

Committee Date	04.03.2021	
Address	10 Elm Grove Orpington BR6 0AB	
Application Number	20/03040/PLUD	Officer - Jacqueline Downey
Ward	Petts Wood And Knoll	
Proposal	Loft conversion with roof lights Lawful Development Certificate Proposed.	
Applicant	Agent	
Mr and Mrs Vasudevan Mundokulam	Mr Andrew Wright	
10 Elm Grove Orpington BR6 0AB	21 Shawfield Park Bromley BR1 2NQ	
Reason for referral to committee	Councillor call in	
Call-In	Yes	

RECOMMENDATION	Proposed Use/Development is Lawful
-----------------------	------------------------------------

<p>KEY DESIGNATIONS</p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Open Space Deficiency Smoke Control SCA 4</p>

Representation summary	Neighbour letters issued originally on the 09.10.2020 and then again on the 24.09.2020 and the 30.11.2020	
Total number of responses	9	
Number in support	0	
Number of objections	9	

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development falls within the scope of Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. LOCATION

2.1. The site hosts a detached two storey dwelling which is situated on the southeast side of Elm Grove. The site is not situated within any designated land.

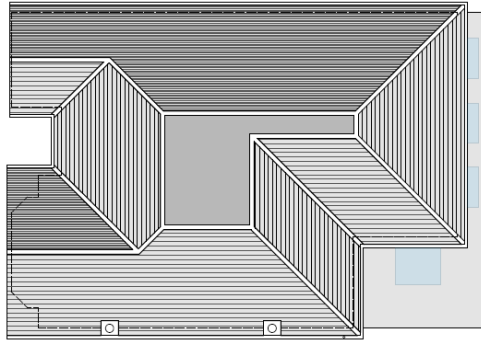
2.2. Site location plan



3. PROPOSAL

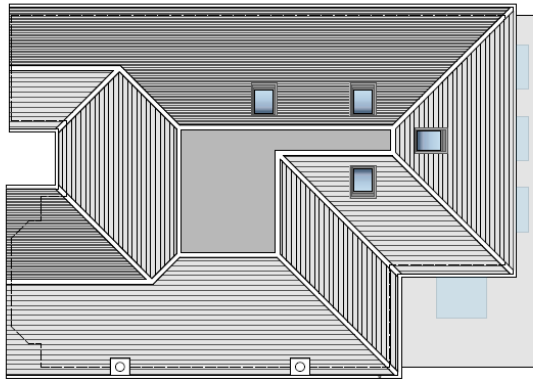
3.1. A Lawful Development is sought for existing roof alterations which would comprise of four rooflights in total, three side rooflights (two in the east flank roofslope and one in the west), and one in the rear roofslope.

3.2. Existing roof plan



EXISTING ROOF PLAN
Scale 1:100@A3

3.3. Proposed roof plan

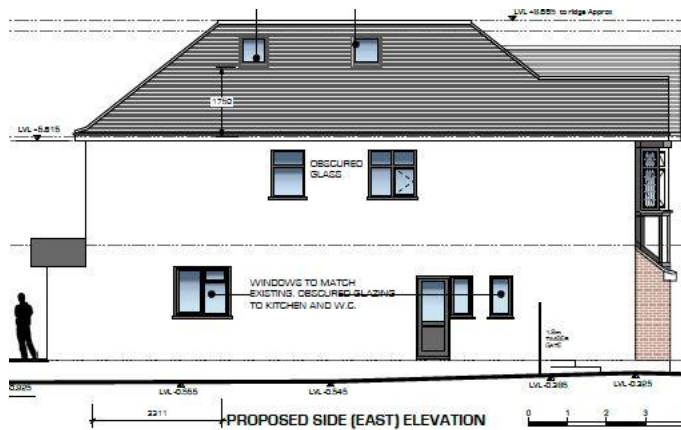


PROPOSED ROOF PLAN
Scale 1:100@A3

3.4. Existing and proposed front elevation



3.5. Proposed east side elevation



3.6. Proposed west elevation



3.7. Proposed rear elevation



4. RELEVANT PLANNING HISTORY

- 4.1. 19/04019/FULL6 - Demolition of existing side garage. Erection of a two storey side and rear extension and part single storey rear extension. – Permitted
- 4.2. 20/04821/FULL6 - Construction of rear pitched roof dormer, 3 rooflights in the flank roof slopes and insertion of rooflight in main crown roof. – Pending decision

5. CONSULTATION SUMMARY

A) Statutory

None were received

B) Local Groups

None were received

C) Adjoining Occupiers

Not in accordance with original plans (addressed in para 7.8)

- Development does not appear to adhere to original plans
- Now proposed to extend again with rear dormer
- Location of kitchen window in current elevation inaccurate, its current location is in breach of planning control

Over dominant and overdevelopment (addressed in para 7.1 and 7.8)

- 6 bedroom house appears excessive
- Rear dormer will completely fill the sloped space of the original extension
- Increase in roof space, even before this application, will be greater than the 50 cubic metres
- Site is already overdeveloped
- Totally out of character with other houses on the street
- Very detrimental long term impact on residential road
- Set standard for future developments

Impact on neighbouring amenity (addressed in para 7.1)

- Roof structure will add to significant impact on afternoon sun light to their patio
- Object to rooflights positioned low enough to have downward view into glazed roof of their single storey rear extension
- Significant invasion of privacy
- Object to any obscure glazed side rooflights which are openable

Construction issues (addressed in para 7.8)

- Construction site has volumes of raw materials haphazardly stored
- Concern even more material will need to be stored
- Nuisance in terms of noise and dirt and adding to already haphazard appearance
- Disparity in ground level
- Have suffered from falling blockwork from existing scaffolding causing damage to property/possessions
- Health and safety issue with scaffolding

Parking issues (addressed in para 7.8)

- Potential for increase parking issues as the site will not have a garage

Multi occupancy concerns (addressed in para 7.8)

- Potential for future multi-occupancy in extensive en-suite facilities planned

6. POLICIES AND GUIDANCE

- 6.1. The application requires the Council to consider whether the proposal falls within the parameters of permitted development under **Class 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.

7. ASSESSMENT

- 7.1. In regards to the roof alterations, Class C permits alterations to the roof of a dwellinghouse consisting of an addition or alteration to its roof. In this instance, the proposed roof lights fall within the scope of Class C and is considered to be permitted development for the following reasons:
 - 7.2. the property is a single dwellinghouse and has not benefitted from any change of use under class M, N, P or Q of Part 2 of this schedule (change of use).
 - 7.3. The proposed rooflights will not project more than 150mm from the plane of the roof slope
 - 7.4. The highest part of the alteration is not higher than the highest part of the original roof
 - 7.5. The proposal does not consist of or include the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.
 - 7.6. The proposal does not consist of or include the installation, alteration or replacement of a chimney, flue or soil and vent pipe
 - 7.7. The upper floor flank rooflights proposed would be obscure glazed and non openable below 1.7m in height from the floor level. This was confirmed by the agent in an email dated 18th February 2021.
 - 7.8. Local residents have raised objections to the proposal regarding the impact on neighbouring amenity, impact on local character, that works have been carried out not in accordance with the previous plans, parking, possibility of us as a HMO and construction issues. Revised plans were received dated 30th December 2020 which omitted the rear dormer from this proposal and the rooflight in the flat roof of the main roof. The application is a lawful development certificate to confirm whether the proposal complies with the criteria under Class C, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development), therefore the Council can only take in account whether the proposed development falls under Class C and other issues such as those listed above cannot be considered. No enlargements to the roof are proposed under this application therefore the proposal does not need to be assessed under Class B and the volume is therefore not taken into account.

8. CONCLUSION

- 8.1. On the basis of the information before the Council and subject to the development complying with the relevant Conditions as contained in the Order it may be considered that the

development falls within the relevant criteria of the Order and the certificate should be granted.

8.2. Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: Proposed Use/Development is Lawful

The proposed development falls within the scope of Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).