

LDC (Proposed) Report		Application number	2020/1433/P
Officer		Expiry date	
Gary Bakall		18/05/2020	
Application Address		Authorised Officer Signature	
21 Fairfax Place London NW2 3RH			
Conservation Area		Article 4	
no		no	
Proposal			
Erection of a hip-to-gable roof extension, enlargement of dormer window at rear and insertion of 2 rooflights to front roof slope, all to single dwelling house (Class C3).			
Recommendation:		Grant lawful development certificate	

The site is a two-storey, single family dwelling house on the western side of Fairfax Place. The building is end of terrace with a hipped roof and existing rear dormer. It does not lie within a conservation area.

A similar planning application was withdrawn last year. A neighbour has objected about this proposal on design grounds; however the application is for a Certificate of Lawfulness for proposed development, which is a determination in law as to whether a development is permitted development according to national legislation and as such neighbour representations and assessments against planning policy are immaterial in determining the application.

The development relates to the erection of a roof extension and rooflights to a dwelling house and is assessed against the criteria in Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) (England) Order 2015.

1. The proposed hip-to-gable enlargement and replacement rear dormer are considered under Part 1 Class B -

Development is not permitted by Class B if-

(a) any part of the dwellinghouse would, as a result of the works, exceed the height of the highest part of the existing roof;

Complies – the extension would match the height of the existing roof ridge and no higher than the highest part of the existing roof

(b) any part of the dwellinghouse would, as a result of the works, extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway;

Complies – the hip to gable extension is to the side so no part of the extension would extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway

(c) the cubic content of the resulting roof space would exceed the cubic content of the original roof space by more than-

- (i) 40 cubic metres in the case of a terrace house, or
- (ii) 50 cubic metres in any other case;

Complies – the proposal would not exceed the roofspace of the original house by more than 40 cubic metres. The shape of a hip to gable extension is a tetrahedron, and the volume of this can be calculated by multiplying the area of the hip end (11.27m²) by its length (3.9m) divided by 3 = 14.65 cubic metres; The volume of the replacement enlarged dormer window is the length (5.25m) by the height (2.55m) by the length (3.54m) divided by 2 = 23.67 cubic metres. Therefore the total volume is 38.32 cubic metres which is less than 40 cu.m.

(d) it would consist of or include—

- (i) the construction or provision of a veranda, balcony or raised platform, or
- (ii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe;

Complies- the proposal would not include a veranda, balcony or raised platform and the chimney and soil and vent pipe would remain in position.

(e) the dwellinghouse is on article 1(5) land.

Complies – the dwellinghouse is not within a conservation area

Development is permitted by Class B subject to the following conditions-

(a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Complies – the materials, brick and tiles, would match those used in the construction of the exterior of the existing dwellinghouse.

(b) other than in the case of a hip-to-gable enlargement, the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof;

Complies – The bottom of the dormer windows is 50cm away from the eaves and this condition is not applicable for the hip to gable enlargement

(c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse shall 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.

Not applicable – there are no windows on the side wall.

2. The proposal also shows 2 rooflights to the front roofslope and one on the rear dormer. Other alterations to roofs such as these are considered under Part 1 Class C.

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- sections have not been submitted to show that the front rooflights do not project more than 150mm, although the plans state that they will be flush; however an informative will indicate that the rooflights will only be permitted if they do not protrude by more than 150mm from the roofslope.

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

Complies – the rooflights would not be higher than the highest part of the original roof

- (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.

Complies – the proposal does not include any of the above

Conditions

Development is permitted by Class C subject to the condition that any window located on a roof slope forming a side elevation of the dwellinghouse shall 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.

Not applicable – there are no windows on the side elevation but an informative will be added reminding of the need to keep any windows here fixed shut and obscured glazed

Recommendation

Grant Certificate of Lawfulness