

Committee Date	22/04/2021	
Address	25 Woodland Way Petts Wood Orpington BR5 1NB	
Application Number	21/00910/PLUD	Officer - Jacqueline Downey
Ward	Petts Wood And Knoll	
Proposal	Conversion of existing roof space to a habitable room including formation of a gable end with enlarged side window and rear dormer LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED)	
Applicant	Agent	
Mr John Gurney 25 Woodland Way Petts Wood Orpington BR5 1NB	Mr Patrick Coakley Trinity House Bullace Lane Dartford DA1 1BB Kent	
Reason for referral to committee	Call-In	Councillor call in Yes

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

<p>KEY DESIGNATIONS</p> <p>Article 4 Direction Area of Special Residential Character Biggin Hill Safeguarding Area London City Airport Safeguarding Smoke Control SCA 4</p>
--

Land use Details		
	Use Class or Use description	Floor space (GIA SQM)
Existing	Dwellinghouse	454 (approx.)
Proposed	Dwellinghouse	490

Representation summary	Neighbour letters issued originally on the 18.03.2021	
Total number of responses	0	
Number in support		
Number of objections		

1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development falls within the scope of Class B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The proposed development would not constitute an alteration or addition to the front roofslope that would be prohibited by the Article 4 Direction in place for the Petts Wood Area of Special Residential Character.

2. LOCATION

- 2.1. The site hosts a semi-detached dwelling which is situated on the western side of Woodland Way. The site is situated within the Petts Wood Area of Special Residential Character.
- 2.2. There are restrictions upon 'permitted development' rights at the property due to the adopted Article 4 Direction that covers the Petts Wood Area of Special Residential Character. The Article 4 Direction specifically relates to alterations and additions to the front elevation and states in effect that any alteration or addition to any front roofslope (that facing the public highway) that is currently permitted by Class B or Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted

Development) (England) Order 2015 (as amended) would require planning permission.

2.3. There is a proposed article 4 direction for further restrictions to permitted development rights that would cover the Petts Wood Area of Special Residential Character. The proposed article 4 direction would remove permitted development rights under Classes B and C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This article 4 direction was endorsed at the Development Control Committee on the 28th January 2021 but has not yet come into force and is not a material consideration.

2.4. Location Plan:



3. PROPOSAL

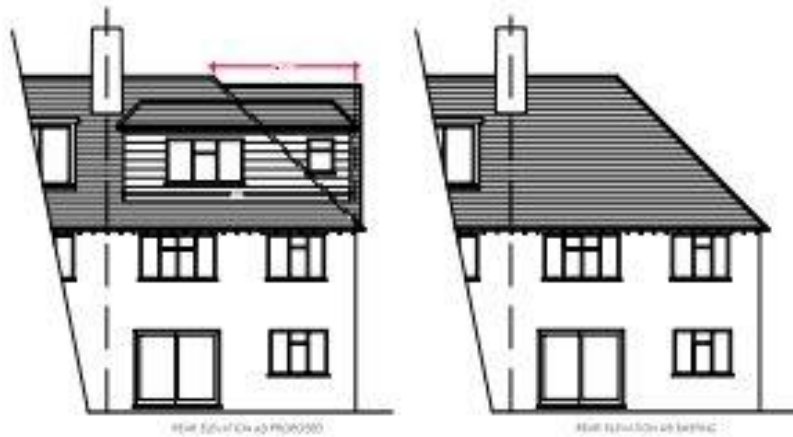
3.1. The proposal involves roof alterations which would comprise of a hip to gable extension which would be set back from the front roofslope and stepped down from the ridge and would incorporate a rear dormer with a width of 6.5m and a perimeter

pitched roof with a maximum height of 2.9m. An existing first floor flank window serving the stairwell is proposed to be enlarged into the gable elevation from a height of 2.1m to 3.4m.

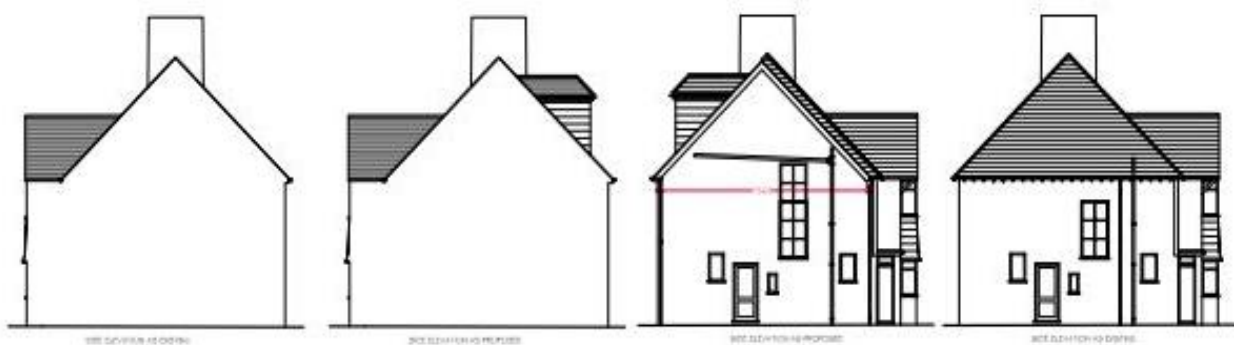
3.2. Existing and proposed front elevations:



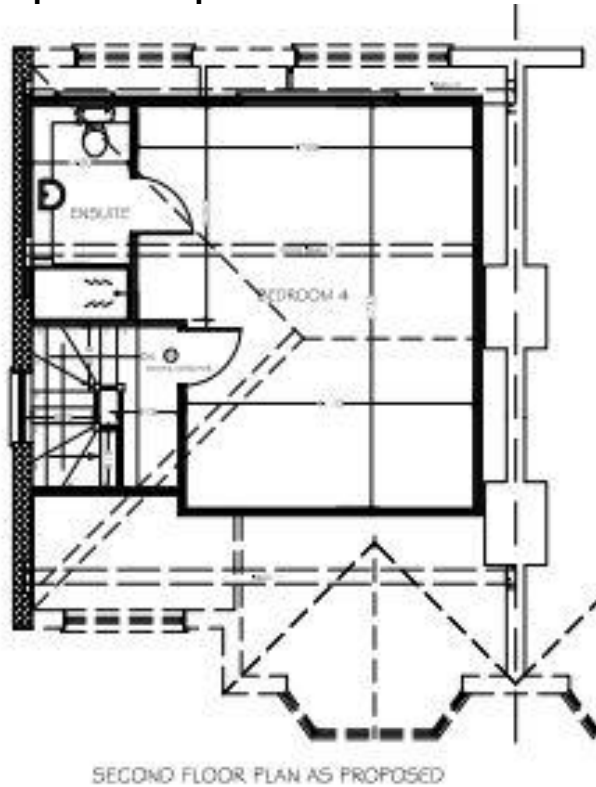
3.3. Proposed and existing rear elevations:



3.4. Existing and proposed side elevations:



3.5. Proposed loft plan



4. RELEVANT PLANNING HISTORY

- 4.1. 20/01183/FULL6 - Single storey front, side and rear extensions incorporating an integral garage and front porch. - REFUSED
- 4.2. 20/02800/FULL6 - Hip to gable loft conversion to include rear dormer, front rooflights and elevational alterations – REFUSED
- 4.3. 20/05086/PLUD - Conversion of existing roof space to a habitable room including formation of a gable end to incorporate a rear dormer and front rooflights LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) – REFUSED
- 4.4. The reason for refusal was as follows:

- 1 The Land at Petts Wood Area of Special Residential Character Article 4 Direction requires planning permission to be sought for any alteration or addition to any front roof slope (that facing the public highway) that would otherwise have been permitted by Class B or Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015. The site is within the area covered by this Article 4 Direction. The front roof slope of the dwellinghouse would be altered by the insertion of rooflights to the front roof slope, therefore the proposal would require planning permission.

5. CONSULTATION SUMMARY

A) Statutory

None were received

B) Local Groups

None were received

C) Adjoining Occupiers

Nearby owners/occupiers were notified of the application and no representations were received.

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 B** 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 B permits the enlargement of a dwellinghouse consisting of an addition or alteration to its roof. In this instance, the proposed gable extension and rear dormer would fall within the scope of Class B 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, PA or Q.

7.3. The extension and alterations will not exceed the height of the highest part of the existing roof.

7.4. The proposed roof additions would not extend beyond the plane of the existing roof slope which forms the principal elevation and fronts a highway.

7.5. The resulting extensions volume falls within 50 cubic metres allowed in the case of a semi-detached property. The proposed gable extension and rear dormer would have a volume of 46.8sqm.

7.6. The proposal does not consist of or include a veranda, balcony, raised platform, chimney, flue or soil or vent pipe;

7.7. The house is not sited within a conservation area

- 7.8. The materials proposed for the exterior will be similar in appearance to those used in the construction of the exterior of the existing dwellinghouse.
- 7.9. The proposed dormer would be set back at least 0.2m from the eaves.
- 7.10. The proposed enlargements would not extend beyond the outside face of any external wall of the existing dwellinghouse.
- 7.11. The enlarged upper floor flank window would be obscure glazed and non opening unless the parts that can be opened are above 1.7m from the floor level.
- 7.12. The property is located within the Petts Wood Area of Special Residential Character, so the Article 4 Direction for the area needs to be considered. The effect of the Direction is to require any alteration or addition to any front roof slope (that facing the public highway) that is currently permitted by Class B or C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to require planning permission.
- 7.13. Following the previously refused lawful development certificate ref. 20/05086/PLUD, the front rooflights have been omitted from the current proposal and the gable extension would continue to be set back from the front roof profile. As such, it is not considered that the proposed hip to gable enlargement would constitute an alteration or addition to the front roof slope that would be prohibited by the Direction and this is consistent with the Inspectors decision in respect of 40 Manor Way. Therefore, the proposal would not now involve any alterations to the front roof slope and therefore this is outside of the permitted development rights which have been removed.

8. CONCLUSION

- 8.1. The proposed development falls within the scope of Class B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 8.2. 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.
- 8.3. The proposed development would not constitute an alteration or addition to the front roof slope that would be prohibited by the Article 4 Direction in place for the Petts Wood Area of Special Residential Character.

8.4. 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 B of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).