

<b>LDC Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>09/03/2016</b>	
		N/A		<b>Consultation Expiry Date:</b>		<b>13/01/2016</b>	
<b>Officer</b>				<b>Application Number</b>			
Anna Roe				2015/6854/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
7 Oak Hill Park Mews, London, NW3 7LH				Location plan, 1080.01.17(S).			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal</b>							
Use of existing flat roof at third floor level as a terrace, in association with existing dwelling house (Class C3)							
<b>Recommendation:</b>		Granted					
<b>Application Type:</b>		Certificate of Lawfulness (Proposed)					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		N/A					
<b>CAAC/Local groups comments:</b>		N/A					



## Site Description

The application relates to a semi-detached three storey dwelling-houses on Oak Hill Park Mews.

The house was built in the 1960s when the original Oak Hill Park Mews was re-developed and the informal Italianate villas replaced with blocks of flats between 3 and 7 stories and 8 houses.

The site located in the Hampstead Conservation Area.

## Relevant History

2015/3569/P - Installation of accessible roof lights and new plant room at roof level. Granted 08/09/2015.

2012/4929/P - Erection of extensions at second floor level, erection of additional roof extension with roof terrace including balustrading all in connection with existing dwelling houses (Class C3). Refused 14/11/2012.

2011/4671/P - Erection of extensions at second floor level to front and rear, erection of roof extension with rear roof terrace including balustrading all in connection with existing dwelling houses (Class C3). Refused 16/11/2011.

2003/2095/P - Construction of a roof level terrace, including the erection of a stair enclosure and balustrade. Refused 29/03/2004.

## Relevant policies

Section 55 of the Town and Country Planning Act 1990 and The Town and Country Planning (General Permitted Development) Order 2015.

## **Assessment**

### **Proposal**

The application site is in C3 residential use, as a single family dwellinghouse. The proposal relates to the flat roof at third floor level. There is currently no fixed access to the roof within the building, although planning permission has been granted for the installation of accessible roof lights (ref no. 2015/3569/P).

No works are proposed. The existing roof space is not enclosed and there are no railings or decking at third floor level.

### **Assessment**

Section 55 of the Town and Country Planning Act 1990 defines development as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

“The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—

(a) the carrying out for the maintenance, improvement or other alteration of any building of works which—

(i) affect only the interior of the building, or

(ii) do not materially affect the external appearance of the building,”

No works are proposed. As such the proposal would not materially affect the external appearance of the building and is not considered to fall within the "meaning of development" requiring planning permission as defined by the Town and Country Planning Act 1990.

The use of the flat roof would be incidental to the use of the dwelling house and would not constitute a material change requiring planning permission.

**Recommendation: Approve**