

LDC (Proposed) Report		Application number	2016/5040/P
Officer		Expiry date	
Tony Young		11/11/2016	
Application Address		Authorised Officer Signature	
2 Akenside Road LONDON NW3 5BS			
Conservation Area		Article 4	
Fitzjohns Netherhall		No	
Proposal			
Removal of chimney on front facing roofslope to dwelling house.			
Recommendation:	Grant certificate of lawfulness		

The proposals relate to a dwelling house located in Fitzjohns Netherhall conservation area which is not listed. The property is recognised as making a positive contribution with the conservation area (Fitzjohns Netherhall conservation area statement, December 2001).

Section 55 (2) of the Town and Country Planning Act 1990, 'Meaning of "*development*" and "*new development*"', states that alterations that '*do not materially affect the external appearance of the building*' do not constitute development.

In so far as the removal of the chimney alters the roof configuration of both the host property itself and the building as a whole (when considered together with the adjoining building at no. 3), and given the prominent position and level of visibility of the front facing roofslope from both short and long views, it is considered that the proposals would materially affect the external appearance of the building, and as such, constitute development.

The proposals should therefore be assessed under permitted development regulations and the provisions of Schedule 2, Part 1, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015, "*The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse*".

Class G <i>The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse</i>		
G.1 - If YES to any of the questions below the proposal is not permitted development		Yes/No
G.1(a)	Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use)?	No
G.1(b)	As a result of the works, would the height of the chimney, flue or soil and vent pipe exceed the highest part of the roof by 1 metre or	No

	more?	
G.1(c)	<p>In the case of a dwellinghouse on article 2(3) land, would the chimney, flue or soil and vent pipe be installed on a wall or roof slope which—</p> <ul style="list-style-type: none"> (i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the dwellinghouse? 	No
Recommendation: Grant certificate of lawfulness		