

# CONSULTATION SUMMARY

## Case reference number(s)

2017/1063/P

## Case Officer:

Leela Muthoora

## Application Address:

67 Dartmouth Park Road  
LONDON  
NW5 1SL

## Proposal(s)

Installation of roof lights to the front and side roof slopes.

## Representations

<b>Consultations:</b>	No. notified	0	No. of responses	1	No. of objections	1
					No of comments	0
					No of support	0

## Summary of representations

*(Officer response(s) in italics)*

Dartmouth Park CAAC commented that

“These roof lights will be difficult to see from the road. However there few existing roof lights on the front roofs in Dartmouth Park Road and the approval of one here might encourage further ones in conspicuous places adversely altering the streetscape. Concern is expressed at this change in the law to allow roof lights in conservation areas without consultation – these concerns should be brought to the attention of the Members Briefing”.

**Officer response**

*The design of the scheme by way of altering the street scape and amenity*

*issues cannot be assessed in the determination as this is a legal determination and Camden policy and guidance cannot be taken into account.*

*There is no statutory requirement to consult on this application as it cannot be assessed against national and local policy as it is a legal determination.*

*The scheme can only be assessed against the relevant planning legislation which is the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015 ("GPDO"). The determination of this application can only be made by assessing whether the scheme is lawful as defined by the dimensional or location criteria set out in the GPDO. This is to determine whether it is permitted development and hence can go ahead without the specific grant of planning permission from the local planning authority. An assessment of its planning merits as to its acceptability under current policies is therefore not relevant or possible here, as it is purely a legal determination.*

*Schedule 2 Part 1 Class B of the order deals with the enlargement of a dwelling house consisting of an addition of alteration to its roof and Part 1 Class C of the order deals with any other alteration to the roof of a dwelling house. The proposed roof lights are assessed against Class C of Schedule 2, Part 1 of the GPDO.*

*Part 1 Class C.*

*C.1. Development is not permitted by Class C if -*

- (a) The alteration would protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof;*

*Complies: The proposed roof light windows protrude a maximum of 80mm from the plane of the slope;*

- (b) It would result in the highest part of the alteration being higher than the highest part of the original roof;*

*Complies: The proposed roof light windows would not be any higher than the roof ridge;*

- (c) It would consist of or include (i) the installation, alteration or replacement of a chimney, flue or soil and vent pipe; or (ii) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment;*

*Not applicable: The proposal does not include a chimney, flue, soil or*

*vent pipe, solar photovoltaics or solar thermal equipment.*

*Conditions*

*C.2 Development is permitted by Class C subject to the following condition*

*Any upper-floor window located on a roof slope forming a side elevation of the dwellinghouse 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?*

*Complies: The proposed roof light windows would be obscure-glazed and the parts of the proposed roof light windows which can be opened would be 2.13m above the floor of the room in which the window is installed.*

**Recommendation:-**

**Grant certificate for lawful development**