

Case Officer: Michael Sackey

Recommendation: Approval

Applicant: Mr and Mrs Oliver Broom

Proposal: Certificate of Lawfulness of Proposed Development for the demolition of an existing lean-to extension at the rear of the house and re-introduction of window openings on the original building line

Expiry Date: 15 September 2020

Extension of Time:

1 Site Analysis

- 1.1. The application relates to an end terraced cottage constructed of stone with a tiled roof facing south on to Main Street. The site, which lies in the built form of Sibford Gower, is bounded by residential properties to the east. The site is within a Conservation Area, but the building is not listed.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 The current application seeks a Certificate of Lawful Development for the demolition of the existing rear lean-to extension and to be replaced with the reinstatement of two openings at the first and ground floor level. The proposed window at the first floor level would measure approximately 1.2m height and 1.2m width and the proposed window at the ground floor level would measure approximately 1.5m in height and 2.2m width.

3. RELEVANT PLANNING HISTORY

- 3.1. There is no planning history directly relevant to the proposal

4. Relevant National and Local Planning Policy and Guidance

- 4.1 Schedule 2, Part 1, Class A and Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended

Planning Practice Guidance (PPG)

5. Appraisal

Windows

The permitted development rights for the property are intact with regards to new openings or windows and the proposed windows are to the rear elevation at the first and ground floor level. The proposed windows would be light traditional timber casement windows and would appear similar to the windows of the existing dwelling. The window sill is also to be constructed using local stone and would also match the existing external walls.

Demolition

The partial demolition of a building has not been rendered unsafe or other wise uninhabitable by the action or inaction of any person having an interest in the land

on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support.

The demolition is not “relevant demolition” for the purpose of section 196D of the Act (demolition of unlisted etc building in a conservation area) nor is the building used, or was last used, for a purpose falling within Class A4 (drinking establishment) of the Schedule to the Use Classes Order, including a purpose as described in Class AA (drinking establishments with expanded food provision) of Part 3 of Schedule 2 to this Order.

Building is defined by the (GPDO) as-

- a) Includes any structure or erection and, except in Class F of Part 2, Classes P and PA of Part 3, Class B of Part 11, Classes A to I Part 14, classes A, B and C of Part 16 and Class T of Part 19, of Schedule 2, includes any part of a building; and
- b) Does not include plant or machinery and, in Schedule 2, except in Class F of Part 2 and Class C Part 11, does not include any gate, fence, wall or other means of enclosure.

The part of the building proposed for demolition relates to an existing rear porch measuring approximately 4.2m² and this is only a minor part of the existing building and therefore its demolition is permitted development.

6. Conclusion

The proposal as detailed in the information submitted with the application is considered to be permitted development under Part 1 of Schedule 2 (as outlined above) as the proposal complies with the restrictions set out in Class A and Class B. In addition, there are no permitted development restrictions by condition related to the proposal and no other restrictive designations affecting the property.

7. Recommendation

FIRST SCHEDULE

- 1) The demolition of an existing lean-to extension at the rear of the house and re-introduction of window openings on the original building line in accordance with drawings numbered “2002-PA-0001 Rev 00” and “2002-PA-003 Rev 00”.

SECOND SCHEDULE

- 2) Mawles Farm Main Street Sibford Gower OX15 5RW

THIRD SCHEDULE

- 3) The proposal is permitted development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Planning Notes

Building Control has confirmed the proposal would require a building regulations application.

Case Officer: Michael Sackey

DATE: 10.09.2020

Checked By: Nathanael Stock

DATE: 15.09.2020
