

4.3 – SE/14/01499/LDCPR Date expired 17 July 2014

PROPOSAL: Conversion of loft area with dormer to North elevation. Turn hipped roof into gable. Changes to fenestration including new window to West elevation.

LOCATION: 6 Gillies Road, West Kingsdown TN15 6DP

WARD(S): Fawkham & West Kingsdown

#### **ITEM FOR DECISION**

The application has been referred to Development Control Committee by Councillor Parkin to discuss whether the proposal meets the criterion set out in Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

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

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

#### Description of Proposal

- 1 Conversion of loft area within existing roof form and the installation of a dormer window to North roof elevation. Turn existing hipped roof into gable. Changes to fenestration including new window to West elevation.

#### Description of Site

- 2 The site is a semi detached bungalow within the settlement of West Kingsdown. Gillies Road is a short residential street that is characterised by semi-detached bungalows which all share similar design characteristics including roof shape and pitched roof front projections

#### Constraints

- 3 None relevant

#### Policies

- 4 There are no policies relevant to this application as this is an application to determine whether the proposal is lawful in that it complies with the Permitted Development Order and a separate application for planning permission is not required..
- 5 Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) is relevant.

## Planning History

- 6 SE/ 14/00806/HOUSE - Conversion of loft area with dormers on north and south elevation and two roof lights on south elevation. Turn hipped roof into gable. REFUSED

SE/14/00016/HOUSE - Conversion of loft area with dormers north and south elevation and two roof lights on south elevation. Turn hipped roof into gable. REFUSED

TH/5/68/358 – Bedroom ext. demolition of existing garage and erection of new garage. APPROVED

TH/5/57/433 – Erection of 27 dwellings. APPROVED.

TH/5/56/70 – 27 dwellings and road. APPROVED.

## Consultations and Representations

- 7 None - The proposal is for a Lawful Development Certificate Proposed which is assessed on matters of fact rather than the application of policy. Therefore there is no statutory obligation to consult the Parish Council or neighbouring authorities. Consequently a consultation was not undertaken and no representations have been received.

## **Chief Planning Officer's Appraisal**

- 8 The proposal needs to be assessed under Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) which allows some extensions or alterations to the roof of a residential dwelling house.

- 9 Development is not permitted by B.1 if –

(za) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use)

- The dwellinghouse has not been granted only by virtue of Class IA or MB of Part 3 of this Schedule (changes of use)

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

- The works will not exceed the height of the highest part of the 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 works will not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway

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

- (i) 40 cubic metres in the case of a terrace house, or
  - (ii) 50 cubic metres in any other case;
  - The dwelling is semi-detached and the cubic content of the resulting roofspace will not exceed 50m<sup>3</sup>
- (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; or
  - The proposal will not include the construction or provision of a veranda, balcony or raised platform;
  - The proposal will not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe.
- (e) the dwellinghouse is on article (1) 5 land
- The dwellinghouse is not on article 1(5) land

10 Development is permitted by Class B subject to the following conditions –

- (a) the materials used in any exterior work shall be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse;
  - The materials used in any exterior works will be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse.
- (b) the enlargement shall be constructed so that –
- (i) other than in the case of a hip-to-gable enlargement which joins the original roof to the roof of a rear or side extension –
    - (aa) the eaves of the original roof are maintained or reinstated
    - (bb) the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves, measured along the roof slope from the outside edge of the eaves; and
  - The hip to gable enlargement does not apply to this criterion. Regarding the dormer window part of the eaves are not being maintained, however this is being carried out as part of the hip-to gable enlargement and could be carried out under permitted development even if the dormer window was not proposed.
  - The dormer will be set back 20 cm from the original eaves of the property.

(ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extensions, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse;

- The proposal will not extend beyond the outside face of any external wall of the original dwellinghouse.

(c ) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall 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.

- A window is proposed on the side facing elevation of the hip-to-gable enlargement. The plans state that this will be obscure glazed. The agent has also confirmed that it will be fixed shut.

11 The original permission for the dwelling does not remove the permitted development rights for the property.

### **Conclusion**

12 The proposal complies with Classes B 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=N5LSXSBKFV500>

Link to associated documents:

<http://pa.sevenoaks.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N5LSXSBKFV500>



