

Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 12/01486/PLUD

Ward:
Kelsey And Eden Park

Address : 37 Oakfield Gardens Beckenham BR3
3AY

OS Grid Ref: E: 537408 N: 167638

Applicant : Ms A Worwood

Objections : YES

Description of Development:

Loft conversion with rear dormer CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

The proposal involves the construction of a loft conversion with a rear dormer to accommodate a new en-suite bedroom. The existing property has roof lights to the rear elevation which provide natural light to the existing roof space.

Location

The application site is located within a predominantly residential area at the end of Oakfield Gardens a small residential cul-de sac in Beckenham. The property currently has no existing rear extensions. Both adjacent properties have single storey rear extensions.

Comments from Local Residents

- The proposed dormer has an excessive width which would inhibit light and the view to adjacent properties. The proposal would result in increased noise and disturbance
- The roof line should be set back to match the dormer which already exists at No. 39.

The full text of this correspondence is available to view on file.

Members will appreciate that lawful development certificates are a legal determination based upon factual information. It is not possible to take into account comments or other considerations related to the normal planning merits of the case.

Planning Considerations

The application requires the Council to consider whether the proposal falls within the parameters of permitted development under Schedule 2, Part 1, Class B of the General Permitted Development Order 1995 (as amended)

Planning History

Under planning application ref. 12/01483, a planning application is pending consideration for a single storey rear extension.

Conclusions

The application requires the Council to consider whether the proposed extensions would fall within the parameters of permitted development.

With regards to the enlargements and alterations to the roof of the property including the rear dormer these are considered under Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

This guidance stipulates that development is NOT permitted if

- (a) As a result of works part of dwelling house would exceed the height of the highest part of the existing roof.
- (b) Any part of the dwelling house would as a result of the works extend beyond the plane of any existing roof slope which fronts a highway or forms the principal elevation of the house.
- (c) Cubic volume in roof is over 40 as in this case this is a terraced house
- (d) It would consist or include a veranda, balcony or raised platform or a replacement of a chimney Flue or soil and vent pipe
- (e) The dwelling is on article 1(5) land

The following conditions would apply to any permitted development within the roof:

- (a) The materials used in any exterior work shall be of a similar appearance to those used in the construction of the existing house.
- (b) Other than in the case of a hip to gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall so far as practicable be not less than 20cm from the eaves of the original roof.
- (c) Any window inserted on a wall or roof slope forming a side elevation of the house shall be obscure glazed and non opening unless the parts of the window which can be opened are more than 1.7 m above the floor of the room in which the window is installed.

The total volume of the entire roof alterations are under the 40 cubic metres permitted for roof extensions to this type of property. The plans submitted for the proposed roof alterations would fall within all of the above permitted development criteria.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01483 and 12/01486, excluding exempt information.

RECOMMENDATION: CERTIFICATE BE GRANTED

- 1 The proposed development is permitted by virtue of Class B, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended).

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