

8 Pilgrim's Lane

Permitted Development Application

Rear Bay window

The extension, widening and remodelling of the rear bay window (at terrace level) falls within Class A – enlargement, improvement or other alteration of a dwelling house.

The use as a dwelling house is long established and has not been granted by virtue of Class M, N, P or Q of Part 3 of the Schedule (changes of use) (C1a).

The total area of ground covered by buildings within the curtilage (other than the original dwelling house) will not exceed 50% of the total area of the curtilage and the height will not exceed the height of the highest part of the roof of the existing dwelling house (A1b & c).

The enlarged bay window does not extend beyond any wall that forms the principal elevation of the original dwelling house or a side elevation of the original that fronts a highway (A1e & f).

The enlarged bay window is single storey and does not extend beyond the rear wall of the original dwelling house by more than 3 metres. It rises 2.95m above existing ground level and rises 3.75m in height in total. It does not therefore exceed 4 metres in height (A1f i & ii).

The development is on article 2(3) land so that clause A1g does not apply.

The proposed alteration and extension of the bay is single storey (A1h). The bay is more than 2 metres from the boundary of the curtilage. (A1i). The proposals do not extend beyond a wall forming the side elevation of the house (A1j). The proposals do not consist of a verandah, balcony or raised platform (A1k).

The development is on article 2(3) land (Hampstead Conservation Area) but does not fall within the conditions at A2 a, b and c.

- It is not proposed to clad any part of the exterior of the dwelling house with stone, artificial stone, pebble dash, render, timber, plastic or tiles. (A2a).
- The enlarged bay does not extend beyond a wall forming a side elevation (A2b).
- The proposed single storey bay window will not extend beyond the rear wall of the dwelling house (A2c).

The proposed bay window extension fulfils the conditions at A3:

- All proposed materials closely match existing and most are 'like for like' (A3a).
- No upper floor windows will be created in any side elevation (with the exception of roof veluxes- see below) (A3b). Please note that a number of existing clear-gazed light well windows will be obscure glazed, but this does not comprise development)

- The development is on article 2(3) land so that clause A1g does not apply. Condition A4 does not therefore apply.

Patio

A hard surface (patio) is proposed to be created at the rear lower garden level, currently laid out as lawn and raised planting beds with stone borders.

The proposed permitted development falls within Class Fa¹ – hard surfaces incidental to the enjoyment of a dwelling house: The provision within the curtilage of a dwelling house of a hard surface for any purpose incidental to the enjoyment of the dwelling house.

The use as a dwelling house is long established and has not been granted by virtue of Class M, N, P or Q of Part 3 of the Schedule (changes of use).

The hard surface is situated on land to the rear of the dwelling and will not therefore be located between a wall forming the principal elevation of the dwelling house and a highway (Condition F2a).

The area of ground covered by the proposed hard surface exceeds 5 square metres. The proposed surface, (concrete paviors) is not a porous material. However, provision is made for direct run-off water from the hard surface to the adjacent lawn area, a permeable and porous area within the curtilage of the dwelling house. The proposals therefore comply with condition F2b.

Rear velux windows

Three conservation type velux windows are proposed on the rear side roof slope, adjacent to No.6 Pilgrim's Lane.

The windows are flush. There will be no change in the roof profile or the internal or external volume of the dwelling house.

The alterations fall within Class C – other alterations to the roof of a dwelling house.

The use as a dwelling house is long established and has not been granted only by virtue of Class M, N, P or Q of Part 3 of the Schedule (changes of use) (C1a).

The alteration will not 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 (C1b).

The alterations will not result in the highest part of the alteration being higher than the highest part of the original roof (C1c).

The proposed velux windows are on a roof slope forming a side elevation and will therefore be obscure-glazed (C2a).

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2

The window sills will be 1.2m above existing floor level of the room in which they are to be installed. This is lower than the 1.7m minimum required by condition C2b to permit opening windows. The windows are therefore proposed to be non-opening.

Remodelling rear garden terrace balustrade and steps

Alterations to the rear terrace comprise minor operations falling within Part 2 Class A - The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

The terrace is not adjacent to a highway (A1a i). The facing wall of the terrace will be remodelled, but the height will remain the same (1.42m) (A1c).

The proposed stairs from the lower garden up to the terrace rise 1.1m above the lower garden level, well within the 2m maximum. Hand rails rise to a maximum of 2m above rear garden level (A1c).

The existing terrace balustrade will be remodelled and raised by 0.5m above the level of the terrace. It will therefore exceed its former height, but remains below the 2m maximum height where the ground level is taken to be the level of the terrace on which the raised balustrade is to be reconstructed (A1c).

The LPA may take the contrary view; that the ground level should be taken as the level of the lower garden **in front** of the balustrade. We do not agree with this interpretation. However, we have prepared an alternative scheme with the balustrade lowered to accord with this alternative interpretation of A1c.

The height of the sloping wall to the new bay window patio ranges from 0.9 to 1.25m above ground level. (A1b).

New ground floor rear side window

This rear door will be converted to a window.

This alteration falls within Schedule 2 Part 1 A - The enlargement, improvement or other alteration of a dwelling house.

No extension in terms of height, volume or footprint is proposed.

The proposals comply with condition A.2 - development on article 2(3) land. The development does not consist of or include the cladding of any part of the exterior of the dwelling house with stone, artificial stone, pebble dash, render, timber, plastic or tiles.

The proposals comply with Condition A.3 (Development permitted by Class A subject part 'a'). The materials used in the exterior work are of a similar appearance to those used in the construction of the exterior of the existing dwelling house.