



Ms Hannah Donnellan  
Planning Assistant  
Sevenoaks District Council  
Argyle Road  
Sevenoaks  
TN13 1HG

Our ref SEV/21/34  
Your ref  
28.09.21

Dear Ms. Donnellan,

**Certificate of Lawful Development for a proposed development at Haven Manor, Haven Hill, Hodsoll Street, Kent, TN15 7LL**

I refer to the above site. I have been instructed to submit an application for a Certificate of Lawful Development to demonstrate that proposed works described in the application are permitted development and do not require the benefit of planning permission. The application is made under the terms of Town and Country Planning Act 1990 Section 192, as amended by section 10 of the Planning and Compensation Act 1991.

This covering letter summarises the application and sets out that the proposed development complies with the criteria set out in Class B of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (“the GPDO”). The development proposed is the addition of 4 dormer windows to the front roof slope.

The application fee of £103 will be paid direct by the applicant via the Planning Portal. Accompanying this letter are the appropriate application forms and the following drawings;

101 C  
101 D  
102 A  
102 B

Class B of Part 1, Schedule 2 of the GPDO sets out that the “*enlargement of a dwellinghouse consisting of an addition or alteration to its roof*” is permitted development. The proposal is for the addition of dormers to the roof, and as such, it is permitted development subject to the provisions of paragraph B1.



Paragraph B1 sets out that development is **not** permitted if;

- a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);
- b) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing 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;
- 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;
- e) it would consist of or include—
  - (i) the construction or provision of a verandah, balcony or raised platform, or
  - (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe
- f) the dwellinghouse is on article 2(3) land;
- g) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses); or
- h) the existing dwellinghouse has been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys).

Taking each of the criteria in turn;

- a) The dwellinghouse has not been given permission to be used as a dwellinghouse by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of Schedule 2 of the GPDO;
- b) No part of the works would exceed the height of the highest part of the existing roof;
- c) 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. The principle elevation is defined in the 2019 “Permitted development rights for householders Technical Guidance” document as *“that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house.”* In this case, the front door and main entrance to the dwelling is in the southern elevation of the building. Whilst the dormers are proposed to be located in the southern



- elevation of the dwelling, and therefore the principal elevation, the dormers would not front a highway. This condition requires both tests to be met- but as the principal elevation does not front a highway, the development meets this condition;
- d) The resultant roof space as a result of the dormers would not exceed the cubic content of the original roof space by 50 cubic metres. Each dormer is approximately 1.8 cubic metres in volume.
  - e) The proposal does not include the construction or provision of a verandah, balcony or raised platform or the installation of a chimney, flue or soil and vent pipe;
  - f) The dwelling is not on article 2(3) land;
  - g) the dwellinghouse is not built under Part 20 of this Schedule;
  - h) the existing dwellinghouse has not been enlarged in reliance on the permission granted by Class AA;

The development is subject to the conditions set out in paragraph B.2. these are that;

- (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, is 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 the floor of the room in which the window is installed.

The above conditions will be met- the materials used will be similar to the materials used for the existing



house, the eaves are maintained, and the edge of the enlargement closest to the eaves is more than 0.2m from them. The other conditions do not apply.

It is clear that the proposed development meets the criteria set out in Class B of Part 1 of Schedule 2 of the GPDO and is therefore permitted development. It is therefore anticipated that the Council will be able to issue a certificate to establish that the addition of the dormers are lawful without delay.

Should the case officer wish to visit the premises or discuss any of the above, please feel free to contact me on the details below.

Yours sincerely,