

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

**Application No :** 19/05006/PLUD

**Ward:**  
Cray Valley West

**Address :** 10 Vernon Close Orpington BR5 3AS

**Objections:** Yes

**OS Grid Ref:** E: 546961 N: 168848

**Applicant :** Mr Tano Bellone

**Description of Development:**

Single storey rear extension (for which prior approval was not required under planning ref: 19/03968/HHPA), loft conversion with hip to gable extension, rear dormer and three front roof lights. Lawful Development Certificate (Proposed)

Key designations:

Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 20

**Proposal**

This proposal is for a single storey rear extension that is 6m deep and 6m wide (for which prior approval was not required under planning ref: 19/03968/HHPA). The proposal also includes a loft conversion with hip to gable extension, rear dormer and three front roof lights.

This Lawful Development Certificate has been 'Called-in' by a local Ward Councillor.

**Location and Key Constraints**

The application site is a semi-detached bungalow located on the eastern side of Vernon Close, a cul-de-sac of 37 properties.

**Consultations**

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

**Objections**

- Loss of light and overshadowing. I will not get enough daylight if they build a dormer loft on the rear side because the sunlight comes from their property side.

- We have less sunlight already and mould problem in our property which is damaging my health
- Loss of privacy because they will see our garden from the window of the dormer
- Vernon Close is an attractive cul-de-sac with semi-detached bungalows, none of which have dormers on their roofs (except the detached house at the end). If the occupants of No.10 build a dormer on their roof, other neighbours may consider doing the same which would ruin the street scenery.
- A dormer would ruin my view from my garden
- I have lived in this bungalow since 1977 and it is a shame that we are losing the character of this close.
- Vernon Close has been a quiet cul-de-sac since 1935. If one changes this other people will follow.

#### Support

- It is not always an option to be able to move to find a bigger home so to be able to develop your current home to suit your needs is more than acceptable in my view.
- I can't see how a dormer at the back of your own house is going to affect any ones lives that live down the street and definitely can't see how it's going to affect there light.
- The houses are also staggered in sets of two and it's not going to affect anyone in any way with light.
- If these plans are to go ahead it's only going to benefit everyone living down the road because it will increase property value in the long run
- On my road, which is next to Vernon Close, there have been numerous loft conversions and it has been great for the development of the area, as it has encouraging people to move into the area and meaning people are staying in the neighbourhood, which has helped increase the community feel of these roads
- Also, looking around the area, there have been a number of bungalows that are having loft conversions and I don't think it has negatively affected the look of the houses or areas. I believe it has added to the character of the Crays

#### Considerations

Neighbouring properties are notified of Lawful Development Certificates and it is noted that comments have been received. However, when determining a Lawful Development Certificate, the application requires the Council to consider whether the proposal falls within the parameters of permitted development under Classes A, B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and specifically whether any limitations/conditions of the Order are infringed.

The site has been subject to previous prior approval application for a 6m deep 3m high rear extension under reference 19/03968/HHPA. Prior approval was not required.

The hip to gable extension and the loft extension incorporating a dormer window and three front roof lights does not require prior approval.

## **Conclusion**

Class A permits the enlargement, improvement or other alteration of a dwellinghouse. The proposed single storey rear extension is considered to be permitted development for the following reasons:

- The property is a single dwellinghouse and has not benefitted from any change of use under class M, N, P or Q.
- The extension will not exceed 50% of the total curtilage of the original house.
- The height of extension will not exceed the height of the highest part of the dwellinghouse.
- The height of the eaves would not exceed those of the original house.
- the enlarged part of the dwellinghouse does not extend beyond a wall which (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse
- The enlarged part of the dwellinghouse would have a single storey and not extend beyond the rear wall of the original dwellinghouse by more than 6m (following neighbour consultation under ref. 19/03968/HHPA)
- 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 not exceed 3 metres.
- The enlarged part of the dwellinghouse would not extend beyond a wall forming a side elevation of the original dwellinghouse
- The proposal does not consist of or include a veranda, balcony or raised platform.
- The proposal does not consist of or include the installation, alteration or replacement of a microwave antenna.
- The materials proposed for the exterior will be similar in appearance to those used in the construction of the original house.

Class B permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. In this instance, the proposed hip to gable extension and rear dormer would fall within the scope of Class B and is considered to be permitted development for the following reasons:

- The property is a single dwellinghouse and has not benefitted from any change of use under class M, N, P or Q.
- The extension will not exceed the height of the highest part of the existing roof.

- The extension would not extend beyond the plane of the existing roof slope which forms the principal elevation and fronts a highway.
- The resulting extensions volume falls within 50 cubic metres allowed in the case of a semi-detached property.
- The proposal does not consist of or include a veranda, balcony or raised platform.
- The house is not sited within a conservation area
- The materials proposed for the exterior will be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse.
- No flank windows are proposed

Class C covers other alterations such as the installation of roof lights. In this instance, the proposed front rooflight would fall within the scope of Class C, and is considered to be permitted development for the following reasons:

- The proposed rooflight to the front will not project more than 150mm from the roof slope
- The highest part of the alteration is not higher than the highest part of the original roof
- The proposal does not consist of or include the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.
- No flank windows are proposed

**as amended by documents received on 19.02.2020**

**RECOMMENDATION: CERTIFICATE BE GRANTED**

- 1 The proposal as submitted would constitute permitted development under Classes A, B and C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.**