

Case Officer: Emma Whitley

Recommendation: Approve

Applicant: Mr Colin Barrett

Proposal: Certificate of Lawfulness of Proposed Development for a detached garage/store to rear

Expiry Date: 5 March 2021

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site relates to a two-storey detached property located at the entrance to Wendlebury when approaching from the west on the Oxford Road. The dwelling is set back from the highway by a driveway and front garden.
- 1.2. The dwelling is neither a listed building, nor is it sited within a designated conservation area. No additional site constraints are considered relevant to this proposal.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The applicant seeks a Certificate of Lawfulness of Proposed Development for a detached garage/ store to the rear of the dwelling.
- 2.2. The proposal would have a maximum roof ridge height of 3.96 metres, dropping to an eaves height of 2.3 metres. The proposed width of the outbuilding would measure approximately 8.8 metres and a depth of approximately 5.8 metres.

3. RELEVANT PLANNING HISTORY

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

00/01767/F – Extensions to existing bungalow. Demolish existing garage and build new double garage (as amended by plans received 23.11.00). *Application Permitted.*

16/00827/F – Erection of two storey rear extension. *Application Permitted.*

20/00532/F – Remove existing garage and construct new double garage and garden store. *Application Permitted.*

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, consultations have not been required.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).
- 7.2. Planning Practice Guidance (PPG).

8. APPRAISAL

- 8.1. The proposed development is considered to be incidental to the enjoyment of the existing dwellinghouse. Whilst the proposal is of a relatively large size, the proposal is shown to be used as a garage and garden store, of which such uses could not reasonably be expected to be provided in the main house. Further, these are uses that are commonly considered to serve the land around the house.
- 8.2. 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 Schedule 2 (changes of use);
- 8.3. The total area of ground covered by buildings, enclosures and containers would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- 8.4. No part of the proposed building would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- 8.5. The proposal would be single storey;
- 8.6. The proposal would be situated over 2 metres from the curtilage boundary and therefore would not exceed the maximum height of 4 metres in the case of a building with a pitched roof;
- 8.7. The eaves height of the proposal would not exceed 2.5 metres;
- 8.8. The proposed development would not be situated within the curtilage of a listed building;
- 8.9. The proposal does not include the construction or provision of a verandah, balcony or raised platform or a microwave antenna;
- 8.10. The proposal does not relate to a dwelling;
- 8.11. The main dwellinghouse has not been built under Part 20 of Schedule 2 (construction of new dwellinghouses);
- 8.12. The dwellinghouse is not situated on article 2(3) land.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The proposal, as detailed in the information submitted with the application, is considered to be permitted development under Part 1, Class E for the reasons set out above. In addition, there are no permitted development restrictions by way of condition related to this particular proposal and no other restrictive designations affect the property.

10. RECOMMENDATION

That the proposed development does not require planning permission.

FIRST SCHEDULE

Detached garage/ store to the rear in accordance with plans S.944/01a, S.944/02 and S.944/03.

SECOND SCHEDULE

The Bungalow, Oxford Road, Wendlebury, OX25 2PT

THIRD SCHEDULE

The garage/ store outbuilding would constitute permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Case Officer: Emma Whitley

DATE: 04/03/21

Checked By: Paul Ihringer

DATE: 8/3/21
