

4.5 – SE/13/03190/LDCPR Date expired 30 December 2013

PROPOSAL: The erection of a single storey rear extension.

LOCATION: 5 Tudor Crescent, Otford, Sevenoaks TN14 5QS

WARD(S): Otford & Shoreham

ITEM FOR DECISION

In line with the Council's Constitution the proposal must be decided at the Development Control Committee as the applicant is a member of staff.

RECOMMENDATION: That a lawful development certificate be GRANTED for the following reason:-

The proposal complies with Classes A, B and G of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and is therefore permitted development.

Description of Proposal

- 1 The proposal is for a lawful development certificate for a single storey rear extension that will extend no more than four metres from the rear elevation of the main dwelling. The proposal will have a false pitch to the roof.

Description of Site

- 2 The site is a detached bungalow on the periphery of the village of Otford. The site is a residential road which is suburban in character. There is an existing flat roofed dormer on the rear of the property.

Constraints

- 3 Area of Special Control of Adverts
- 4 Landfill Site
- 5 Air Safeguarding Zone

Policies

- 6 There are no policies relevant to this application as this is an application to determine whether the proposal is permitted development and does not need a separate application for planning permission.
- 7 Classes A, B and G of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) are relevant.

Planning History

- 8 SE/04/01022/FUL - New 2 metre fence to side and rear of the property. GRANTED.

SE/04/02456/FUL - Loft conversion to make two new rooms with dormer window upon rear roof plane and insertion of two roof lights in front roof plane. REFUSED

SE/04/03125/FUL - Loft conversion to form new room with dormer window. GRANTED

Consultations

9 None.

Parish / Town Council

10 No representations.

Representations

11 None.

Chief Planning Officer's Appraisal

12 The proposal needs to be assessed under Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). As the proposal also involves alterations to the roof of the dwelling it will also be considered under Class B. The proposal also includes alterations to the soil and vent pipe and therefore the proposal will also be considered under Class G.

Whether proposed use applied for is Lawful

13 Development is not permitted by Class A (proposed rear extension) if:

- (a) as a result of the works, the total area or 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).
 - The total ground area covered by buildings with 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) as a result of the proposal.
- (b) 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
 - The height of the proposal will not exceed the height of the highest part of the roof of the existing dwellinghouse
- (c) *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*
 - The eaves of the proposal will not exceed the height of the eaves of the existing dwellinghouse.
- (d) the enlarged part of the dwellinghouse would extend beyond a wall which:

- (i) fronts a highway, and
 - (ii) forms either the principal elevation of a side elevation of the original dwellinghouse,
 - The proposal does not extend beyond the principle elevation of the dwellinghouse and does not front a highway
- (e) the enlarged part of the dwellinghouse would have a single storey and:
- (i) extend beyond a 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
 - (ii) exceed 4 metres in height
 - The proposal does not extend more than 4 metres beyond the rear elevation of the existing dwellinghouse and does not exceed 4 metres in height
- (f) the enlarged part of the dwellinghouse would have more than one 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 opposite the rear wall of the dwellinghouse
 - The proposal does not have more than one storey
- (g) 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 of the dwellinghouse would exceed 3 metres in height.
- The proposal is within 2 metres of the boundary of the curtilage of the dwellinghouse but the eaves do not exceed 3 metres in height.
- (h) 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 one storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse
 - The proposal does not extend beyond an original side elevation of the property
- (i) it would consist of or include:
- (i) the construction or provision of a veranda, balcony or raised platform,
 - (ii) the installation, alteration or replacement of a microwave antenna,
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

- The proposal includes an alteration to a soil and vent pipe and will also be assessed under Class G of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

(iv) an alteration to any part of the roof of the dwellinghouse

- The proposal does include an alteration to the roof of the dwellinghouse and therefore also need to be assessed under Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

14 Development is not permitted by Class B (alterations to the roof) if:

(a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof

- The proposal will not exceed the height of the highest part of the existing roof

(b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway

- The proposal will not extend beyond the plane of an existing roof slope that fronts a highway

(c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than:

(i) 40 cubic metres in the case of a terrace house

(ii) 50 cubic metres in any other case

- The cubic content of the roof space would not exceed 50 cubic metres over that of the original.

(d) it would consist of or include:

(i) the construction or provision of a veranda, balcony or raised platform, or

(ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe

- The proposal does include alterations to a soil and vent pipe and therefore must also be assessed against Class G of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

(e) the dwellinghouse is on article 1(5) land

- The dwellinghouse is not on article 1(5) land.

15 Development is not permitted by Class G (alterations to the soil and vent pipe) if:

- (a) the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more.
- The proposed soil and vent pipe will not exceed the highest part of the roof
- (b) in the case of a dwellinghouse on article 1(5) land, the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which:
- (i) fronts a highway, and
- (ii) forms either a principal or side elevation of the dwellinghouse
- The dwellinghouse is not on article1(5) land

16 No original permission for the property could be found and therefore the presumption is that permitted development rights have not been removed from the property.

17 The property is not within a Conservation Area or an Area of Outstanding Natural Beauty. The property is not a Listed Building.

Conclusion

18 The proposal complies with Classes A, B and G of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and would therefore be permitted development.

Background Papers

Site and Block plans

Contact Officer(s): Deborah Miles Extension: 7360

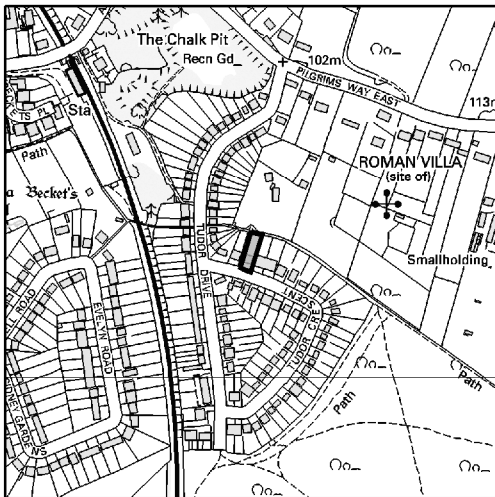
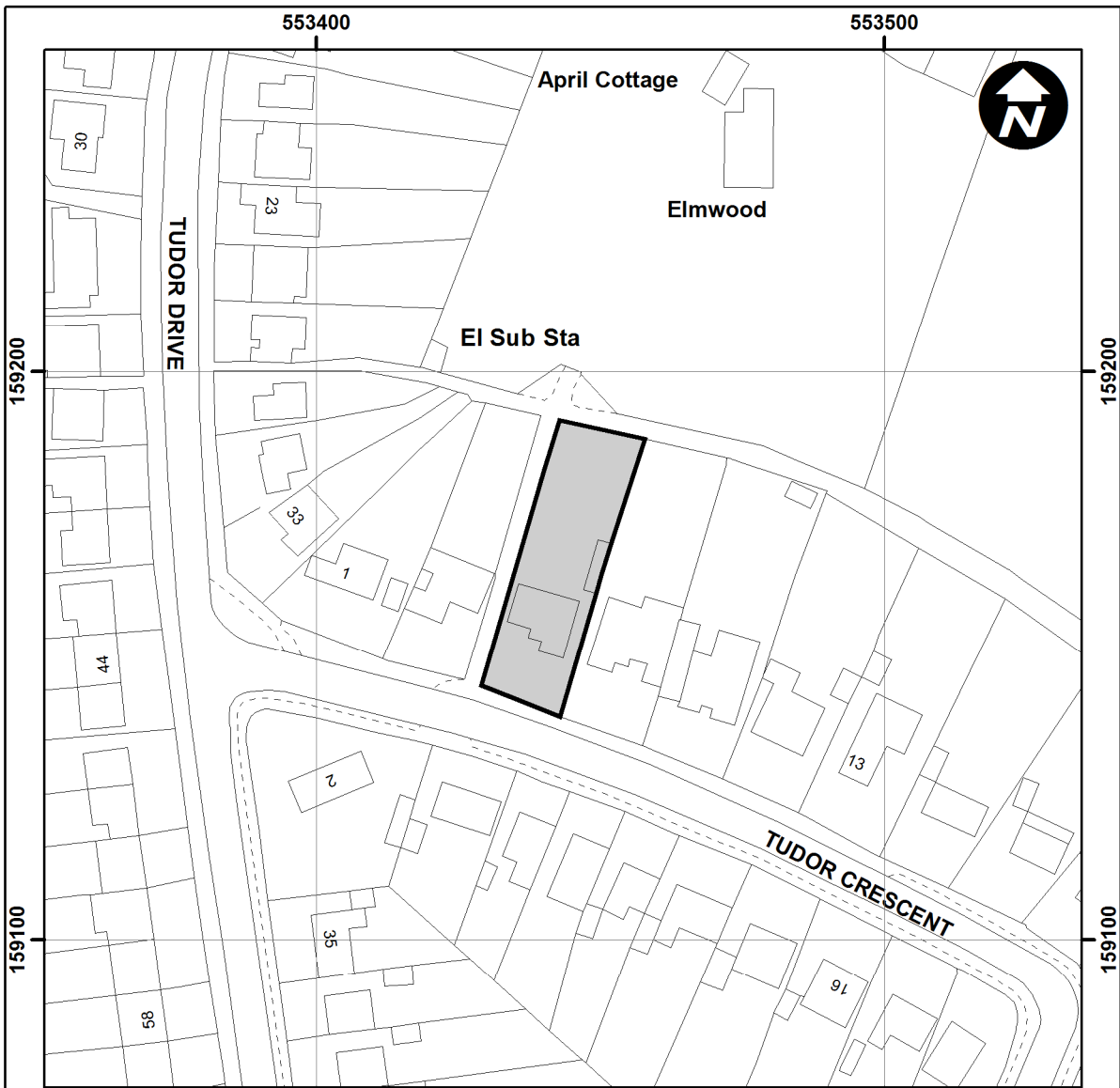
Richard Morris
Chief Planning Officer

Link to application details:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=MVDD1SBK8V000>

Link to associated documents

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MVDD1SBK8V000>



Site Plan

Scale 1:1,250

Date 14/11/2013



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BLOCK PLAN

