

**Case Officer:** Michael Sackey

**Applicant:** Mr Jordan Otwell

**Proposal:** Certificate of Lawfulness of Proposed Development for the conversion of loft space to habitable accommodation

**Ward:** Kidlington East

**Councillors:** Councillor Billington, Councillor Griffiths and Councillor Middleton

**Reason for Referral:** Application submitted by a member of staff acting as Agent

**Expiry Date:** 11 May 2021

**Committee Date:** 20.05.2021

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## **1. APPLICATION SITE AND LOCALITY**

1.1. The application site relates to a semi-detached, two-storey dwelling externally of white painted render with a tiled roof and facing north-east on to Water Eaton Lane. The site, which lies in the built form of Kidlington, is bounded by residential properties to the north and west and south. The application building is not listed nor is the site located within a designated Conservation Area.

## **2. CONSTRAINTS**

2.1. N/A

## **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

3.1. The applicant seeks a Lawful Development Certificate for a hip to gable roof extension, addition of a rear facing flat roof dormer and roof lights to the front roof slope to facilitate a loft conversion. The proposed rear facing flat roof dormer would measure approximately 2.9m in depth, 4.6m width and a height of 2.9m with an overall flat roof height of 8.2m resulting in a volume of approximately 18.68m<sup>3</sup>. The proposed hip to gable roof extension measures approximately 7.3m in depth, 3.8m width and a height of 3.5m resulting in a volume of approximately 16.48m<sup>3</sup>. The overall cubic content of the resulting roof space would therefore be 35.16 cubic metres and within the 50 cubic metre limit.

## **4. RELEVANT PLANNING HISTORY**

4.1. There is no planning history directly relevant to the proposal

## **5. PRE-APPLICATION DISCUSSIONS**

5.1. No pre-application discussions have taken place with regard to this proposal

## **6. RESPONSE TO PUBLICITY**

6.1. Due to the nature of this application, it has not been publicised.

## **7. RESPONSE TO CONSULTATION**

- 7.1. The nature of this application means that consultations have not been required. That said, Building Control commented to advise that the proposed works would require a building regulations application.

## **8. RELEVANT PLANNING POLICY AND GUIDANCE**

- 8.1. Schedule 2, Part 1, Class A and Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO 2015).
- 8.2. Planning Practice Guidance (PPG).

## **9. APPRAISAL**

- 9.1. The permitted development rights for the dwelling remain intact. Therefore, the proposal has been assessed against the relevant parts of the GPDO (Part 1, Class A, B and C) which relate to the enlargement, improvement or other alteration of a dwellinghouse, additions etc to the roof of a dwellinghouse and other alterations to the roof of a dwellinghouse.

### Proposed hip to gable roof extension and rear dormer to dwellinghouse

- 9.2. Assessing the proposals against the relevant part of the GPDO (Part 1, Class A (enlargement, improvement or other alteration of a dwellinghouse) and Class B, (additions etc to the roof of a dwellinghouse)):
- 9.3. No part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;
- 9.4. No 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;
- 9.5. The application dwelling is semi-detached, and the cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than 50 cubic metres;
- 9.6. The proposed would not consist of the construction or provision of a verandah, balcony or raised platform, or the installation, alteration or replacement of a chimney, flue or soil and vent pipe; and,
- 9.7. The dwellinghouse is not on Article 2(3) land. Article 2(3) land being defined as land within: (a) an area designated as a conservation area; (b) an area of outstanding natural beauty; (c) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981 (enhancement and protection of the natural beauty and amenity of the countryside); (d) the Broads; (e) a National Park; or (f) a World Heritage Site.

### Proposed roof lights

- 9.8. Assessing the proposals against the relevant part of the GPDO (Part 1, Class C, (other alterations to the roof of a dwellinghouse)):

- 9.9. The rooflights would not 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.
- 9.10. They would not result in the highest part of the alteration being higher than the highest part of the original roof.
- 9.11. The proposed rooflights would not consist of the construction or provision of a verandah, balcony or raised platform, or the installation, alteration or replacement of a chimney or the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.

## **10. CONCLUSION**

- 10.1. The proposal, as detailed in the information submitted with the application is considered to be permitted development under Part 1, Classes A, B and C (as outlined above) as the proposal complies with the restrictions set out in Classes A, B and C. In addition, there are no permitted development restrictions by condition related to the proposal and no other restrictive designations affecting the property.

## **11. RECOMMENDATION**

**RECOMMENDATION – ISSUE THE CERTIFICATE IN ACCORDANCE WITH THE SCHEDULES BELOW**

### **FIRST SCHEDULE**

1. Hip to gable roof extension, addition of a rear facing flat roof dormer and roof lights to the front roof slope to facilitate the conversion of loft space to habitable accommodation in accordance with drawings numbered "017/03 REVISION C", "017/04 REVISION C" and "017/07"

### **SECOND SCHEDULE**

2. 4 Water Eaton Lane Gosford Kidlington OX5 2PP

### **THIRD SCHEDULE**

3. The proposal is permitted development under Schedule 2, Part 1, Class A, B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

CASE

OFFICER:

Michael

Sackey