

20/01383/CLP, 32 Courtlands Drive, Ewell

Ward:	Ewell Court
Site:	32 Courtland Drive, Ewell
Application for:	Certificate of Lawfulness for a proposed development comprising of a hip to gable loft conversion, rear dormer and roof lights
Contact Officer:	Ginny Johnson

1 Plans and Representations

- 1.1 The Council now holds this information electronically. Please click on the following link to access the plans and representations relating to this application via the Council's website, which is provided by way of background information to the report. Please note that the link is current at the time of publication, and will not be updated.

Link: <https://eplanning.epsom-ewell.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QHF2LXGYIUN00>

2 Summary

- 2.1 The applicant has submitted an "Application for a Lawful Development Certificate for a Proposed Development" for a proposed development comprising of a hip to gable loft extension and conversion, with rear dormer and roof lights
- 2.2 Officers are satisfied that the appropriate legal tests have been met and that a Lawful Development Certificate should be granted.
- 2.3 The application is brought to Planning Committee as the Application is made by a Borough Councillor.

3 Site description

- 3.1 The Application Property is a two storey semi-detached dwelling located on the west side of Courtlands Drive in Ewell. The property is not listed, nor is it within a Conservation Area and it does benefit from permitted development rights for roof extensions.

4 Proposal

- 4.1 The applicant has submitted an “Application for a Lawful Development Certificate for a Proposed Development” comprising of a hip to gable loft extension and conversion, with rear dormer and roof lights.

5 Comments from third parties

- 5.1 Not relevant. This type of application is not required to be consulted on.

6 Consultations

- 6.1 Not relevant. This type of application is not required to be consulted on.

7 Relevant planning history

- 7.1 Not relevant.

8 Planning Policy

- 8.1 Not relevant.

9 Planning considerations

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

- 9.1 This Application is assessed under Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 9.2 The rules on Permitted Development set out in Schedule 2, Part 1, Classes A and C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) relates to the mean of enlargement, improvement or alteration. Part 2 is then sub-divided into Classes covering various types of development. Classes B and C are pertinent in this case as they cover the roof extension in dwellinghouses and other material changes to the roof extension.

Permitted Development

9.3 Class B additions etc. to the roof of a dwellinghouse

Development is not permitted by Class B if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

It was not

- (b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

It does not exceed the height of the current roof

- (c) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

The dormer extension is formed at the rear

- (d) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than—
 - (i) 40 cubic metres in the case of a terrace house, or
 - (ii) 50 cubic metres in any other case;

It is a semi-detached house and does not result in greater than a 50 cubic metre increase in volume

- (e) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform, or

It does not. The dormer is proposed to be served by inward opening French doors which for the purposes of the general permitted Development Order is not considered to be a formal balcony

- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or

It does not

- (f) the dwellinghouse is on article 2(3) land.

It is not located on article 2(3) land – it is neither within a Conservation Area, AONB or National Park

The relevant conditions imposed by the General Permitted Development Order for Class B are added as informative notes as part of the recommendation

9.4 Class C Any other alteration to the roof of a dwellinghouse.

Development is not permitted by Class C if—

- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

It was not

- (b) the alteration would protrude more than 0.15 metres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;

It would not

- (c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or

It would not

- (d) it would consist of or include—
 - (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

It does not

- (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

It does not

The relevant conditions imposed by the General Permitted Development Order for Class C are added as informative notes as part of the recommendation

Community Infrastructure Levy

9.5 Not relevant in this case

10 Conclusion

- 10.1 The proposed roof extensions and rooflights, fall within the parameters of permitted development as set out under Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted development) Order 2015 (as amended). Officers are therefore satisfied that the appropriate legal tests have been met and that a Lawful Development Certificate should be granted.

11 Recommendation

- 11.1 The proposed development is considered Permitted Development, under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)
- 11.2 A Lawful Development Certificate should be granted.

Informative(s):

- (1) **A Certificate of Lawful Development is granted for the following reason:**

The proposed development is Permitted Development under Schedule 2, Part 1 Classes B and C of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

- (2) **This decision relates to the following drawings:**

PL-00 – Location Plan – dated Sep 20

PI-01 – Site Plan – dated Sep 20

PL-02 – Existing Ground & First Plans – dated Sep 20

PL03 – Existing First & Loft Plans – dated Sep 20

PL-04 – Existing Elevations – dated Sep 20

PL-05 – Proposed Ground & First Floor Plan – dated Sep 20

PL-06 – Proposed loft & Roof Plan – dated Sep 20

PL-07 – Proposed Elevations – dated Sep 20

PL-08 – Existing & Proposed Sections – dated Sep 20

- (3) Development is permitted by Class B subject to the following conditions —
- (a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
 - (b) the enlargement must be constructed so that—
 - (i) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension—
 - (aa) the eaves of the original roof are maintained or reinstated; and
 - (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and
 - (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse; and
 - (c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must be —
 - (i) obscure-glazed, and
 - (ii) non-opening unless the parts of the window which can be opened are more than 1.7 metres above
- (4) Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse must be —
- (a) obscure-glazed; and
 - (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.
- (5) Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of

escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

If you need any advice regarding Building Regulations please do not hesitate to contact Epsom & Ewell Borough Council Building Control on 01372 732000 or contactus@epsom-ewell.gov.uk.

- (6) You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section**