

LDC Report		26/08/2009
Officer		Application Number
Elizabeth Beaumont		2009/2465/P
Application Address		Drawing Numbers
22 Hillway London N6 6QA		Please refer to decision notice
PO 3/4	Area Team Signature	Authorised Officer Signature
Proposal		
Erection of a single storey rear extension to residential dwelling (Class C3).		
Recommendation: Refuse		
Assessment		
<p>The site is located on the east side of Hillway in between Langbourne Mansions and Bromwich Avenue. The site comprises a semi-detached two storey single family dwelling house with loft conversion in use as a single family dwelling house. The buildings on the north side of the road are above road level and those to the south are below. The building is located in the Holly Lodge Conservation Area but is not listed.</p> <p>Planning permission (2009/0097/P) was refused on the 10th March 2009 for the erection of a single-storey uPVC conservatory extension at the rear of the dwelling house. Permission was refused as the proposed conservatory, by reason of its depth, height and bulk, would be detrimental to the appearance of the existing building and the character and appearance of the Holly Lodge Conservation Area and by reason of materials and detailed design, would be detrimental to the character of the existing building and the character and appearance of the Holly Lodge Conservation Area.</p> <p>The applicant seeks confirmation that the proposed rear conservatory (exactly the same as that previously proposed and refused pp) could be undertaken as permitted development under Class A of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008. The proposed conservatory measures 3.8m deep, 2.8m to 3.1m wide and 2.9m at eaves level, with the cresting finishing at a height of 3.9m (although one finial rises up to 4.1m). The scheme has been tested against the various criteria in the GPDO and meet them as follows <u>except where underlined</u>, ie. in relation to the extension projecting from a side wall</p> <p>A.1</p> <ul style="list-style-type: none"> (a) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse would not exceed 50% of the total area of the curtilage (b) the height of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the highest part of the roof of the existing dwellinghouse; (c) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse; (d) the enlarged part of the dwellinghouse; 		

- (i) would not extend beyond a wall which fronts a highway, and
- (ii) would not extend beyond a wall which forms either the principal elevation but would extend beyond a wall which forms the side elevation of the original dwellinghouse;
- (e) the enlarged part of the dwellinghouse would have a single storey and—
 - (i) would not extend beyond the rear wall of the original dwellinghouse by more than 4 metres, or
 - (ii) would not exceed 4 metres in height;
- (f) the enlarged part of the dwellinghouse would have more than one storey and—
 - (i) would not extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) would not be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse;
- (g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, but the height of the eaves of the enlarged part would not exceed 3 metres;
- (h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, but would—
 - (i) not exceed 4 metres in height,
 - (ii) would not have more than one storey, and
 - (iii) would not have a width greater than half the width of the original dwellinghouse; or
- (i) the development
 - (i) would not consist of the construction or provision of a veranda, balcony or raised platform,
 - (ii) would not include the installation, alteration or replacement of a microwave antenna,
 - (iii) would not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or
 - (iv) would not include an alteration to any part of the roof of the dwellinghouse.

A.2 In the case of a dwellinghouse on article 1(5) land,

- (a) it would not 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;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse;
- (c) the enlarged part of the dwellinghouse would not have more than one storey and extend beyond the rear wall of the original dwellinghouse.

The proposed conservatory lies on Article 1 (5) land (i.e. in a Conservation Area) and would project beyond a wall forming a side elevation of the original dwelling house. The proposal could therefore not be considered as permitted development under Class C of Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008.

Recommendation: **Refuse Certificate of Lawfulness for proposed development.**

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