

Case Officer: Emma Whitley

Recommendation: Refuse

Applicant: Mandy Purcell

Proposal: Certificate of Lawfulness of Proposed Development for the erection of single storey side and rear extensions to an existing house

Expiry Date: 10 November 2021

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site relates to a detached bungalow constructed from natural stone with wooden cladding detailing and uPVC fenestration under a plain concrete tiled roof.
- 1.2. The dwelling is within the setting of Grade II listed Elm Tree House, within Flood Zone 2 and 3 and within the Wendlebury historic core Archaeological Alert Area. However, these constraints are not considered relevant to this proposal.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks a Certificate of Lawfulness of Proposed Development for the erection of a single storey side and rear extension, replacement of a flat roof with a pitched roof, a single storey rear extension and porch extension.
- 2.2. The applicant has confirmed that materials would match the existing dwelling.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

62/01157/M – Erection of single storey house and garage with access. *Application Permitted 18 October 1962.*

21/02277/F – Extensions & alterations to existing house, including alterations to external appearance. *Application Refused 2 September 2021.*

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. Due to the nature of the application, publication has not been required.

6. RESPONSE TO CONSULTATION

- 6.1. Due to the nature of the application, consultation has not been required.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Schedule 2, Part 1, Class A and Class D of the Town and Country (General Permitted Development) (England) Order 2015 (as amended).

7.2. Planning Practice Guidance (PPG).

8. APPRAISAL

8.1. The permitted development rights for the dwelling remain intact with regards to the type of development proposed. Therefore, the proposal has been assessed against the relevant parts of the GPDO (Part 1, Class A).

8.2. Permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of Schedule 2 of the GPDO (change of use).

8.3. The dwellinghouse has not been built under Part 20 of Schedule 2 (construction of new dwellinghouses).

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

Extension

8.5. The total area of ground covered by the proposal would not exceed 50% of the total area of the curtilage of the dwellinghouse.

8.6. The height of the extension would not exceed the height of the highest part of the roof or the eaves of the existing dwellinghouse.

8.7. The proposal would not extend beyond a wall which forms the principal elevation of the original dwellinghouse and would not front a highway and form a side elevation of the dwellinghouse.

8.8. The proposal is single storey but would not extend beyond the rear of the original dwellinghouse by more than 4m and would not exceed 4m in height.

8.9. The enlarged part of the dwellinghouse would not be within 2m of the boundary of the curtilage of the dwellinghouse.

8.10. The roof pitch would match the pitch of the original dwellinghouse.

8.11. The proposed development would not consist or include the construction or provision of a verandah, balcony or raised platform or the installation, alteration or replacement of a microwave antenna, chimney, flue or soil and vent pipe or any alterations to any part of the roof of the dwellinghouse.

Porch Extension

8.12. Notwithstanding the agents calculations (3.67 sqm) the proposed would not exceed 3 square metres (measured externally).

8.13. The structure would exceed 3 metres above ground level.

9. PLANNING BALANCE AND CONCLUSION

9.1. The proposal, as detailed in the information submitted with the application does not constitute permitted development under Part 1, Class A and Class D (as outlined above) as the proposal does not conform to the restrictions set out in Class A and Class D.

10. RECOMMENDATION

FIRST SCHEDULE

Erection of a single storey side and rear extension, replacement of a flat roof with a pitched roof, a single storey rear extension and porch extension in accordance with drawing numbers P3077/12 (Proposed Block Plan), P3077/14 (Proposed Floor Plans/ Section BB), P3077/15 (Proposed Section CC) and P3077/17 (Proposed Elevations).

SECOND SCHEDULE

Moorhouse, Church Lane, Wendlebury, OX25 2PN

THIRD SCHEDULE

The development is not permitted development under Schedule 2, Part 1, Class D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) because the height of the porch would exceed 3 metres.

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DATE: 03/11/21

Checked By: Paul Ihringer

DATE: 10/11/21
