

LDC (Proposed) Report		Application number	2024/5025/P
Officer		Expiry date	
Blythe Smith		10/01/2025	
Application Address		Authorised Officer Signature	
29 Solent Road London NW6 1TP			
Conservation Area		Article 4	
No		Basements	
Proposal			
Erection of rear dormer to roof of main building, erection of dormer to roof of rear return, installation of three rooflights, and replacement front and rear windows.			
Recommendation		Refuse Lawful Development Certificate	

<p>The site is a two-storey terraced house located on the western side of Solent Road. The building is not within a Conservation Area nor is it a listed building, and it is in use as a single dwellinghouse.</p> <p>The proposal is for the installation of a rear roof dormer, dormer over outrigger roof with juliette balcony with three rooflights to the front roofslope and replacement front and rear elevation windows.</p>		
<p>Town & Country Planning (General Permitted Development) Order 2015 (as amended) - Schedule 2, Part 1 (Development within the curtilage of a dwellinghouse)</p>		
<p>Class A The enlargement, improvement or other alteration of a dwellinghouse - for assessment of replacement front and rear windows</p>		
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 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 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?	No
A.1(f) (subject to 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?	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	No
A.1(h)	Will the enlarged part of the dwellinghouse 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 the dwellinghouse?	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?	No
A.1(ja)	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?	No
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		
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?	N/A
A.2(b)	Would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse?	N/A
A.2(c)	Would the enlarged part of the dwellinghouse have more than a single storey and extend beyond the rear wall of the original dwellinghouse?	N/A
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)?	N/A
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 The existing windows are timber and replacement uPVC windows are

		proposed
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 a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, 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
Class B - The enlargement of a dwellinghouse consisting of an addition or alteration to its roof - for assessment of rear dormer to main building and dormer to roof of rear return. No specific details as to the existing materials have been provided		
If YES to any of the questions below, the proposal is not permitted development:		Yes/No
B.1(a)	Is permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use)?	No
B.1(b)	As a result of the works, would any part of the dwellinghouse exceed the height of the highest part of the existing roof?	No
B.1(c)	As a result of the works, would any part of the dwellinghouse extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway?	No
B.1(d)	As a result of the works, would the cubic content of the resulting roof space 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?	No (approx. 39.8 m ³)
B.1(e)	Would it 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? <i>* note: the proposal involves a Juliette balcony, however caselaw has established that this is not considered a balcony under this criteria.</i>	(i) No (ii) No
B.1(f)	Is the dwellinghouse on article 2(3) land?	No
B.1(g)	Is the dwellinghouse built under Part 20 of this Schedule (construction of new dwellinghouses)?	No
B.1(h)	Has the existing dwellinghouse been enlarged in reliance on the permission granted by Class AA (enlargement of a dwellinghouse by construction of additional storeys)?	No

Conditions. If NO to the question below, then the proposal is not permitted development:		
B.2(a)	Would the materials used in any exterior work be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse?	No – the clay tiles are similar, however the windows would be uPVC not timber, as existing.
B.2(b)(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, would the enlargement be constructed so that— (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 be not less than 0.2 metres from the eaves measured along the roof slope from the outside edge of the eaves, so far as practicable? and	Yes
B.2(b)(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 would extend beyond the outside face of any external wall of the original dwellinghouse? and	Yes
B.2(c)	Would any windows inserted on a wall or roof slope forming a side elevation of the dwellinghouse— (i) be obscured-glazed; and (ii) be 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
Class C - Any other alteration to the roof of a dwellinghouse - for assessment of rooflights		
If YES to any of the questions below the proposal is not permitted development:		Yes/No
C.1(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)?	No
C.1(b)	As a result of the works, would the alteration 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?	No
C.1(c)	As a result of the works, would it result in the highest part of the alteration being higher than the highest part of the original roof?	No
C.1(d)	Would it consist of or include— (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment?	(i) No (ii) No
C.1(e)	Is the dwellinghouse built under Part 20 of this Schedule (construction of new dwellinghouses)?	No
Condition. If NO to the question below, then the proposal is not permitted development:		

C.2	Would any window located on a roof slope forming a side elevation of the dwellinghouse be— (a) obscure-glazed, and (b) 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

The proposed drawings state that existing timber framed windows are to be replaced with UPVC windows. No evidence has been provided to suggest that there are existing UPVC windows at the application site – indeed, the submission states that the existing windows are timber. As such, the proposed replacement windows are not permitted under Class A.3(a) of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the proposed materials would not be of a similar appearance to those used in the construction of the exterior of the dwellinghouse.

Both the proposed dormer to the main building roof and the proposed dormer to the roof of the rear return are proposed to have uPVC windows and doors. These would contrast with the timber windows of the existing dwellinghouse and would not appear similar. As such, the proposed dormers are not permitted under Class B.2(a) of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as the proposed materials would not be of a similar appearance to those used in the construction of the exterior of the dwellinghouse.

Recommendation: Refuse Certificate of Lawful Development