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AMBER VALLEY BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
SECTIONS 191 AND 192 (as amended by section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2015:

General Permitted Development Order 2015, Schedule 2, Part 1, Class A and Class B.

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The **Amber Valley Borough Council** hereby certify that on 07.03.2023 the development or proposed use described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged red on the plan attached to this certificate, is **NOT** lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

1. The proposal shows an increase in the overall height of the highest part of the roof by an additional 40cm, therefore planning permission is required.

   Condition c of Part 1 Class B also states that any window inserted on a wall or roof slope forming a side elevation of the dwelling house must be—
   (i) obscure-glazed, and
   (ii) (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.

   The submitted plans, it is also not known if the window would be obscurely glazed or what the finished floor level would be.

2. The plans show that alterations will take place to the rear roof which will create an additional gable. This alteration would need to be assessed under Class A of which part h)

which states the enlarged part of the dwelling house would have more than a single storey and—

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

(ii) be within 7 metres of any boundary of the curtilage of the dwelling house opposite the rear wall of the dwelling house;

The proposal has more than one storey and it is within 7 metres of a boundary from the rear wall.

A formal planning application is required for the proposed works.

Signed



Simon Gladwin
Executive Director (Operations)
Date

First Schedule

Application for a Lawful Development Certificate for a proposed single storey rear extension, single storey side garden room and enlargement of attic area

Second Schedule

Sunnyside Cottage Spring Hollow Hazelwood

Notes

1. This certificate is issued solely for the purpose of section 191/192 of the Town and Country Planning Act 1990 (as amended).

This decision is based on the following submitted plans/documents:

Plan Type	Reference	Version	Date Received
Elevations and floor plans	DE564AW -04, DE564AW – 03 Rev 04		12.01.2023
Site layout Plan	Location and block plans		12.01.2023


Firestone
127.2m
Spring Hollow
Track
Track
Sunnyside Cottage
Silo
Track
Path (um)