

## **APPENDIX 4**

### **7 Kylemore Road: Application 2012/4424/P**

The Gillett Macleod Partnership  
1 High Road  
Old Eastcote  
Pinner  
London  
HA5 2EW

Application Ref: **2012/4424/P**  
Please ask for: **Fergus Freeney**  
Telephone: 020 7974 **3366**

15 October 2012

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990, Section 191 and 192  
Town and Country Planning (Development Management Procedure) Order 2010

### **Certificate of Lawfulness (Proposed) Granted**

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

#### First Schedule:

Extensions to include erection of single storey and dormer window at rear to allow conversion of loft into habitable room, installation of new window at rear ground floor, replacement of door with window at rear first floor, relocation and alteration of 1x flank window at both upper and lower first floor levels to include obscure glazing, and installation of 1x rooflight to dwelling house (Class C3)

Drawing Nos: Site Location Plan; (Prefix 12/2631/) 101, 104, 100, 102A, 103A and email from Eli Baron (applicant) dated 12th October 2012.

#### Second Schedule:

**7 Kylemore Road**  
**London**  
**NW6 2PS**

#### Reason for the Decision:

- 1 The proposed single storey rear infill extension is permitted under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended by (No. 2) (England) Order 2008



- 2 The proposed rear dormer roof extension is permitted under Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended by (No. 2) (England) Order 2008.

#### Notes

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use\*/operations\*/matter\* specified in the First Schedule taking place on the land described in the Second Schedule was\*/would have been\* lawful on the specified date and thus, was not\*/would not have been\* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use\*/operations\*/matter\* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use\*/operations\*/matter\* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

#### **Disclaimer**

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<b>LDC (Proposed) Report</b>		<b>Application number</b>	2012/4424/P
<b>Officer</b>		<b>Expiry date</b>	
Fergus Freaney		29/10/2012	
<b>Application Address</b>		<b>Authorised Officer Signature</b>	
7 Kylemore Road London NW6 2PS			
<b>Conservation Area</b>		<b>Article 4</b>	
No		No	
<b>Proposal</b>			
Extensions to include erection of single storey and dormer window at rear to allow conversion of loft into habitable room, installation of new window at rear ground floor, replacement of door with window at rear first floor, relocation and alteration of 1x flank window at both upper and lower first floor levels to include obscure glazing, and installation of 1x rooflight to dwelling house (Class C3)			
<b>Recommendation:</b>		Grant Planning Permission	

*Delete Classes where not applicable*

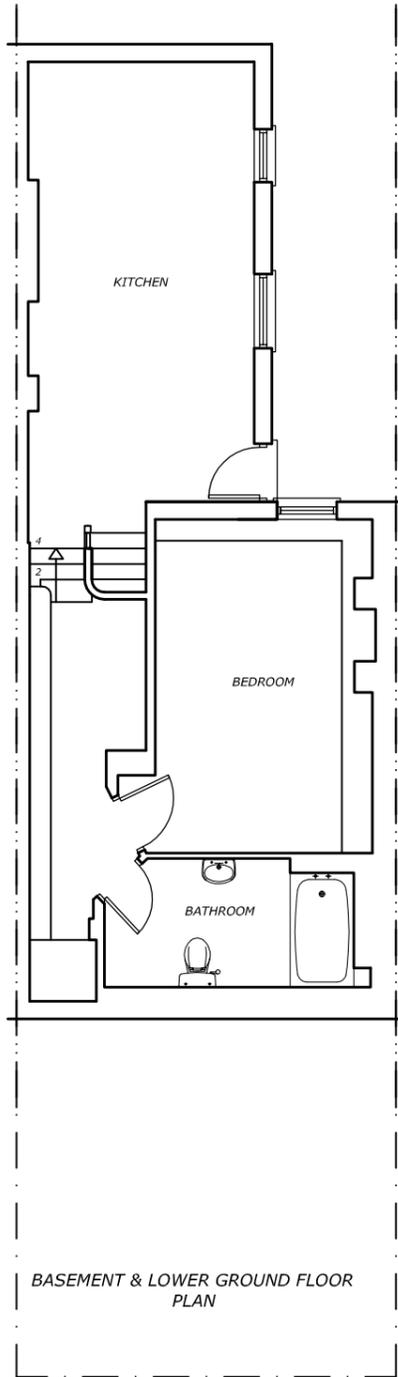
<b>Class A</b> The enlargement, improvement or other alteration of a dwellinghouse		
If yes to any of the questions below the proposal is not permitted development		Yes/no
A.1 (a)	As a result of the works, will the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)?	No
A.1 (b)	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 (c)	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 (d)	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 (e)	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 (f)	Will the enlarged part of the dwellinghouse have more than one storey and—	N/A

	(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?	
A.1 (g)	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 (h)	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(i)	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?	N/A
A.2(b)	Would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse?	N/A
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?	N/A
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?	Yes
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
<b>Class B</b> The enlargement of a dwellinghouse consisting of an addition or alteration to its roof		
If yes to any of the questions below the proposal is not permitted development		Yes/no
B.1(a)	As a result of the works, would any part of the dwellinghouse exceed the height of the highest part of the existing roof?	No

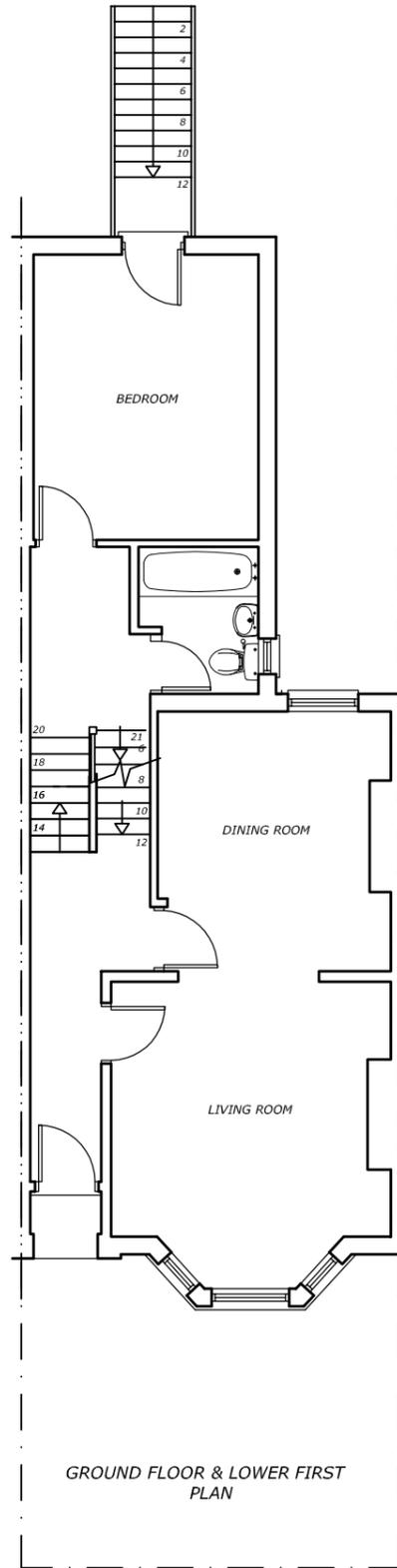
B.1(b)	As a result of the works, would any part of the dwellinghouse extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway?	No
B.1(c)	As a result of the works, would the cubic content of the resulting roof space exceed the cubic 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?	No
B.1(d)	would it 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?	No
B.1(e)	Is the dwellinghouse on article 1(5) land?	No
B.2(a)	Would the materials used in any exterior work be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse?	Yes
B.2(b)	Other than in the case of a hip-to-gable enlargement, would the edge of the enlargement closest to the eaves of the original roof be not less than 20 centimetres from the eaves of the original roof, so far as practicable?	Yes
B.2(c)	Would any windows inserted on a wall or roof slope forming a side elevation be obscured-glazed and non-opening unless the opening part is higher than 1.7 metres above the floor of the room in which the window is installed?	N/A

**Disclaimer**

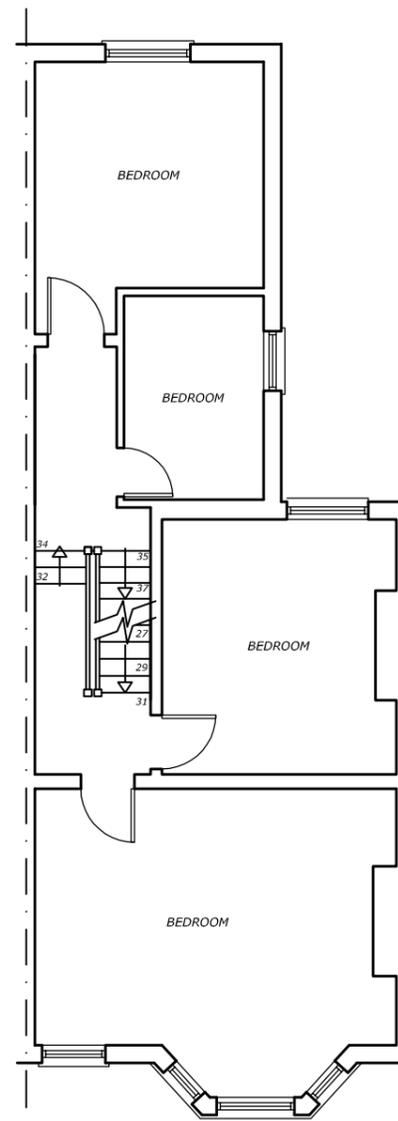
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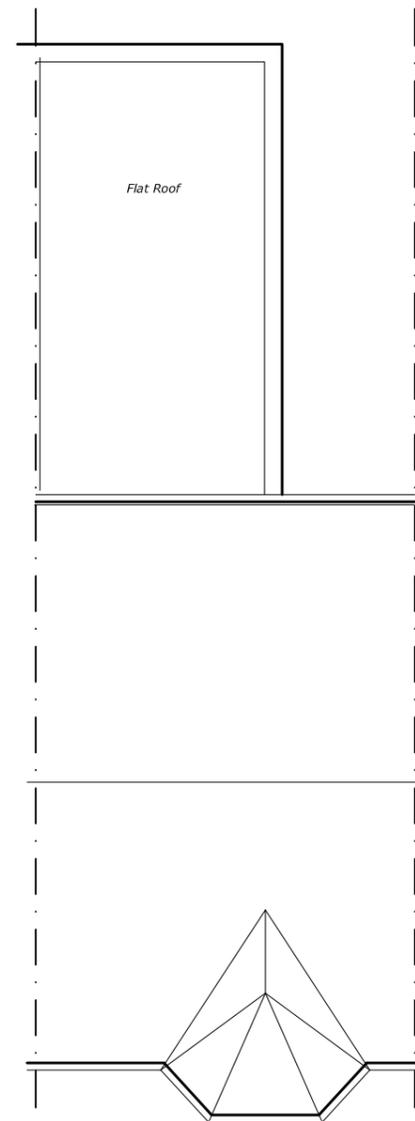
BASEMENT & LOWER GROUND FLOOR PLAN



GROUND FLOOR & LOWER FIRST PLAN



FIRST FLOOR & LOWER SECOND FLOOR PLAN



ROOF PLAN

EXISTING FLOOR PLANS

7 KYLEMORE ROAD,  
WEST HAMPSTEAD



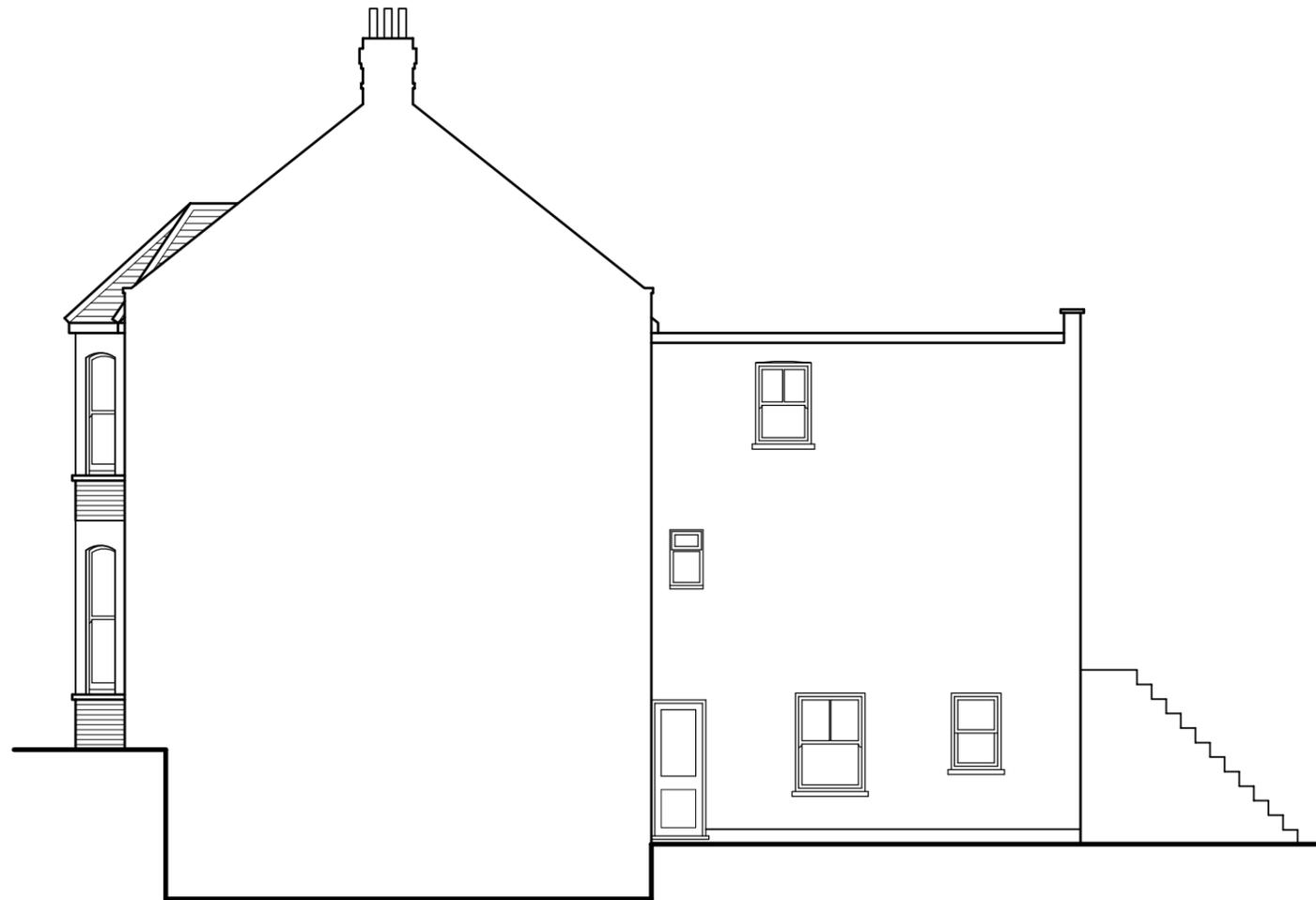
THE GILLETT MACLEOD PARTNERSHIP  
Chartered Architects & Town Planning Consultants  
1 High Road Old Eastcote Pinner Middlesex HA5 2EW tel. 0208 868 1335

Drg. No. 12/2631/100  
Scale 1:100 @ A3  
Date 28/03/12  
Drawn by A.Smith

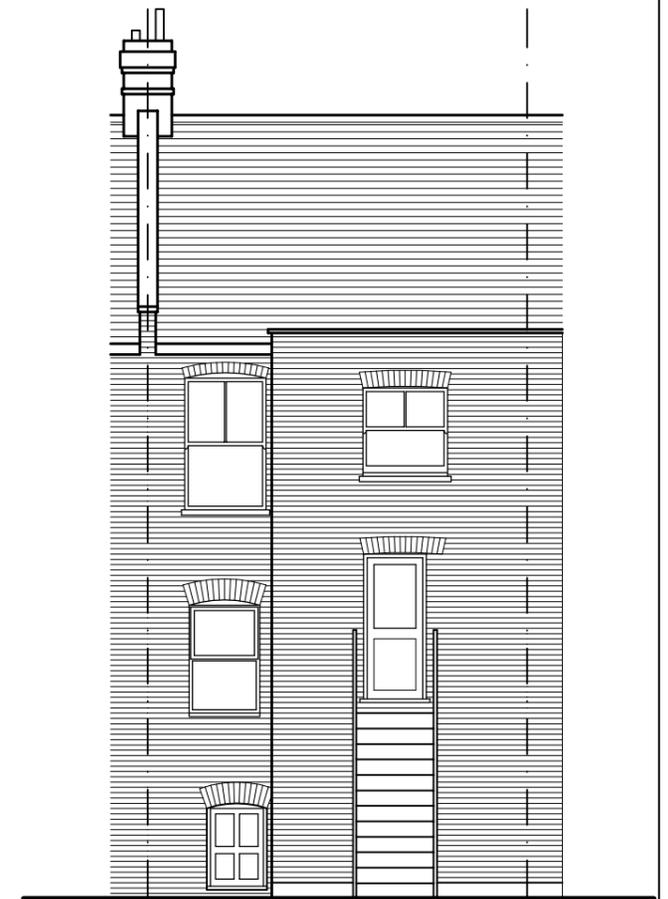
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WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

EXISTING ELEVATIONS

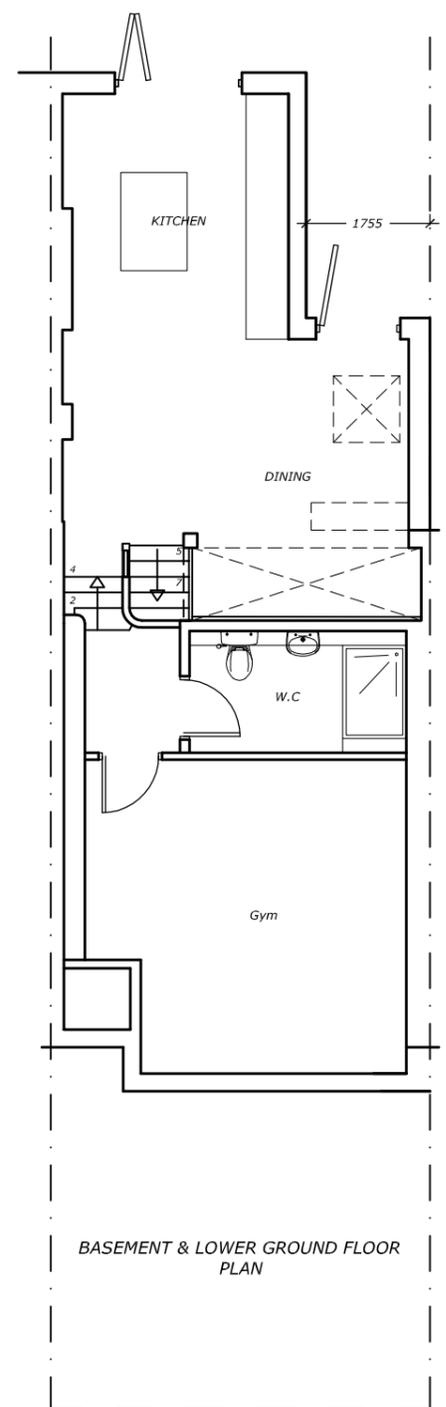
7 KYLEMORE ROAD,  
WEST HAMPSTEAD



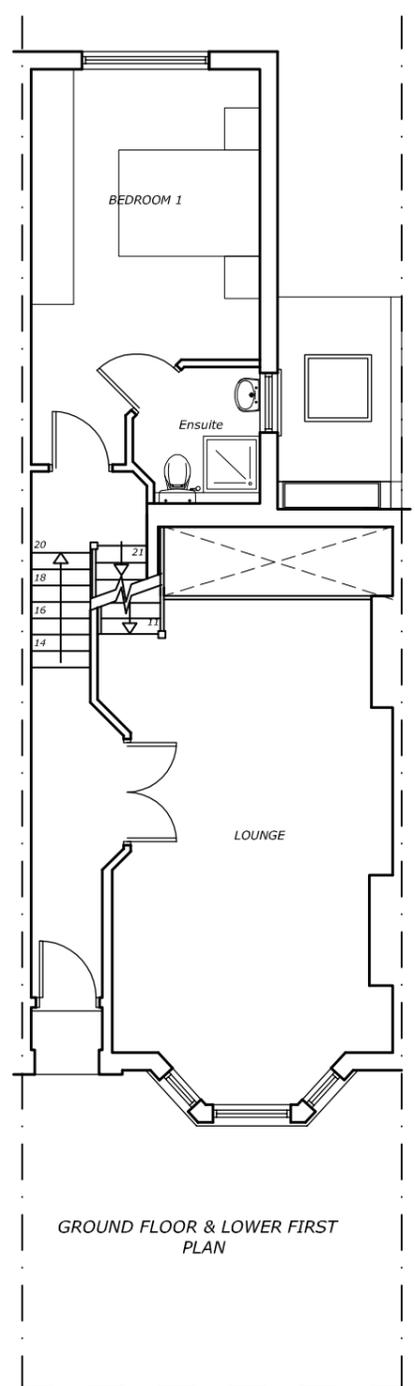
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Drawn by A.Smith

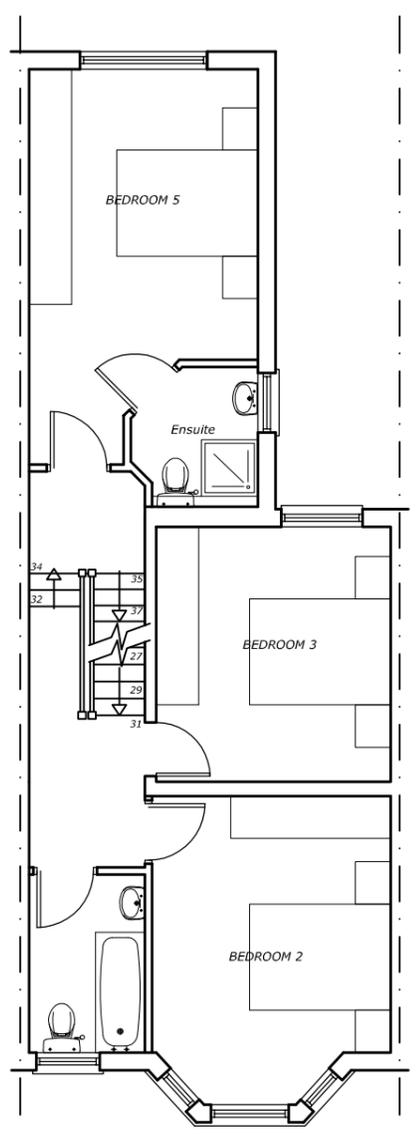
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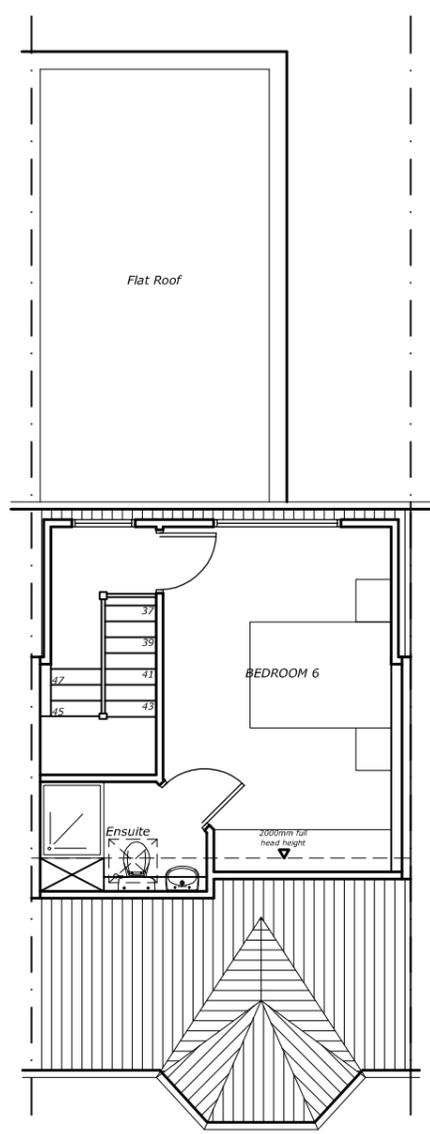
BASEMENT & LOWER GROUND FLOOR PLAN



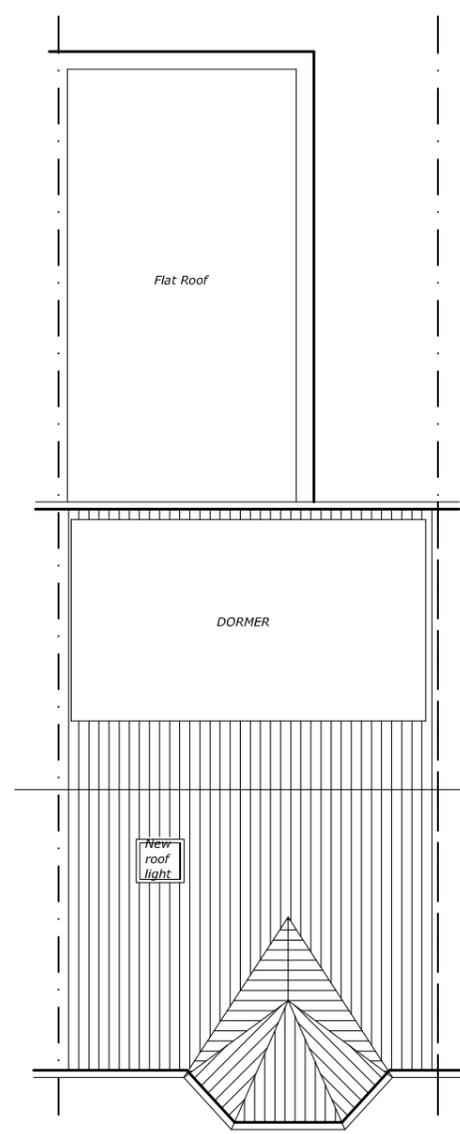
GROUND FLOOR & LOWER FIRST FLOOR PLAN



FIRST FLOOR & LOWER SECOND FLOOR PLAN



SECOND FLOOR PLAN



ROOF PLAN

PROPOSED FLOOR PLANS

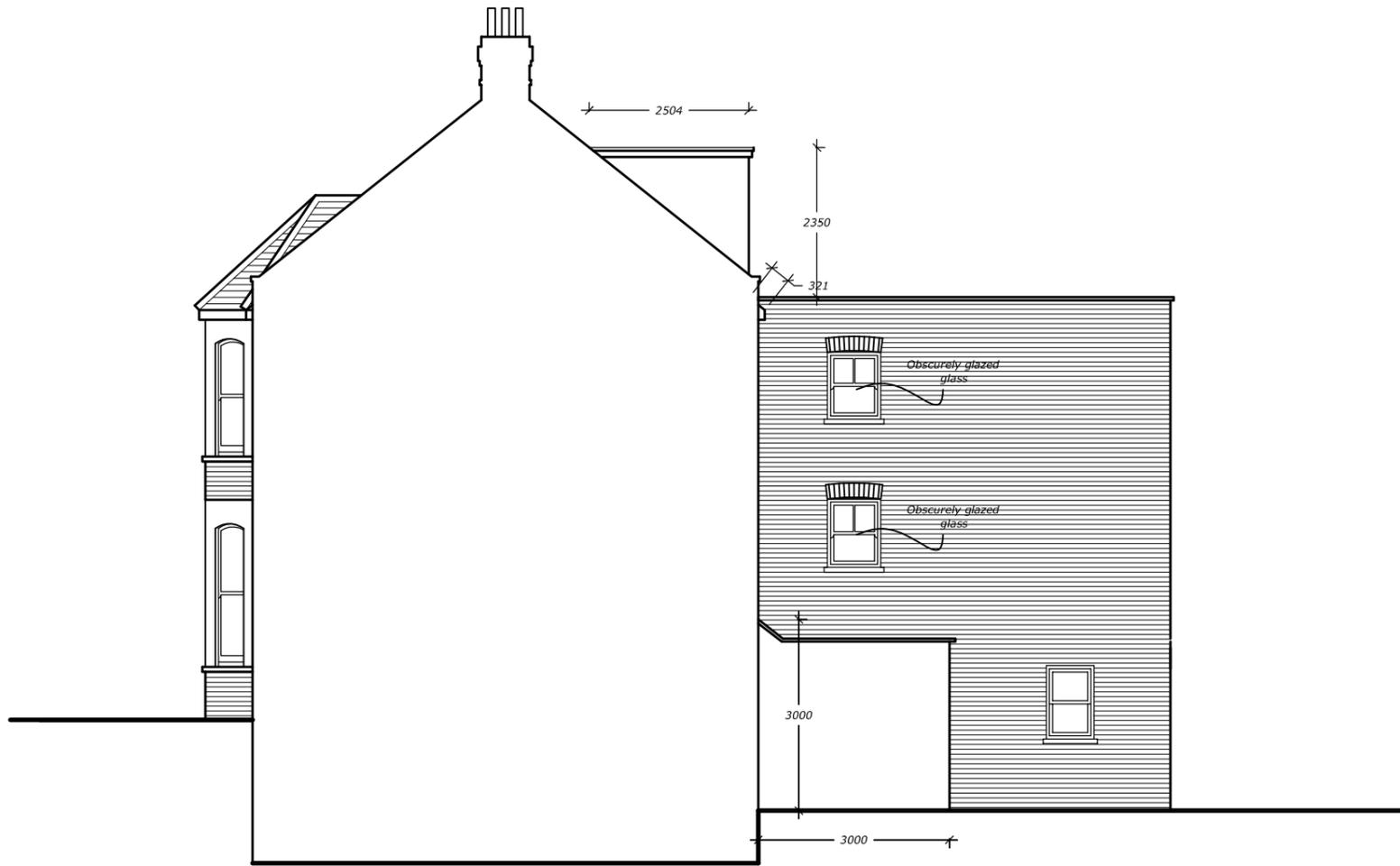
7 KYLEMORE ROAD,  
WEST HAMPSTEAD



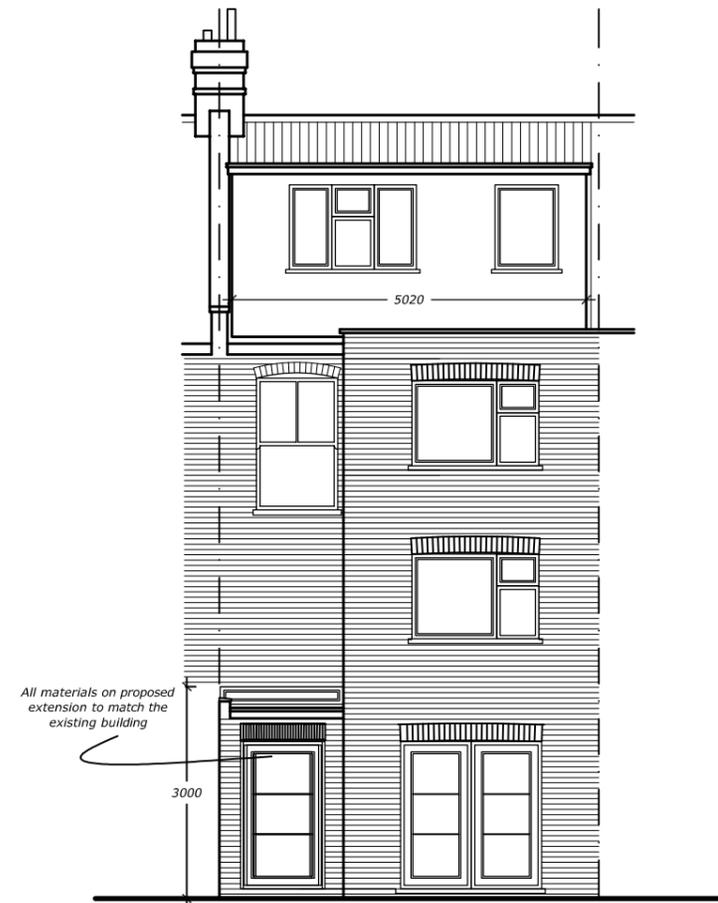
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SOUTH ELEVATION



EAST ELEVATION

PROPOSED ELEVATIONS 2

7 KYLEMORE ROAD,  
WEST HAMPSTEAD



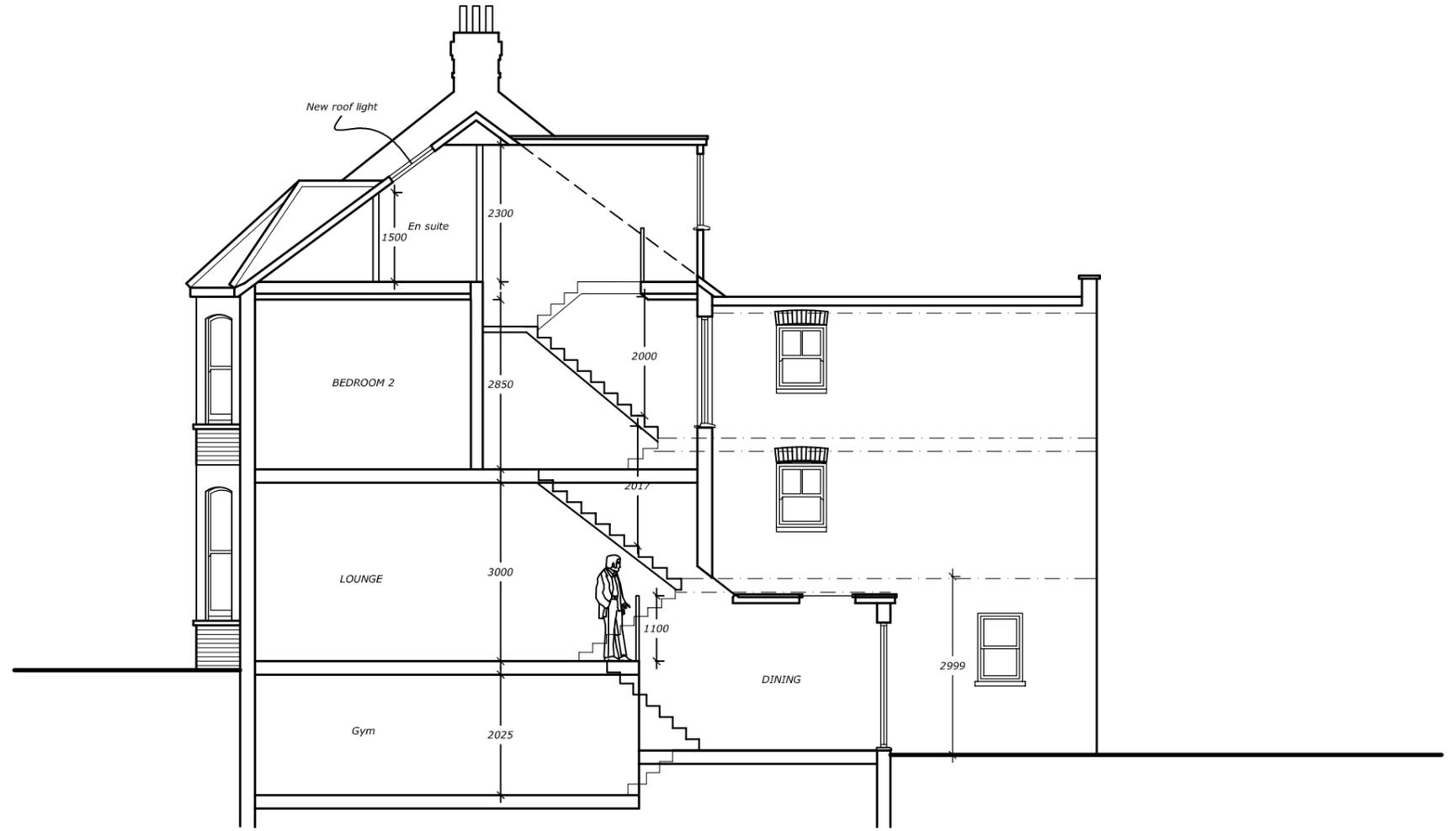
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WEST ELEVATION



SECTION THROUGH

PROPOSED ELEVATIONS 1

7 KYLEMORE ROAD,  
WEST HAMPSTEAD



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