

Ward Ottery St Mary

Reference 22/0348/CPL

Applicant Mr Stuart Pyle

Location 19 Coleridge Road Ottery St Mary EX11 1TD

Proposal Lawful Development Certificate for Proposed single storey lean-to rear extension



RECOMMENDATION: Approve

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		Committee Date: 16th March 2022
Ottery St Mary	22/0348/CPL	Target Date: 12.04.22
Applicant:	Mr Stuart Pyle	
Address of Site:	19 Coleridge Road Ottery St Mary EX11 1TD	
Proposal:	Lawful Development Certificate for Proposed single storey lean-to rear extension	

RECOMMENDATION: Approve

EXECUTIVE SUMMARY

This application is before Members as the applicant is a relative of an EDDC employee.

The application seeks confirmation that a single-storey lean-to rear extension does not require planning permission.

As the proposal meets the criteria for being permitted development, the proposal does not require planning permission and the Certificate confirming this can be issued.

The application is therefore recommended for approval.

CONSULTATIONS

Cllr G Pratt – Ward Member – Ottery St. Mary

I have noted all the documents contained in the planning portal and the recommendation of the planning officer to grant a Lawful Development Certificate .

From the proposed plans and the SWW plans of the public sewers and drains it would appear that the applicant will need the approval of SWW for this extension.

This however does not affect a decision relating to the Lawful Development Certificate And I am content to support the officers recommendation.

POLICIES

None relevant.

Site location and description

The application site relates to a terraced residential property in Ottery St. Mary.

Proposal

The application seeks confirmation that a single-storey lean-to rear extension does not require planning permission.

ANALYSIS

In order to establish whether the extension proposed requires planning permission or not, and therefore whether the Local Planning Authority can issue the Certificate confirming that planning permission is not required, an assessment is needed of the proposal against the relevant criteria to the Town and Country Planning (General Permitted Development) Order Schedule 2 Class A Part 1, which deals with developments within the curtilage of a dwellinghouse.

The application form states that 19 Coleridge Road is a private property/dwelling house, therefore, the above applies and the proposal falls under this category.

Assessment against the criteria is provided below taking each paragraph in turn with the assessment/comment against the criteria in bold:

A.1 Development is not permitted by Class A if –

- (a) Permission to use the dwelling house as a dwelling house has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this schedule (changes of use)

COMMENT: N/A

- (b) As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

COMMENT: As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

- (c) The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse.

COMMENT: The height of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the highest part of the roof of the existing dwellinghouse.

- (d) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.

COMMENT: The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse.

- (e) The enlarged part of the dwellinghouse would extend beyond a wall which –
- (i) Forms the principal elevation of the original dwelling house, or
 - (ii) Fronts a highway and forms a side elevation of the original dwelling house;

COMMENT: The enlarged part of the dwellinghouse would not extend beyond a wall which forms the principal elevation of the original dwelling house, nor fronts a highway and forms a side elevation of the original dwelling house.

- (f) Subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and –

- (i) Extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
- (ii) Exceed more than 4 metres in height;

COMMENT: The proposed single storey enlargement would not extend beyond the rear wall of the original dwellinghouse by more than 3 metres, nor exceed 4 metres in height.

- (g) For a dwelling house not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwelling house would have a single storey and –

- (i) Extend beyond the rear wall of the original dwelling house by more than 8 metres in the case of a detached dwelling house, or 6 metres in the case of any other dwelling house, or
- (ii) Exceed 4 metres in height;

COMMENT: N/A

- (h) The enlarged part of the dwellinghouse would have more than a single storey and,

- (i) Extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
- (ii) Be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;

COMMENT: N/A – The application is for a proposed single storey rear extension.

- (i) The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

COMMENT: The height of the eaves of the proposed single storey extension would not exceed 3 metres.

- (j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would –
- (i) exceed 4 metres in height,
 - (ii) have more than a single storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse:
- or

COMMENT: The proposed enlargement would not extend beyond a wall forming a side elevation.

- (ja) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraph (e) to (j)

COMMENT: N/A

- (k) it would consist of or include –
- (i) the construction or provision of a verandah, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antennae,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) an alteration to any part of the roof of the dwellinghouse.

COMMENT: The proposal does not include the provision of any of the above.

- (l) The dwellinghouse is built under Part 20 of this schedule (construction of new dwellinghouses)

COMMENT: N/A

A.2 In the case of a dwelling house on article 2(3) land, development is not permitted by Class A if

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original house.
- (d) Any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (b) and (c).

COMMENT: 19 Coleridge Road is not on Article 2(3) land

Conditions:

A.3 Development is permitted by Class A, subject to the following conditions -

- (a) The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

COMMENT: Information provided by agent on both the application form and the drawings indicates that the materials proposed to be used in the construction of the single storey extension would be of a similar appearance to those used in the construction of the exterior of the existing dwelling house.

- (b) Any upper-floor window located in a wall or roof slope forming a side elevation of the dwelling house must be -

- (i) obscure glazed, and
- (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, and,

COMMENT: There are no 'upper floor' windows proposed.

- (c) Where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

COMMENT: N/A

CONCLUSION

The applicants' proposal to construct a single storey extension to the rear of 19 Coleridge Road meets the relevant criteria and as such is Permitted Development, and does not therefore, require an application for Planning Permission.

The Certificate confirming this is therefore recommended to be issued.

RECOMMENDATION

Approve

Plans related to this application:

Location Plan
220120-100A