

Applicant:

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Application Ref No: 24/00214/CLDP

Location: TEIGNMOUTH - 26 Higher Holcombe Road, Teignmouth

Proposal: Certificate of Lawfulness for proposed raising of existing flat roof, installation of new window to front elevation and raising of existing window to side elevation

Applicant: Mr A Scott

Dear Sir/Madam,

Thank you for your prompt response to our application for permitted development to the dwelling noted above. The quick turnaround is very much appreciated.

Taking note of the reasons listed for refusal we have some queries which I am hoping you can help us to understand. Your refusal letter noted the following reasons under the Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).;

The proposed raising of the existing flat roof structure results in the eaves height of the flat roof being higher than the eaves height of the original dwelling. In addition, the overall height would exceed 3m within 2m of the side boundary.

Our first request for clarification relates to the statement that 'The proposed raising of the existing flat roof structure results in the eaves height of the flat roof being higher than the eaves height of the original dwelling.' Having reviewed the legislation on the .gov.uk website we believe that we are measuring the refusal against SCHEDULE 2, Part 1, A1, section d which reads as follows;

(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;

Having reviewed the full legislation I cannot see a determination as to which section of eaves would be considered the 'height of the eaves of the existing dwellinghouse' when the aspect of the dwellinghouse in question has eaves of different heights like the property at the proposed location.

In this instance I believe it would be reasonable to consider the height of the eaves of the original dwellinghouse as that of the majority of eaves to the rear of the property when measured from the edge of the pitched roof.

Therefore as illustrated in the image (fig 1) the eaves length of the original roof to the rear aspect of the dwellinghouse totals c21.7m with the flat roof eaves measuring c12.8m in length and the eaves of the original pitched roof to the rear of the property measuring c8.9m.

This means that 60% of the eaves to the rear of the dwellinghouse are situated at the height of the original flat roof. Therefore I believe it is reasonable to assume that the height of the original flat roof should be the height that the proposed development should not exceed when considered against SCHEDULE 2, Part 1, A1, section d.

Outline of the rear of original dwelling

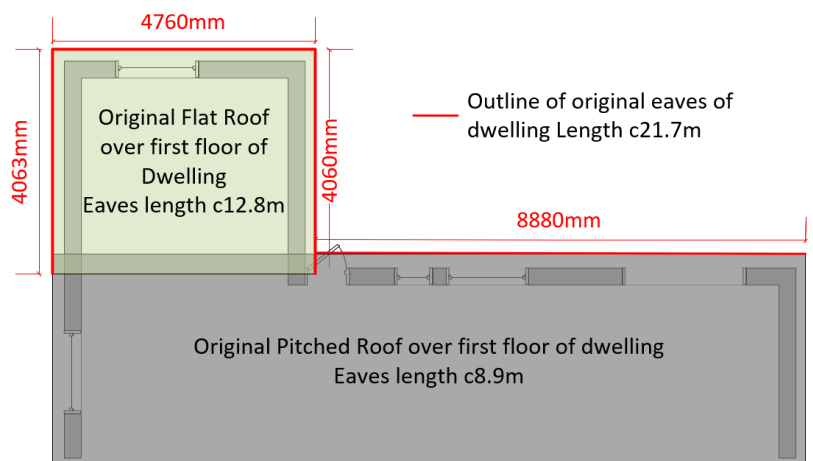


Fig 1

As can be seen in the proposed development rear elevation shown below (fig 2), 'the height of the eaves of the part of the dwellinghouse enlarged, improved or altered' does not 'exceed the height of the eaves of the existing dwellinghouse' when considered against the majority of the eaves to the rear of the property.

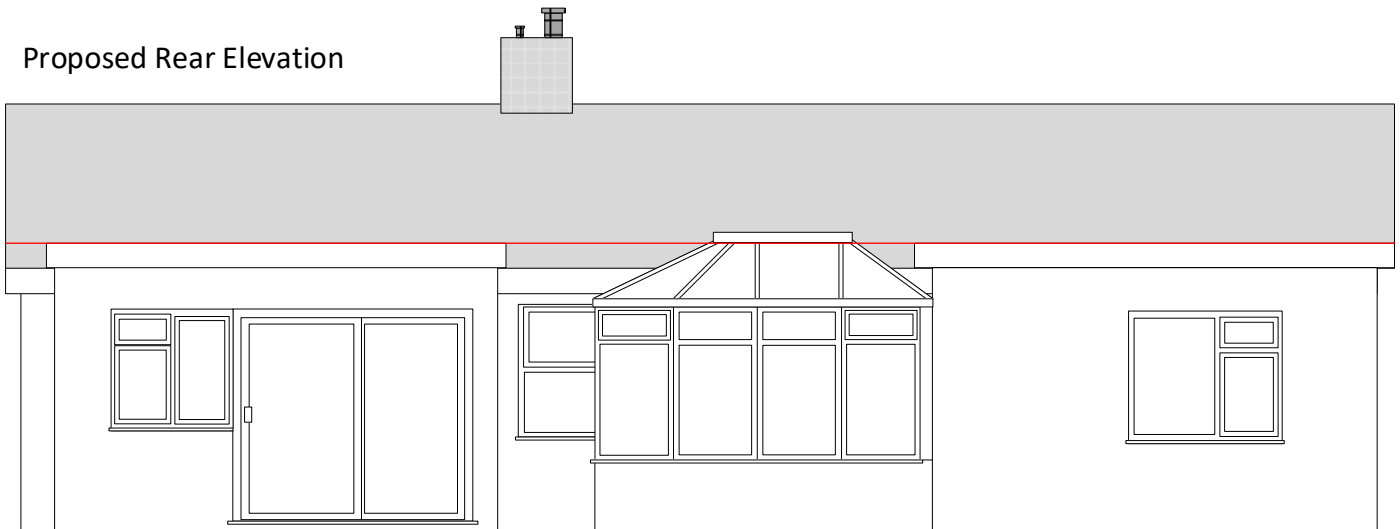


Fig 2

Should you not agree with any of the above could you please help me to understand how you have interpreted the legislation differently and help me to understand how you have come to that conclusion.

The second clarification we are seeking relates more to an omission within our first submission. The refusal reason stated in your letter as follows; 'In addition, the overall height would exceed 3m within 2m of the side boundary.' infers that the proposed development would exceed 3m to the rear of the property.

As can be seen if fig3 (right) the existing breakfast room's overall height is currently 2.4m and our proposed development would only raise the height of the roof to c2.8m. This, as we understand it, would meet the threshold of being under 3m to meet the stipulation stated under SCHEDULE 2, Part 1, A1, section i which reads as follows;

(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;

This concludes our queries. We look forward to your response.

Kind Regards

Andy Scott & Jo Milano

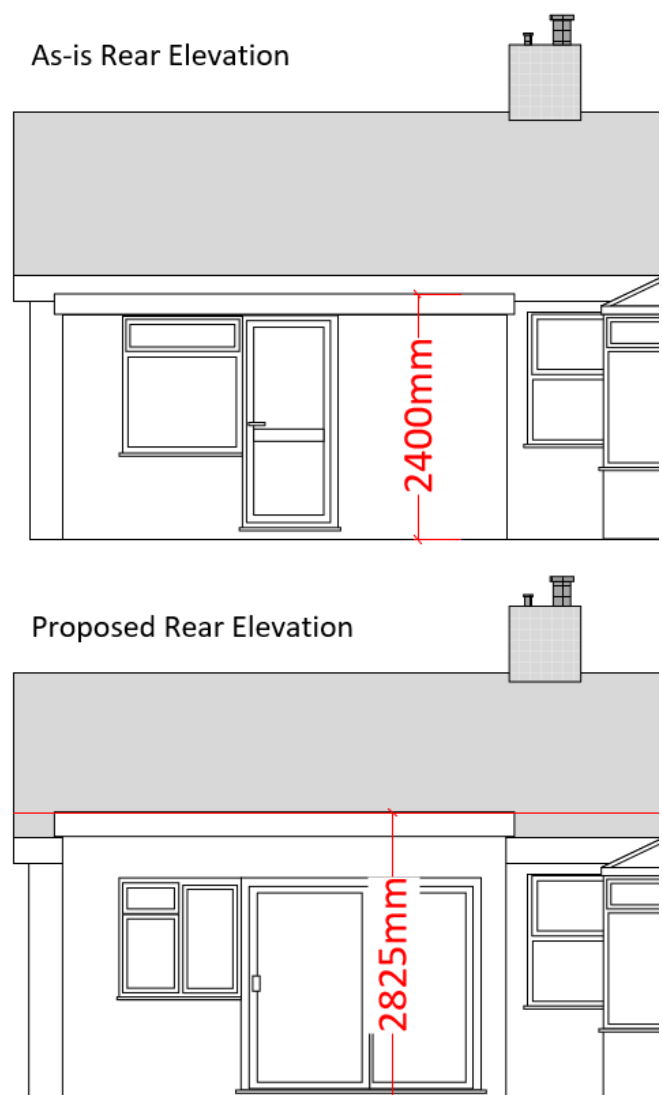


Fig 3