

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

Application No : 12/02656/PLUD

Ward:
Penge And Cator

Address : 5 Wiverton Road Sydenham London
SE26 5JA

OS Grid Ref: E: 535384 N: 170880

Applicant : Mrs S Starkin

Objections : YES

Description of Development:

The formation of loft extensions to the rear roofs with the formation of box dormers within the roof space CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT

Key designations:

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

Proposal

It is proposed to carry out a loft conversion at the host property, which will involve the formation of 2 rear dormer extensions (including an enlargement to the existing parapet wall) and the insertion of 3 rooflights within the front roof slope. The applicant considers that these works fall within the tolerances of 'permitted development' and is seeking a Certificate of Lawfulness from the Council to confirm this.

Amended plans were submitted to the Council on 24th September 2012 to delete a flank window within the dormer extension.

Location

The application property is a semi-detached dwelling which is located on the western side of Wiverton Road.

Comments from Local Residents

Nearby owners/occupiers were notified of the application as a matter of courtesy. At the time of writing 2 responses had been received, which can be summarised as follows:

- development will be out of character by virtue of bulk and design
- will be visible from the street
- application will detract from visual amenity of No. 3 Wiverton Road
- objection to removal of chimney stack between Nos. 3 and 5
- request that work be carried out during normal working hours

Comments from Consultees

No consultations were made in respect of this application.

Planning Considerations

This application is a legal determination and requires the Council to consider whether the proposal falls within the parameters of permitted development under Classes B and C of Schedule 2, Part 1 of the General Permitted Development Order 1995 (as amended).

Matters relating to the planning merits of the proposal are not relevant in this determination.

This application has been called-in to Committee by one of the local Ward Members.

Planning History

Under ref. 12/01425, planning permission was granted for a single storey side extension.

Conclusions

Having reviewed the application documents it is confirmed that the proposal would fall within the tolerances of Classes B and C and the Certificate should be granted.

The works are 'permitted development' for the following reasons:

Class B

- highest part of existing roof will not be exceeded
- works will not project beyond the plane of any existing roof slope forming the principle elevation of the dwellinghouse and fronts a highway
- the cubic content of the roof extensions will not exceed 50 cubic metres
- will not consist of or include the construction or provision of a veranda, balcony or raised platform
- the site is not within a Conservation Area

- materials will be similar in appearance to those used in the construction of the existing building
- roof enlargements will be not less than 20cm from the eaves of the original roof

Class C

- front rooflights will not protrude more than 150mm beyond the plane of the slope of the original roof

Having regard to the above and bearing in mind that the planning merits of the proposal will not be a determining factor in this case, Members are advised that the works will fall within the tolerances of permitted development accordingly it is recommended that a Certificate of Lawfulness be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01425 and 12/02656, excluding exempt information.

as amended by documents received on 24.09.2012

RECOMMENDATION: CERTIFICATE BE GRANTED

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

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