

Application Number:	2025/0073	Application Type:	Lawful Development Certificate
Proposal:	Lawful Development Certificate: Existing garage to a bedroom.	Location:	3 Elizabeth Drive Haslingden Rossendale Lancashire BB4 4JB
Report of:	Jordan Walker	Status:	For Publication
Report to:	Development Control Committee	Date:	30/04/2025
Applicant:	Mrs Marilyn Procter	Determination Expiry Date:	05/05/2025 extension agreed till 16/05/2025
Agent:	Mr D Hancock		

Contact Officer:	Jordan Walker	Telephone:	01706 252441
Email:	jordanwalker@rossendalebc.gov.uk		

REASON FOR REPORTING	Tick Box
Outside Officer Scheme of Delegation	<input checked="" type="checkbox"/>
Member Call-In Name of Member: Reason for Call-In:	<input type="checkbox"/>
3 or more objections received	<input type="checkbox"/>
Other (please state):	Both the applicant Mrs Marilyn Procter and the agent Mr David Hancock are elected members.

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. RECOMMENDATION

That a Lawful Development Certificate be approved for the reason set out in section 10 of this report.

APPLICATION DETAILS

2. SITE

The application relates to a detached single storey dwelling of brick and tile construction located on a residential estate of properties of a similar style and design. The dwelling is located within the urban boundary.

3. RELEVANT PLANNING HISTORY

None.

4. THE PROPOSAL

The applicant seeks to convert the existing integral garage to a bedroom with the removal of the garage doors/ opening to be bricked up with an insulated UPVC window inserted to be similar style to the existing. The flat roof would be replaced with a pitched roof using tiles to match existing. No change is proposed to the existing footprint of the dwelling house.

The applicant considers that these works can be carried out as 'permitted development' (i.e. without the need to formally apply for planning permission) and has therefore submitted this application seeking a Lawful Development Certificate to confirm this.

5. POLICY CONTEXT

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

National Planning Practice Guidance – Lawful Development Certificates

DCLG – Permitted development rights for householders Technical Guidance

6. CONSULTATION RESPONSES

Not applicable.

7. REPRESENTATIONS

No representations received.

8. REPORT

The proposed works will be assessed against Class A of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which permits *'the enlargement, improvement or other alteration of a dwellinghouse'*.

The first test is to establish if the proposed works are within the curtilage of a dwellinghouse, as required by Part 1. Having benefitted from a site visit and having viewed the submitted proposed

plans, the case officer is satisfied that the proposed works are within the curtilage of No. 3 Elizabeth Drive.

The proposal will now be assessed against the appropriate limitations and conditions below.

A.1 Development is not permitted by Class A if –

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

The property has not been granted by any of the above classes.

(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);

No enlargement of the existing footprint is proposed.

(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;

The increased roof height does not exceed the height of the highest part of the existing dwelling house.

(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;

The height of the eaves of the new roof do not exceed the height of the eaves of the existing dwelling house.

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

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

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

No enlargement of the existing footprint is proposed.

(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 dwellinghouse by more than 4 metres in the case of a detached dwellinghouse or 3 metres in the case of any other dwellinghouse, or

(ii) exceed 4 metres in height;

No enlargement of the existing footprint is proposed and the altered roof will not exceed 4m 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;”

Not applicable.

(h) the enlarged part of the dwellinghouse would have more than one 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 the dwellinghouse;

No enlargement of the existing footprint is proposed.

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

No enlargement of the existing footprint is proposed and the altered roof eaves will not exceed 3m in height.

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would - (i) exceed 4 metres in height, (ii) have more than 1 storey, or (ii) have a width greater than half the width of the dwellinghouse;

No enlargement of the existing footprint is proposed and the altered roof does not exceed 4m in height.

(ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (e) to (j);

No enlargement of the existing footprint is proposed.

(k) it would consist of or include - (i) the construction or provision of a veranda, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation of, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) al alteration to any part of the roof of the dwellinghouse.

The proposals do not include the provision of a veranda, balcony or raised platform, chimney, flue or soil and vent pipe or alteration to microwave antenna.

A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—

(a)it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b)the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or

(c)the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

The dwelling is not on article 2(3) land.

Conditions

A.3 *Development is permitted by Class A subject to the following conditions—*

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

The materials proposed will match or be of similar appearance to the materials used on the existing dwelling house.

(b) any upper-floor window located in 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;

Not applicable.

and

(c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse

Not applicable.

9. CONCLUSION

Based on the submitted information the proposed works constitute 'permitted development' under the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 1, Class A (as amended).

10. REASON FOR APPROVAL

The proposed development as shown on the submitted forms and supporting documentation is lawful in accordance with Section 192 of the Town and Country Planning Act 1990 for the reason that it constitutes permitted development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

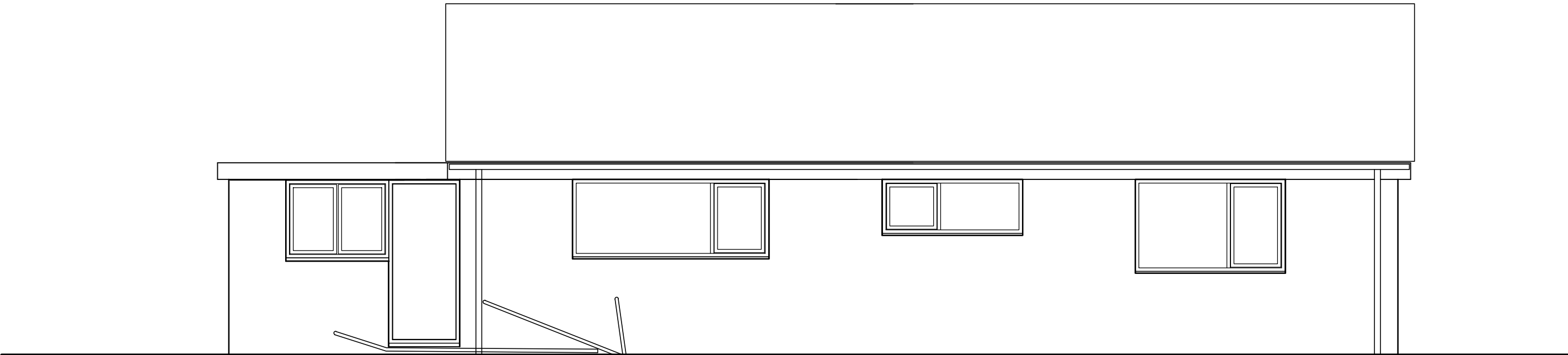
11. INFORMATIVE

This certificate is approved on the basis of the following

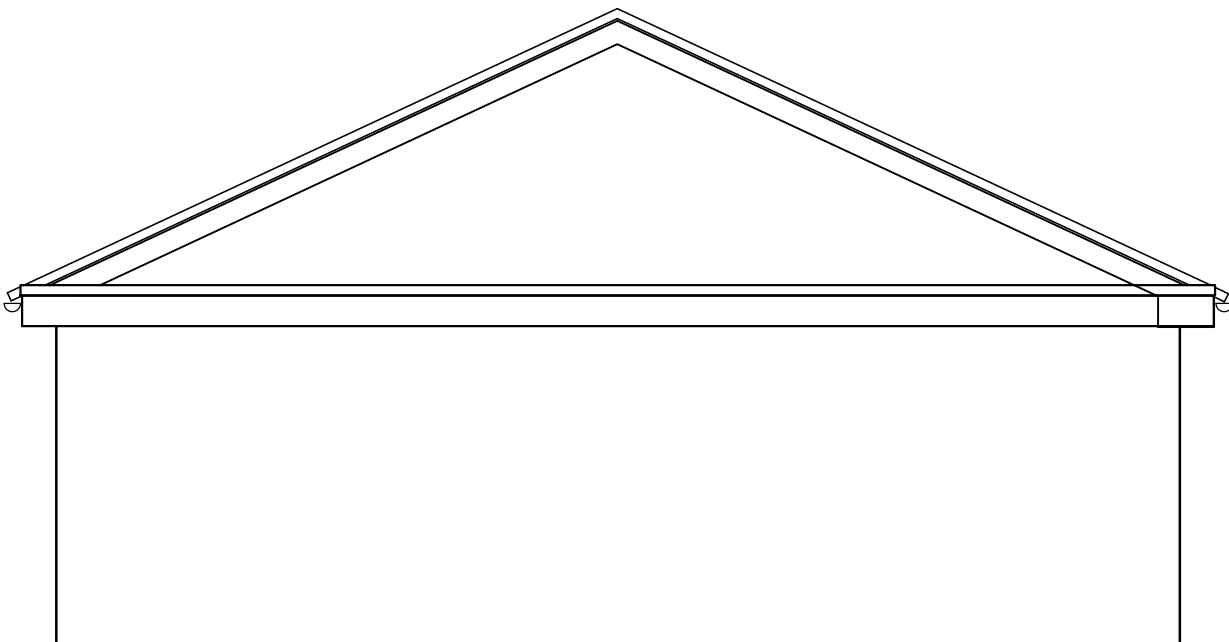
- Application form signed and dated 01/03/2025 Received 03/03/2025
- Location Plan received 03/03/2025
- Proposed Elevations Drawing No. 17010.2 Received 03/03/2025
- Proposed & Existing Plans Drawing No. 17010.3 Received 03/03/2025



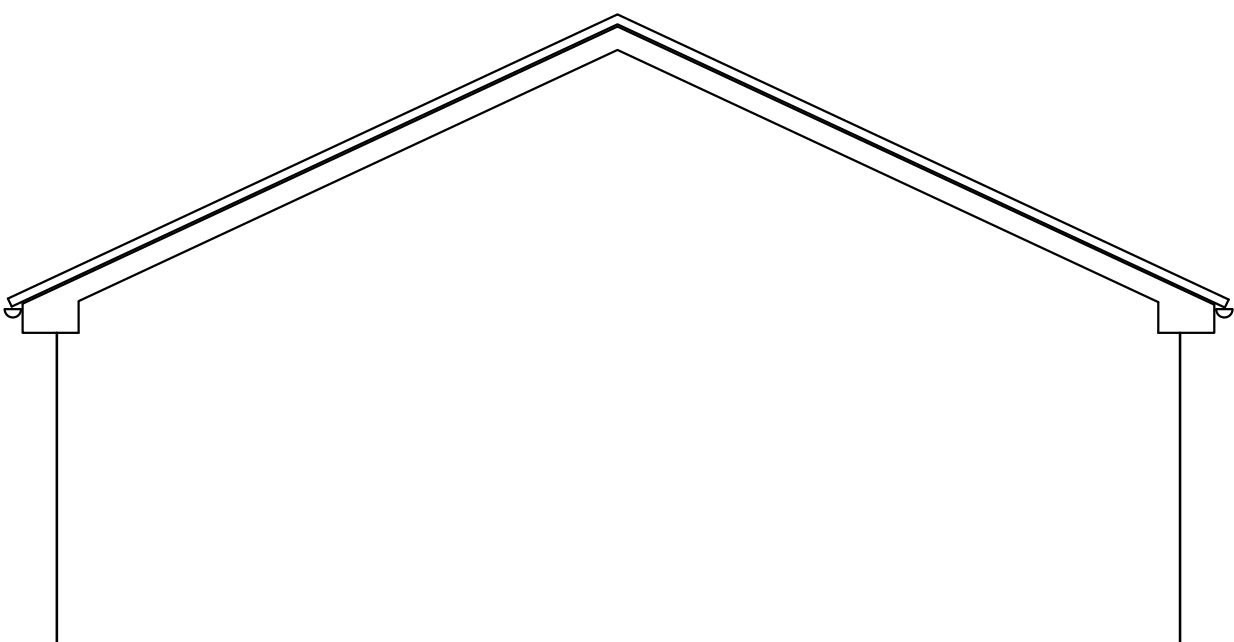
Existing Front Elevation



Existing Rear Elevation



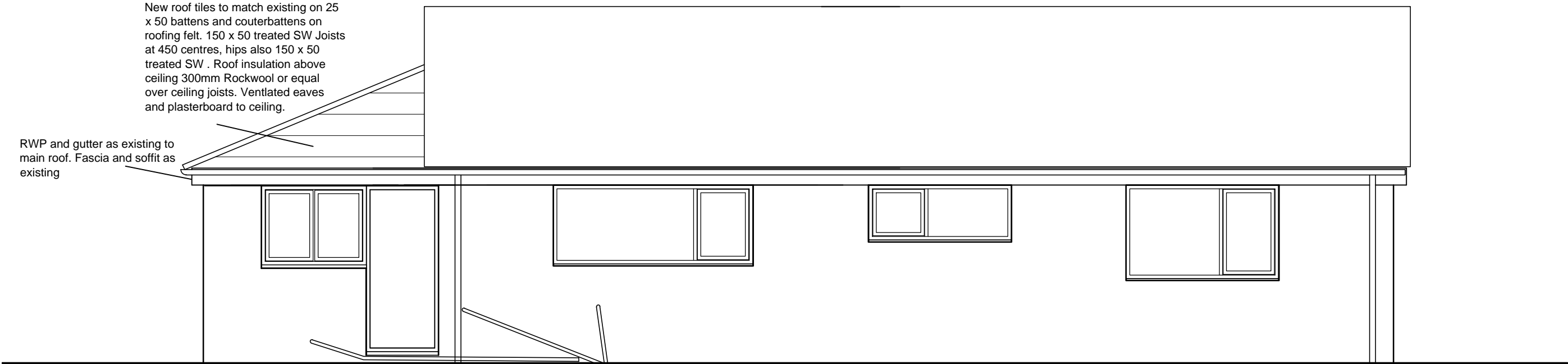
Existing End Elevation
(Garage End)



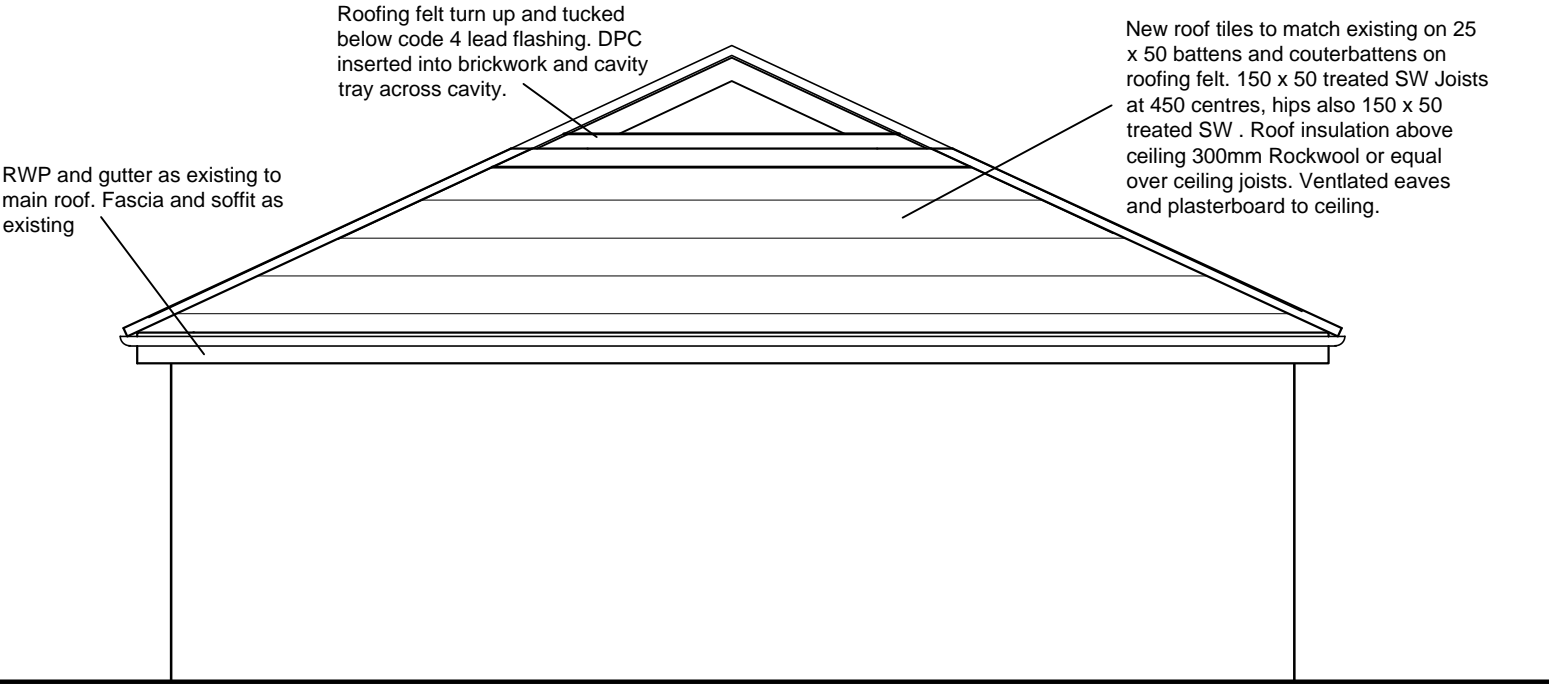
Existing End Elevation



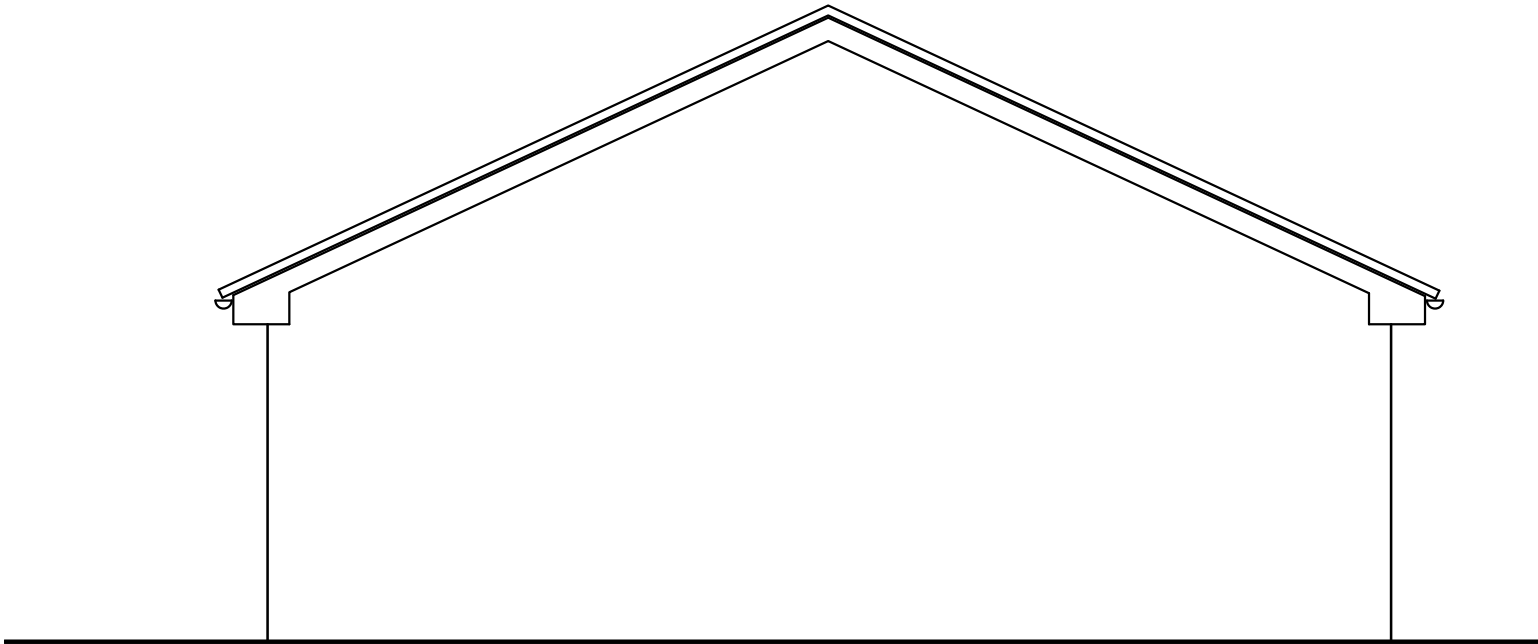
Existing Front Elevation



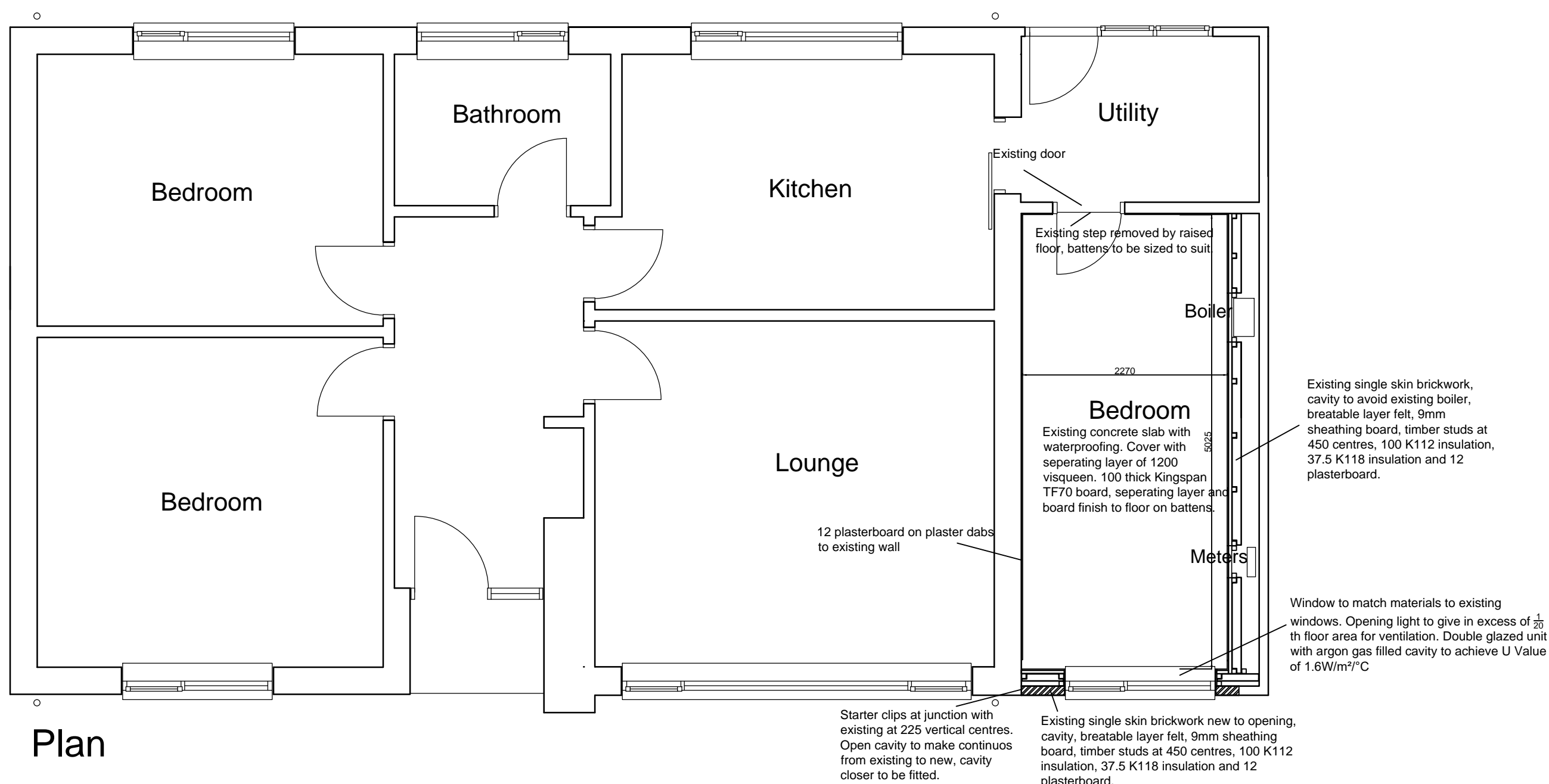
Existing Rear Elevation



Existing End Elevation
(Garage End)



Existing End Elevation



Notes relating to Extension to 3 Elizabeth Drive Helmsshore

Notes to be read in conjunction with drawings.

General

All dimensions must be checked on site and shall be the responsibility of the contractor. All discrepancies must be notified to the client immediately. All variations from the specification shall be agreed in writing prior to works being carried out.

All notification to Local Authority Building Control for the purposes of stage notices shall be the responsibility of the contractor.

Structural Work

Foundations across garage to be by extension of existing slab and forming of toe below ground level.

Builders work

Excavation for new construction

No excavation required, use existing foundations after Building Inspectors approval.

External Wall

Existing single skin external skin to be retained, Internal skin to be 12 plasterboard over 37.5 kingspan insulation type K118 then 100 Insulation type K112 between and around battens, breathable felt and 9mm sheather felt.

Opening to be spanned by Catnic CN100/90 standard duty lintol.

At junction with existing building, start new work with wall starter plates securely fixed to existing walls.Cavity to be made continuous from existing to new.

:Provide hyload or similar polymer modified dpc insulted dpc/cavity closer to all reveals and cills

Top of wall to have supalux or similar fire stop

New floors and internal partitions

First Floor

New floor constuction to be 20 thick T&G boards laid on joists at maximum 450 centres over 100 think kingspan type TF70 board on 1200 visqueen seperating layer. Below which is the existing garage floor and waterproofing. T o the approval of LA Building Inspector on site.

New Roof

New roof covering to be tiles as existing on 50 x 38 treated SW battens and counterbattens on rafters at 450 centres in complaince with the BS. Pitch to be as existing°. Rafters to be 150 x 50 treated SW, wallplates secured with 1000 galvanised steel anchors at max 1800 cantres. Edges to have lateral support provided by galvanised straps at 1200 centres fixed across 3 rafters, provide timber blocking between rafters and wall. Underside of rafters to be lined with 12mm foiled backed plasterboard with 3mm skim coating. Insulation to be 300 thick mineral wool insulation, or equal, placed between and over rafters, 50 ventilation gap to be maintained between felt and insulation. Provide 10mm high level with propreitary ventilation strips, provide 25mm strips to soffit boards. Facia and soffit to be 16 thick x 200 plywood or equal.

All flashings to be code 4 lead. Located at junction of roof with existing and new walls.

Work to Walls

Plastering

Existing wall within extension to receive plasterboard finish. Elsewhere the plasterboard is to be backed by 37.5 Kingspan insulation type K118.

Joinery Works

Skirtings and Architraves

To new room, allow for supplying and fixing new sw skirtings and architraves 100 x 20 sw skirting.. Include for making good joinery to all areas disturbed by the works. Allow for providing for concealing any service pipework. Form access points as agreed with resident. Access panels to be fixed in place by using brass cups and screws into softwood framework.

Windows

Window sizes as shown on drawings. Window to be insulated uPVC and to be similar style and sections to existing. Double glazed using glazing units using K glass with 16mm air gap filled with argon to meet the Building Regulation minimum insulation requirements of 1.6W/m2. Any glazing occuring within 800 of FFL to conform to BS6206. All glazing in critical locations (as defined by the Building Regulations) to be toughended or laminated safety glass. Escape window to be included to gable wall.

Doors

Existing to remain

Ceiling

Ceiling to have 150 x 50 joists at 450 centres. Underdrawn with 12 plasterboard. Insulation 300 think Rockwool or similar.

Drainage

Below Ground Drainage

No change

Above Ground Drainage

Provide and run to existing 68mm PVC rainwater pipes, 100 dia gutter to be extended around the former garage and to retain two outlets

Windows and Ventilation

New window to be uPVC frames to match existing and with Pilkington K glazing units, or equal, all to be fitted with trickle vents 8000sq mm.Glazing to be minimum 10% of floor area with minimum 5% openable.

Lighting & Power

Light fitting to be low energy fittings
Allow for four double sockets to bedroom area.

Smoke alarms in accordance with BS 5839-6 2004 Grade B Category LD3 standard to be provided, these are to be powered by the mains supply with battery back up (72 hours).

All works shall be carried out by an approved electrician in accordance with Part P of the Building Regulations and other relevant documents. A safety certificate shall be provided upon completion.

Heating

One radiator positioned to bedroom. Radiators to be on the existing system

Internal Finishes

General

To new plastered walls and ceiling, provide 1No. undercoat and 2 No. finishing coats of emulsion paint. Colour to be agreed with client by Contractor.

To all new architraves, skirtings and doors, provide 1.No undercoat and 2.No. gloss finishing coats. Colour to be agreed with client by Contractor.

Allow for touching-up existing paint finishes.

External Works

Make good after drainage and construction work to surrounding area.as directed by client.

Cleanliness

Care should be taken at all stages of the work to ensure the client is happy with the cleanliness of work and works as the job proceeds

Drawing

General Notes

Address

3 Elizabeth Street, Helmsshore

Client

D & M Procter

Dwg No

17010.4

Scale

NTS

DJ Hancock Design

22 Croft Street

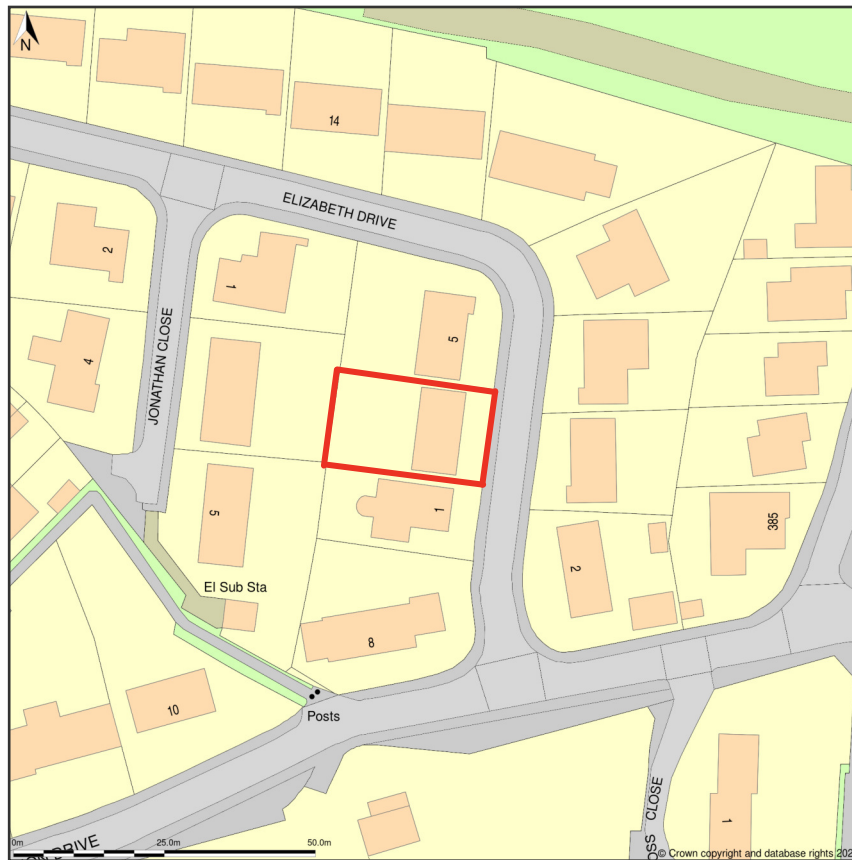
Bacup

OL13 9DB

Tel 01706 563502

Mob 07599 008 791

3, Elizabeth Drive, Haslingden, Rossendale, Lancashire, BB4 4JB



Location Plan shows area bounded by: 378182.32, 421704.38 378323.74, 421845.81 (at a scale of 1:1250), OSGridRef: SD78252177. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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