

LDC (Proposed) Report		Application number	2018/1343/P
Officer		Expiry date	
Lisa McCann		11/05/2018	
Application Address		Authorised Officer Signature	
16 Bartholomew Villas London NW5 2LL			
Conservation Area		Article 4	
Bartholomew Estate		N/A	
Proposal			
Erection of 2 no single storey rear extensions to dwellinghouse			
Recommendation:		Refuse Certificate of Lawfulness	

Delete Classes where not applicable

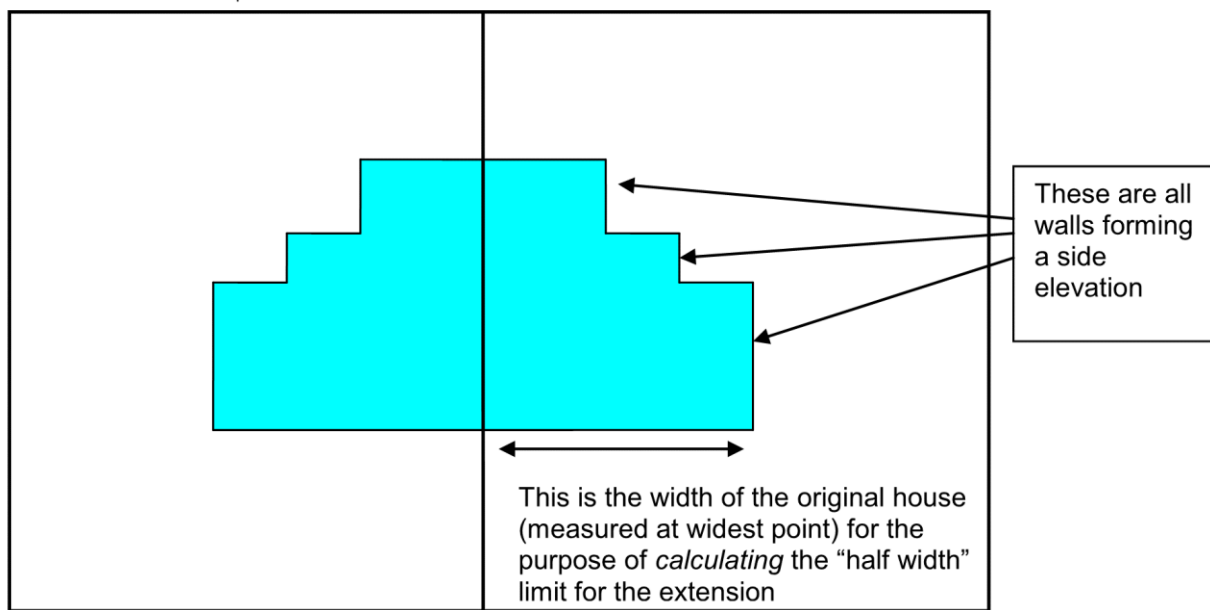
Class A The enlargement, improvement or other alteration of a dwellinghouse		
If yes to any of the questions below the proposal is not permitted development		Yes/no
A.1 (a)	Has permission to use the dwellinghouse as a dwellinghouse been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)?	no
A.1 (b)	As a result of the works, will the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)?	no
A.1 (c)	Will the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse?	no
A.1 (d)	Will the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse?	no
A.1 (e)	Will the enlarged part of the dwellinghouse extend beyond a wall which (i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the original dwellinghouse?	no
A.1 (f)	Will the enlarged part of the dwellinghouse have a single storey and (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height?	no

A.1 (h)	Will the enlarged part of the dwellinghouse have more than one storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or (ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse?	no
A.1 (i)	Will the enlarged part of the dwellinghouse be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part exceed 3 metres?	no
A.1 (j)	Will the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse, and either (i) exceed 4 metres in height, (ii) have more than one storey, or (iii) have a width greater than half the width of the original dwellinghouse?	no
A.1(k)	Would it would consist of or include either (i) the construction or provision of a veranda, balcony or raised platform, (ii) the installation, alteration or replacement of a microwave antenna, (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (iv) an alteration to any part of the roof of the dwellinghouse?	no
Is the property in a conservation area? If yes to any of the questions below then the proposal is not permitted development		
A.2(a)	Would it consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles?	no
A.2(b)	Would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse? Yes – The proposed extension would extend beyond a side elevation of the original property which forms part of the original staggered rear building line.	YES
A.2(c)	Would the enlarged part of the dwellinghouse have more than one storey and extend beyond the rear wall of the original dwellinghouse?	no
Conditions. If no to any of the below then the proposal is not permitted development		
A.3(a)	Would the materials used in any exterior work (other than materials used in the construction of a conservatory) be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse?	yes
A.3(b)	Would any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse 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?	n/a
A.3(c)	Where the enlarged part of the dwellinghouse has more than one storey, would the roof pitch of the enlarged part, so far as practicable, be the same as the roof pitch of the original dwellinghouse?	n/a
Recommendation: Refuse Certificate of Lawfulness		

Conclusion

The applicant acknowledges that part of the extension would extend beyond a side elevation, and seeks to demonstrate compliance with section A.1 of Part 1 Class A on page 7 of their report. However, their supporting information fails to refer to section A.2, which adds further constraints to houses in conservation areas.

Permitted development rights for householders: Technical Guidance April 2017 identifies walls forming a side elevation (page 23)



The proposal would fail to comply with section A.2(b) of Part 1 Class A, as part of the extension would extend beyond a wall forming a side elevation of the original dwellinghouse which is located on article 2(3) land, namely Bartholomew Estate Conservation Area.