

LDC (Proposed) Report		Application number	2023/0424/P
Officer		Expiry date	
Sofie Fieldsend		28/03/2023	
Application Address		Authorised Officer Signature	
32 Hartland Road London NW1 8DD			
Conservation Area		Article 4	
N/A		Basement	
Proposal			
Erection of ground floor extensions at side and rear of house and an outbuilding in rear garden.			
Recommendation:		Refuse Certificate of Lawfulness	

The application site is a three storey end-terrace property located on the southern side of Hartland Road. The property is not listed or located with a Conservation Area, nor does the site border a conservation area.

Proposal is for erection of a replacement part width rear extension approx. 2.7m high 2.8m deep with a flat roof over existing rear wing, a side extension approx. 4m high 2.7m wide, plus an outbuilding 2.5m high at end of rear garden.

Schedule 2, Part 1 (Development within the curtilage of a dwellinghouse)		
Class A		
The enlargement, improvement or other alteration of a dwellinghouse.		
If yes to any of the questions below the proposal is not permitted development		Yes/no
A.1(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).	No
A.1(b)	As a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).	No
A.1(c)	The height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse;	No
A.1(d)	The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse.	No
A.1(e)	The enlarged part of the dwellinghouse would extend beyond a	No

	<p>wall which –</p> <p>(i) forms the principal elevation of the original dwellinghouse; or</p> <p>(ii) fronts a highway and forms a side elevation of the original dwellinghouse.</p>	
A.1(f)	<p>Subject to paragraph g, the enlarged part of the dwellinghouse would have a single storey and –</p> <p>(i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or</p> <p>(ii) exceed 4 metres in height.</p>	<p>(i) No</p> <p>(ii) No</p>
A.1(g)	<p>Until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse or exceed 4 metres in height.</p>	N/A
A.1(h)	<p>The enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse.</p>	No
A.1(i)	<p>The enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres.</p>	No
A.1(j)	<p>The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—</p> <p>(i) exceed 4 metres in height,</p> <p>(ii) have more than a single storey, or</p> <p>(iii) have a width greater than half the width of the original dwellinghouse; or</p>	<p>i) No</p> <p>ii) No</p> <p>iii) Yes</p>
A.1(k)	<p>It would consist of or include-</p> <p>(i) the construction or provision of a verandah, balcony or raised platform,</p> <p>(ii) the installation, alteration or replacement of a microwave antenna,</p> <p>(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or</p> <p>(iv) an alteration to any part of the roof of the dwellinghouse.</p>	No
Condition. If yes to the question below then the proposal is not permitted development.		
A.2(a)	<p>In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if—</p> <p>(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble</p>	N/A

	dash, render, timber, plastic or tiles; (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.	
Conditions. If no to any of the below then the proposal is not permitted development		
A.3 (a)	Would the materials used in any exterior work (other than materials used in the construction of a conservatory) be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse?	No
A.3 (b)	Would any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse 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?	N/A
A.3 (c)	Where the enlarged part of the dwellinghouse has more than one storey, would the roof pitch of the enlarged part, so far as practicable, be the same as the roof pitch of the original dwellinghouse	N/A

Schedule 2, Part 1 (Development within the curtilage of a dwellinghouse)		
Class E		
The provision within the curtilage of the dwellinghouse of—		
(a) any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or		
(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas		
If yes to any of the questions below the proposal is not permitted development		Yes/no
E.1(a)	Is permission granted to use the dwellinghouse as a dwellinghouse only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)?	No
E.1(b)	As a result of the works, will the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)?	No
E.1(c)	Would any part of the building, enclosure, pool or container be situated on land forward of a wall forming the principal elevation of the original dwellinghouse?	No
E.1(d)	Would the building have more than a single storey?	No
E.1(e)	Would the height of the building, enclosure or container exceed— (i) 4 metres in the case of a building with a dual-pitched roof; (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse; or (iii) 3 metres in any other case?	No

E.1(f)	Would the height of the eaves of the building exceed 2.5 metres?	No
E.1(g)	Would the building, enclosure, pool or container be situated within the curtilage of a listed building?	no
E.1(h)	Would it include the construction or provision of a verandah, balcony or raised platform?	No
E.1(i)	Does it relate to a dwelling or a microwave antenna?	No
E.1(j)	Would the capacity of the container exceed 3,500 litres?	No
E.1(k)	Is the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)?	No
E.2	<p>In the case where any land is within the curtilage of the dwellinghouse which is within—</p> <p>(a) an area of outstanding natural beauty;</p> <p>(b) the Broads;</p> <p>(c) a National Park; or</p> <p>(d) a World Heritage Site</p> <p>Would the total area of ground covered by buildings, enclosures, pools and containers be situated more than 20 metres from any wall of the dwellinghouse exceed 10 square metres?</p>	N/A
Is the property in a conservation area? If YES to the question below then the proposal is not permitted development:		
E.3	Would any part of the building, enclosure, pool or container be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse?	N/A
<p>Conclusion</p> <p><u>Rear/Side extension:</u></p> <p>The proposed measurements of the rear extension are 2.8m in depth, 2.5m in width and 2.5m in height. The side extension will measure 6.3m in depth, 2.735m in width and 4m in height.</p> <p>It is noted that the planning statement submitted states that the width of the existing dwelling house is 5.5m; however using the scale bar provided on the submitted plans it is shown to be 5.3m.</p>		

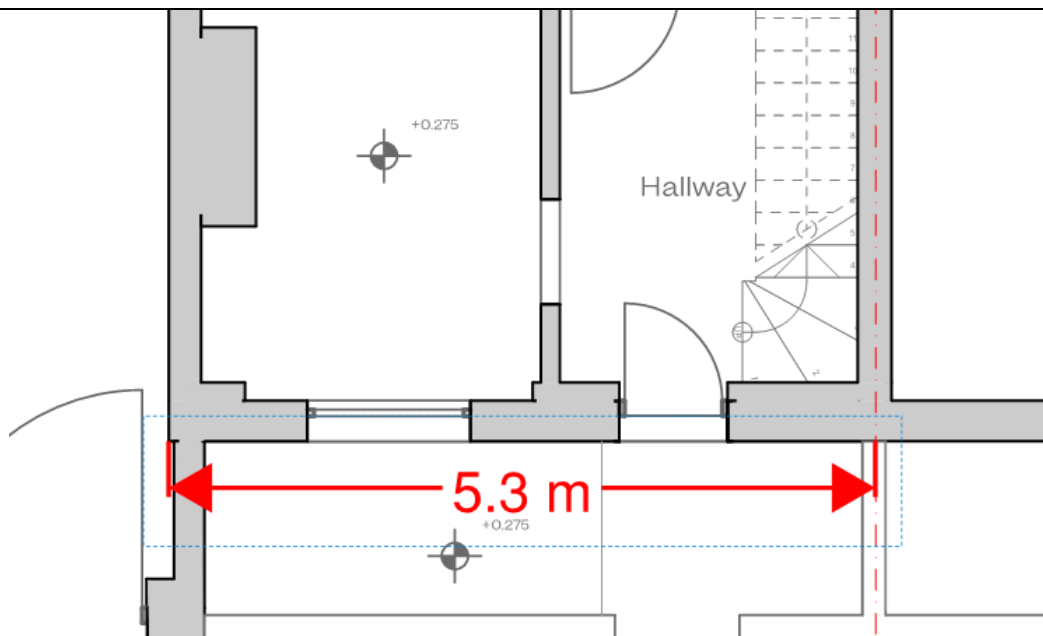


Image 1: Ground floor plan showing measured width using the provided scale bar.

Therefore, officers have taken the width of the existing building to be 5.3m and half the width would be 2.65m. The proposed width at 2.735m would exceed this and would be greater than half the width of the existing dwelling house.

Thus the proposed single storey side extension is not permitted under section A.1 (j) of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 as the enlarged part of the dwellinghouse is greater than half the width of the existing dwellinghouse.

The existing dwelling rear elevation is entirely finished in brick with timber fenestration. The proposed rear extension will be timber clad with aluminium fenestration and the side extension will be rendered with aluminium fenestration.

Thus the proposed single storey rear and side extensions are not permitted under section A.3 (a) of Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 as the materials proposed to be used in the exterior work for the enlarged part of the dwellinghouse will not be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

Outbuilding:

The proposal is considered to satisfy all criteria as set out under Schedule 2, Part 2, Class A and Schedule 2, Part 1, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and as such, would be permitted development and lawful. If the certificate overall was acceptable an informative would be recommended to the effect that the outbuilding should only be used for a purpose(s) incidental to the enjoyment of the dwellinghouse.

Recommendation: Refuse Certificate of Lawful Development