

**Case Officer:** Lewis Knox

**Recommendation:** Refuse

**Applicant:** Mr & Mrs Pidgeon

**Proposal:** Certificate of Lawfulness of Proposed Development for a thermally efficient, low energy dwelling that suits the owner's needs without needing to build a carbon costly extension. The proposed works subtly update the exterior of the building whilst ensuring that it is still in keeping with the surrounding buildings

**Expiry Date:** 29 September 2020

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## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site comprises a large single storey detached bungalow located within a cul-de-sac towards the northern end of Burdrop to the south-west of Banbury. The main dwelling at the site is constructed from a mixture of Cotswold stone and render to the elevations, white uPVC windows and wooden doors under a plain concrete tile roof. The site currently benefits from an attached garage.
- 1.2. The site is accessed from a side road located opposite the surgery within Burdrop and is the first house on the right hand side of the road. The site has ample off-street parking to the front of the dwelling in addition to the garage. The property has a garden which wraps around the side and rear of the dwelling. The site shares a boundary with Robin Hill to the north.
- 1.3. The building is not a Listed Building and but is adjacent to the designated Sibford Gower with Burdrop Conservation Area. There are no other planning constraints relevant to this application.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The applicant is seeking a certificate of lawful proposed use for alterations and updates to the exterior of the dwelling to ensure a more energy efficient building.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:
- 3.2. B.109/67 – Erection of 4 single storey dwellinghouses.
- 3.3. B.503/67 – 4 New bungalows and garages. Drive
- 3.4. No permitted development rights were removed as part of these permissions

## **4. PRE-APPLICATION DISCUSSIONS**

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

## **5. RESPONSE TO PUBLICITY**

- 5.1. This application has not been publicised.

## **6. RESPONSE TO CONSULTATION**

6.1. No consultations required in respect of this application.

## **7. RELEVANT PLANNING POLICY AND GUIDANCE**

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

7.2. Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2015).

7.3. Schedule 2, Part 14, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2015).

7.4. Planning Practice Guidance (PPG)

## **8. APPRAISAL**

8.1. Permitted Development rights are still intact at the site.

8.2. The permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this schedule (Changes of Use).

8.3. The dwelling is not upon Article 2(3) land.

8.4. Permitted development rights for the insertion of new windows within the dwelling are intact

8.5. The construction materials; specifically the proposed vertical timber cladding to the front and rear elevations would not match those existing at the dwelling currently and would not match the materials within the locality and as such does not conform to the conditions set out in Schedule 2, Part 1, Class A of the GPDO 2015.

8.6. The proposed rooflights 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.

8.7. They would not result in the highest part of the alteration being higher than the highest part of the original roof;

8.8. The development would not involve the installation, alteration or replacement of a chimney, flue or soil and vent pipe.

8.9. The PV panels would not protrude more than 0.2 metres beyond the plane of the wall or the roof slope when measured from the perpendicular with the external surface of the wall or roof slope

8.10. The highest part of the solar PV or solar thermal equipment would not be higher than the highest part of the roof (excluding any chimney);

8.11. The dwelling is not located within a conservation area, is not a world heritage site, scheduled ancient monument or a listed building.

## 9. PLANNING BALANCE AND CONCLUSION

- 9.1. The materials proposed in association with the development; specifically the proposed vertical timber cladding to the front and rear elevations would not match those existing at the dwelling currently and would not match the materials within the locality and as such does not conform to the conditions set out in Schedule 2, Part 1, Class A of the GPDO 2015.

## 10. RECOMMENDATION

### **Refused**

#### FIRST SCHEDULE

Alterations and updates to the exterior of the dwelling in accordance with drawing numbers 251\_05\_300 Rev P1, 251\_05\_301 Rev P1, 251\_03\_300 Rev P3, 251\_03\_150 Rev P3 and application form

#### SECOND SCHEDULE

Birch Hill, Burdrop, OX15 5RQ

#### THIRD SCHEDULE

The proposal is considered to materially alter the external appearance of the building and as such planning permission is required as it would not comply with the conditions set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Case Officer: Lewis Knox

DATE: 29.09.2020

Checked By: Paul Ihringer

DATE: 29/9/20

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