

<b>LDC (Proposed) Report</b>		<b>Application number</b>	2023/0722/P
<b>Officer</b>		<b>Expiry date</b>	
Charlotte Meynell		30/11/2023	
<b>Application Address</b>		<b>Authorised Officer Signature</b>	
29 Powlett Place London NW1 8DR			
<b>Conservation Area</b>		<b>Article 4</b>	
No		N/A	
<b>Proposal</b>			
Erection of single storey outbuilding in rear garden.			
<b>Recommendation:</b>		Grant Certificate of Lawful Development	

### Site Description:

The application site contains a two-storey mid-terrace single family dwellinghouse. The application site is not listed and is located within the Harmood Street Conservation Area. There are no Article 4 Directives or planning conditions which might limit permitted development rights for outbuildings at the property.

The proposal is for an outbuilding at the end of the garden, measuring 2.4m high to the top of the roof to the rear, rising to 2.5m high to the front, 3.5m wide and 3.3m deep.

### Assessment:

It is considered that the proposed development would be lawful under Class E, Part 1 of Schedule 2 of the General Permitted Development Order 2015. The reasoning for this consideration may be seen below:

#### Schedule 2, Part 1 - Minor operations

<b>Schedule 2, Part 1 (Development within the curtilage of a dwellinghouse)</b> <b>Class E – <i>building etc incidental to the enjoyment of a dwellinghouse</i></b>	
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 – 34%
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. It would be located within 2m of the boundary wall and measure between 2.4m and 2.5m high with a gentle mono-pitched roof.
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?	N/A
E.1 (k)	Is the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses)?	No
E.2	In the case where any land is within the curtilage of the dwellinghouse which is within— (a) an area of outstanding natural beauty; (b) the Broads; (c) a National Park; or (d) a World Heritage Site 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?	N/A
E.3	In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land [a conservation area], would any part of the building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse?	No

The proposal is considered to satisfy all criteria as set out under 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.

An informative is recommended to the effect that the outbuilding should only be used for a purpose(s) incidental to the enjoyment of the dwellinghouse.

**Recommendation:**

As such it is recommended that the Proposed Lawful Development Certificate be granted.