|  |  |  |  |
| --- | --- | --- | --- |
| LDC (Proposed) Report | | **Application number** | 2019/5456/P |
| **Officer** | | **Expiry date** | |
| Ramesh Depala | | 30/06/2020 | |
| **Application Address** | | **Authorised Officer Signature** | |
| 41 Frognal  London  NW3 6YD | |  | |
| **Conservation Area Article 4** | | | |
| Redington Frognal | | Basement Developments | |
| **Proposal** | | | |
| Erection of an ancillary tea house outbuilding within the dwelling’s rear garden | | | |
| **Recommendation:** | **Grant Certificate of Lawfulness** | | |

The application site contains a detached single family dwellinghouse within the Redington Frognal Conservation Area.

The proposed tea house would be 17sqm in size, have 2.5m high eaves above the highest part of the existing ground level, and would cover much less than 50% of the rear garden.

The building is considered to comply with the following criteria in the GPDO.

|  |  |  |
| --- | --- | --- |
| **Class E**  The provision within the curtilage of the dwellinghouse of—   1. any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or 2. a container used for domestic heating purposes for the storage of oil or liquid petroleum gas | | |
| If yes to any of the questions below the proposal is not permitted development | | Yes/no |
| E.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 |
| E.1 (b) | As a result of the works, will the total area of ground covered by buildings, enclosures and containers 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 |
| E.1 (c) | Would any part of the building, enclosure, pool or container be situated on land forward of a wall forming the principal elevation of the original dwellinghouse? | No |
| E.1 (d) | Would the building have more than one storey? | No |
| E.1 (e) | Would the height of the building, enclosure or container exceed—  (i) 4 metres in the case of a building with a dual-pitched roof,  (ii) 2.5 metres in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse, or  (iii) 3 metres in any other case? | No |
| E.1 (f) | Would the height of the eaves of the building exceed 2.5 metres? | No |
| E.1 (g) | Would the building, enclosure, pool or container be situated within the curtilage of a listed building? | No |
| E.1 (h) | Would it include the construction or provision of a veranda, balcony or raised platform? | No |
| E.1 (i) | Does it relate to a dwelling or a microwave antenna? | No |
| E.1 (j) | Would the capacity of the container exceed 3,500 litres? | No |
| Is the property in a conservation area? If yes to the question below then the proposal is not permitted development | | |
| E.3 | Would any part of the building, enclosure, pool or container be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse? | No |

\* The land referred to as article 2(3) land is the land described in Part 1 of Schedule 1 to Town and Country Planning (General Permitted Development) (England) Order 2015/596 (National Parks, areas of outstanding natural beauty and conservation areas etc).