



Phillips Planning Services Ltd.
Town Planning and Development Consultants

2 AKENSIDE ROAD

LONDON

SUPPORTING STATEMENT

**APPLICATION FOR A LAWFUL DEVELOPMENT
CERTIFICATE – PROPOSED INSERTION OF WINDOW
TO FRONT ELEVATION GABLE AND ROOFLIGHT TO
REAR MAIN ROOF**

JUNE 2017

1.0 INTRODUCTION

- 1.1 The following supporting statement has been prepared in respect of an application for a Lawful Development Certificate to confirm that the insertion of a window to the front elevation gable and a rooflight to the rear main roof at 2 Akenside Road, London does not require planning permission.
- 1.2 No. 2 Akenside Road is a residential dwellinghouse located within the Fitzjohn and Netherhall Conservation Area. The conservation area is not subject to any Article IV Direction, and it is understood that the property benefits from full residential permitted development rights.
- 1.3 It is considered that the proposed works do not require planning permission as they fully conform with the above mentioned rights as set out in the Town and Country Planning (General Permitted Development) Order.
- 1.4 This statement will therefore detail how the proposal is considered to conform with the order and is set out as follows:

1.0 Introduction

2.0 Analysis of Relevant Legislation and the
General Permitted Development Order

3.0 Summary

2.0 ANALYSIS OF THE GENERAL PERMITTED DEVELOPMENT ORDER

2.1 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order sets out the forms of development which are 'permitted' within the curtilage of dwelling. The forms of development are organised into 'classes', which are subject to specific restrictions and conditions.

2.2 It is considered that the proposed insertion of the window to the front elevation and rooflight to the rear main roof would entirely comply with those provisions, restrictions and conditions of Part 1 Class A and Part 1 Class C, respectively.

Insertion of window to front elevation

2.3 Part 1 Class A of the order states that "*The enlargement, improvement or other alteration of a dwellinghouse*" is 'permitted development' unless the proposal falls foul of any restriction set out under paragraphs A.1 and A.2 or would conflict with the conditions sets out under paragraphs A.3 and A.4.

Compliance with paragraph A.1 'Restrictions to Permitted Development'

2.4 The provisions set out under paragraph A.1 all effectively relate to controlling the height, depth, form and position of proposed extensions.

2.5 As will be noted, none of the provisions restrict the insertion of a window to a dwellinghouse.

Compliance with Paragraph A.2 'Restrictions to Permitted Development on Article 2 (3) Land

2.6 These provisions relate to restricting permitted development rights afforded to dwellinghouses on Article 2 (3) land such as conservation areas. They classify that rear extensions greater than one storey and side extensions would not be permitted development, whilst also restricting the cladding of the exterior of properties with a variety of identified materials.

2.7 The provisions therefore do not restrict the insertion of windows.

Compliance with Paragraphs A.3 & A.4 'Conditions'

2.8 Paragraph A.3 sets out a series of three conditions which all development under Part 1 Class A of the General Permitted Development Order must comply, whilst paragraph A.4 only applies to proposals for rear extensions which accord with provision A.1 (g).

2.9 The conditions set out under A.3 are as follows:

(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwelling"

2.10 The proposed window to the front elevation is a timber framed glazed window, which means that the window will be of similar appearance to the existing.

(b) any upper floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must 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 and; and

2.11 The proposed window is to the front elevation of the property so is not required to be obscure-glazed and non-opening.

(c) where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse

2.12 The inserted window is an alteration to the dwelling and does not result in an enlarged part of the dwellinghouse.

Insertion of rooflight to rear main roof

2.13 Part 1 Class C of the General Permitted Development Order states that ‘any other alteration to the roof of a dwellinghouse’ (e.g. not an ‘enlargement’) is ‘permitted development subject to the restrictions of paragraph C.1 and conditions of paragraph C.2.

Compliance with Paragraph C.1 ‘Restrictions to Permitted Development’

2.14 The compliance of the proposed rooflight with the provisions of paragraph C..1 is set out in the table below:

GPDO (2015) Part 1 Class C (C.1) <i>Development is not permitted by Class C if-</i>	Conformity of Proposed Development
<i>(a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of the Schedule (changes of use)</i>	2 Akenside Road is not a dwelling by virtue of Part 3 Classes M, N, P or Q of the General Permitted Development Order
<i>(b) the alteration would protrude more than 0.15 metres beyond the plane of the slope the original roof when measured from perpendicular with the external surface of the original roof</i>	The rooflight will not protrude more than 0.,15 m beyond the plane of the slope of the original roof.
<i>(c) it would result in the highest part of the alteration being higher than the highest part of the original roof; or</i>	The highest point of the rooflight sits well below the highest point of the roof
<i>(d) it would consist of or include- (i) the installation, alteration of replacement of a chimney, flue or soil and vent pipe, ir (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment</i>	The proposal does not relate to a chimney, flue, soil and vent pipe or solar photovoltaic or solar thermal equipment.

Compliance with Paragraph C.2 'Condition'

2.15 Paragraph C.2 states that all development under Part 1 Class C of the General Permitted Development Order, must comply with the following condition:

"...that any window located on a roof slope forming a side elevation of the dwellinghouse must 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"

2.16 The proposed rooflight is located on the rear roofslope.

3.0 SUMMARY

- 3.1 It is proposed to insert a window to the front elevation and a rooflight to the main rear roof of 2 Akenside Road, London.
- 3.2 It is considered that these works comply entirely with the provisions and controls of Part 1 Classes A and C of the Town and Country Planning (General Permitted Development) Order, respectively.
- 3.3. It is therefore considered that they are 'permitted development' and do not require planning permission. Accordingly a Lawful Development Certificate is requested to confirm this position.



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