a Certificate of Lawful Development can be issued.

1. Summary

<u>Issue</u>	<u>Conclusion</u>
The Test	The proposal complies with Schedule 2 Part 1 Class D of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and therefore the works are considered permitted development

2. Introduction

2.1 This matter is being brought before members as the applicant is an employee of the Council.

3. Proposal

3.1 The applicant seeks a certificate of lawfulness proposed to determine whether the proposed porch falls within the permitted development rights allowed to the property.

3.2 The Plans for consideration are:-

Location Plan
Sketch Drawings

Application Form

4 Site

- 4.1 The site comprises of a detached two storey dwelling, situated on a modern housing estate in the town of Cockermouth.

5 Relevant Planning History

- 5.1 REAR/2014/0017 rear notification: 4.2m from rear wall, 3.9m across rear wall and a total of 3.09m in height – Prior Approval.

6 Assessment:

Principle of development

- 6.1 Schedule 2, Part 1 Class D of The Town and Country Planning (General Permitted) Order r2015 (as amended) relates to the erection or construction of a porch outside any external door of a dwellinghouse. The regulations details the development is permitted by Class D if-
- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this schedule (changes of uses);
 - (b) the ground area (measured externally) of the structure would exceed 3 square metres;
 - (c) any part of the structure would be more than 3 metres above the ground level; or
 - (d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.
- 6.2 The proposal would see the construction of a single storey porch to the front elevation of the property.
- 6.3 The dwelling was built under full planning permission and therefore criterion a.is not applicable.
- 6.4 The submitted information details the porch would have a floorspace of 2.96 sqm and the total height is 2.585m. The dimensions of the porch therefore comply with the parameters of criteria b and c above.
- 6.5 The porch is set back from the highway by 8.8m therefore will in excess of the 2m required under criterion d.

7 Conclusions

- 7.1 The proposed porch complies with the requirements as detailed in Schedule 2 Part 1 Class D of The Town and Country Planning (General Permitted Development) (England) Order and therefore can be built under permitted development.

RECOMMENDATION

The development is Permitted Development as defined by the Town & Country Planning General Permitted Development Order 2015 (as amended) and a Certificate of Lawful Development can be issued.

