

LDC (Proposed) Report		Application number	2023/3567/P
<b>Officer</b>		<b>Expiry date</b>	
Leela Muthoora		24/10/2023	
<b>Application Address</b>		<b>Authorised Officer Signature</b>	
15 Heath Hurst Road London NW3 2RU			
<b>Conservation Area</b>		<b>Article 4</b>	
Hampstead		Article 4 direction restricts certain permitted development rights for dwellings. Class A - Basements, alterations, and extensions to principle or side elevation; Class C - alterations to the roof to principle or side elevation Class D - porch Class F - hard surface Class G - chimney, flue or soil and vent pipe	
<b>Proposal</b>			
Erection of a single-storey rear extension.			
<b>Recommendation:</b>		Grant Lawful Development Certificate	
<b>Site</b> The site is a three-storey terrace property located on the southern side of Heath Hurst Road. It is within the Hampstead Neighbourhood Plan Area and the Hampstead Conservation Area and is currently in use as a single dwellinghouse. There are Article 4 Directions, as set out above, but none restrict extensions to the rear of the property.			
<b>Class A</b> The enlargement, improvement or other alteration of a dwellinghouse			
<b>Conditions.</b> 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, PA or Q of Part 3 of this Schedule (changes of use).		No
A.1 (b)	As a result of the works, will the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)?		No
A.1 (c)	Will 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)	Will 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)	Will the enlarged part of the dwellinghouse extend beyond a wall which (i) forms the principal elevation of the original dwellinghouse; or (ii) fronts a highway and forms a side elevation of the original dwellinghouse;	(i) No (ii) No
A.1 (f) (subject to A.1(g))	subject to paragraph A.1(g), will the enlarged part of the dwellinghouse have a single storey and (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 (ii) exceed 4 metres in height?	(i) No (ii) No
A.1 (g)	For a dwellinghouse not on article 2(3) land* nor on a site of special scientific interest, will the enlarged part of the dwellinghouse have a single storey and— (i) 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 (ii) exceed 4 metres in height?	N/A  N/A
A.1 (h)	Will the enlarged part of the dwellinghouse would have more than a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwelling house	N/A  N/A
A.1(i)	Will the enlarged part of the dwellinghouse be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part exceed 3 metres?	No
A.1 (j)	Will the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse, and either (i) exceed 4 metres in height, (ii) have more than one storey, or (iii) have a width greater than half the width of the original dwellinghouse?	N/A N/A N/A
A.1(j.a)	Will any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceed the limits set out in A.1(e) to A.1(j)?	No
A.1(k)	Would it consist of or include either: (i) the construction or provision of a veranda, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse?	(i) No (ii) No (iii) No  (iv) No
<b>Is the property in a conservation area (article 2(3) land)? If yes to any of the questions below, then the proposal is not permitted development.</b>		
A.2(a)	Would it consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles?	No
A.2(b)	Would the enlarged part of the dwellinghouse extend beyond a wall	No

	forming a side elevation of the original dwellinghouse?	
A.2(c)	Would the enlarged part of the dwellinghouse have more than one storey and extend beyond the rear wall of the original dwellinghouse?	No
A.2(d)	Would any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceed the limits set out in sub-paragraphs A.2(b) and A.2(c)?	No

**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?	Yes
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?	(i) Yes (ii) Yes (1.7m)
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

\* The land referred to as article 2(3) land is the land described in Part 1 of Schedule 1 to Town and Country Planning (General Permitted Development) (England) Order 2015/596 (National Parks, areas of outstanding natural beauty and conservation areas etc).

### **Assessment:**

The site is a three-storey mid-terrace single dwellinghouse. It is within the Hampstead Conservation Area and identified as making a positive contribution to the Conservation Area. It is also within the Hampstead Neighbourhood Plan Area. The site is restricted by an Article 4 direction for certain development, in particular, to the principle and side elevations.

The original rear closet wing is 11m deep and 4m wide, the rear side return was 8m deep. There is an existing infill extension. The proposed extension is 3m beyond the original rear closet wing only.

The proposals meet all the limitations and conditions of Schedule 2, Part 1, Class A for enlargement, improvement or other alterations within the curtilage of a dwellinghouse. Therefore, the certificate of lawful development (proposed) should be granted.