

**North Northamptonshire Area Planning Committee
(Thrapston)
3 May 2022**

Application Reference	NE/22/00134/LDP
Case Officer	Jennifer Wallis
Location	20 New Road Oundle Peterborough PE8 4LB
Development	Loft conversion with flat roof dormer to rear elevation and 3 rooflights to front elevation.
Applicant	Mr P Baish And Miss E Carr
Agent	MWS Design - Mr Mark Shrive
Ward	Oundle Ward
Overall Expiry Date	05.04.22
Agreed Extension of Time	06.05.22

Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the applicants are employees of the Council.

1. Recommendation

- 1.1 That the lawful development certificate be GRANTED

2. The Proposal

- 2.1 The application proposes the conversion of the loft to an attic room to create two additional bedrooms and a shower room. The proposal includes a dormer window creating a volume of 21.5m³. All materials proposed are to match the existing property.
- 2.2 The application also proposes three rooflights to the front slope of the

property.

- 2.3 The application seeks to establish whether the proposed attic room is permitted development by virtue of Schedule 2, Part 1, Class B and C.
- 2.4 For the benefit of the Committee, the only consideration relevant to this application is the General Permitted Development Order. The Council is purely being asked to establish whether or not the proposal is permitted development based on the information submitted by the applicant, which is assessed against the relevant criteria in the legislation.

3. Site Description

- 3.1 The application site comprises of a semi-detached two storey traditional red brick and rendered property. The property is located to the north of New Road within Oundle. The property is surrounded by residential properties in an established residential area.
- 3.2 The site is not within a Conservation Area and permitted development rights have not been removed from the property.

4. Relevant Planning History

- 4.1 11/00579/FUL - Single storey extension to side and rear of dwelling, insertion of second floor window to loft conversion– Approved 14.06.11
- 4.2 19/01998/PDE – Flat roof rear extension with a lantern to extend 4.0 metres beyond the rear wall of original dwelling Maximum height 3.225 metres Height at eaves 2.725 metres – Approved (Permitted Development) 31.1.20

5. Consultation Responses

- 5.1 This application seeks a Lawful Development Certificate and there is no requirement to consult. No representations were received.

6. Relevant Planning Policies and Considerations

- 6.1 The sole determining legislative document in this instance is the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Other planning policy considerations are not relevant to the outcome of an application for a Lawful Development Certificate.

7. Evaluation

Attic Conversion - Assessment under Schedule 2, Part 1, Class B

7.1 Class B sets a number of criteria against which the proposal must be examined. The conclusions relating to each criteria are as follows:

(a) Permission to use the dwellinghouse as a dwellinghouse was not granted by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

(b) The part of the dwellinghouse, as a result of the works, would not exceed the height of the highest part of the existing roof;

(c) No part of the dwellinghouse, as a result of the works, would extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

(d) The cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres;

(e) it would not consist of or include—

(i) the construction or provision of a veranda, balcony or raised platform, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

(f) The dwellinghouse is not on article 2(3) (conservation area) land.

7.2 Further to this list of criteria, a set of conditions apply and each is assessed as follows:

B.2 Conditions;

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse – the proposal is to be constructed in materials to match the existing;

(b) the enlargement must be constructed so that—

(i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—

(aa) the eaves of the original roof are maintained or reinstated; and

(bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the

outside edge of the eaves; and

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i) obscure-glazed, and

(ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

7.3 Based on the information submitted with the application the proposed attic conversion extension **would** be permitted development under Part 1, Class B of the GPDO.

7.4 Reroofing and rooflights - Assessment under Schedule 2, Part 1, Class C

Class C sets a number of criteria against which the proposal must be examined. The conclusions relating to each criteria are as follows:

- a) Permission to use the dwellinghouse as a dwellinghouse was not been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);
- b) The alteration would not protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;
- c) It would not result in the highest part of the alteration being higher than the highest part of the original roof; and
- d) It would not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

7.5 Further to this list of criteria, a set of conditions apply and each is assessed as follows:

C.2 Conditions;

Any window located on a roof slope forming a side elevation of the dwellinghouse must be

(a) obscure-glazed; and

(b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

- 7.6 No windows are proposed on the side elevation of the dwellinghouse.
- 7.7 Based on the information submitted with the application the proposed roof lights **would** be permitted development under Part 1, Class C of the GPDO.

8. Conclusion / Planning Balance

- 8.1 The proposed development is permitted development.

9. Recommendation

- 9.1 For the reasons set out in this report, the proposal constitutes Permitted Development and that the Lawful Development Certificate be GRANTED.

10. Conditions

- 1 Schedule 1
The proposal is to create a loft conversion with a flat roof rear dormer and roof lights at 20 New Road, Oundle, PE8 4LB.
- 2 Schedule 2
The proposed development is permitted by virtue of Schedule 2 Part 1, Class B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 3 Schedule 3
The drawings to which this decision relates are as follows: Plans and information received by the Local Planning Authority as below:
- Proposed Floor Plans, 4814 5 Rev A, received 2 February 2022
 - Ground Floor, 4814 2 Rev A, received 2 February 2022
 - Proposed Elevations, 4814 6, received 2 February 2022
 - Location Plan, 4814 1, received 2 February 2022