

**Date:** 15 March 2022

**Ref:** 20051

**LB CAMDEN: 15 HOLLY LODGE GARDENS, LONDON N6 6AA**

**PLANNING STATEMENT: APPLICATION FOR A LAWFUL DEVELOPMENT  
CERTIFICATE FOR A PROPOSED DEVELOPMENT.**

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**Background**

- 1.1 This Planning Statement accompanies an application made under section 192 of the Town and Country Planning Act 1990 (as amended by section 10 of the Planning and Compensation Act 1991) for a Lawful Development Certificate. It demonstrates that the proposed pool house in the rear garden of the application property is permitted development by virtue of Class E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (“the Order”).

**The property**

- 1.2 No 15 Holly Lodge Gardens is a detached 2-storey dwellinghouse which is situated within the Holly Lodge Estate Conservation Area. It has a long garden to the rear bounded by walls.

**The proposal**

- 1.3 The proposed works would comprise the erection of a single-storey pool house in the rear garden directly next to the northern side boundary (see drawing 800.000B). The pool house would be for the sole use of the occupiers of 15 Holly Lodge Gardens – it would be used for a purpose incidental to the enjoyment of the dwellinghouse.

**Assessment against Class E**

- 1.4 Class E of the Order confirms that the provision within the curtilage of the dwellinghouse of “*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*” is permitted development subject to compliance with various limitations, criteria and conditions. The following assesses the proposal against sub-paragraphs E.1, and E.3 which set out when development is not permitted in all circumstances and when development is not permitted in conservation areas respectively. The property is not

located in an area of outstanding natural beauty; the Broads; a National Park; or a World Heritage Site so paragraph E.2 does not apply.

*E.1(a) was permission to use the dwellinghouse as a dwellinghouse granted by virtue of Class M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);*

- 1.5 No. The dwelling was constructed in the 1920s.

*E.1(b) is the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);*

- 1.6 No. The title plan provided at appendix 1 shows the footprint of the original house as constructed in the 1920s. This has been extended to the side and work has commenced on additions to the rear (see planning permission. The analysis provided on drawing 800.000B clearly demonstrates that the requirements of E.1(b) are met. Excluding the original house, the area covered by extensions and outbuildings would be far below 50% of the curtilage of the house (excluding the original house).

*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;*

- 1.7 No. The proposal would be sited in the rear garden.

*E.1(d) would the building have more than a single storey;*

- 1.8 No. It would be a single-storey building.

*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;*

- 1.9 The proposed pool house would have a flat roof and would be within 2m of a boundary. It has therefore been designed so that no part of it would be more than 2.5m in height above the highest level of existing ground immediately next to it. In this case the highest ground is next to the boundary wall immediately to the east of the proposal.

*E.1(f) would the height of the eaves of the building exceed 2.5 metres;*

1.10 No. See above.

*E.1(g) would the building, enclosure, pool or container be situated within the curtilage of a listed building;*

1.11 No, 15 Holly Lodge Gardens is not listed.

*E.1(h) it would include the construction or provision of a verandah, balcony or raised platform;*

1.12 No.

*E.1(i) does the proposal relate to a dwelling or a microwave antenna?*

1.13 No, the proposal does not form an extension to the house.

*E.1(j) would the proposal the provision of a container with a capacity that would exceed 3,500 litres.*

1.14 No. The proposal does not comprise the installation of a container.

*E.1(k) was the dwellinghouse is built under Part 20 of Schedule 2 of the Order (construction of new dwellinghouses).*

1.15 No. The dwelling was constructed in the 1920s.

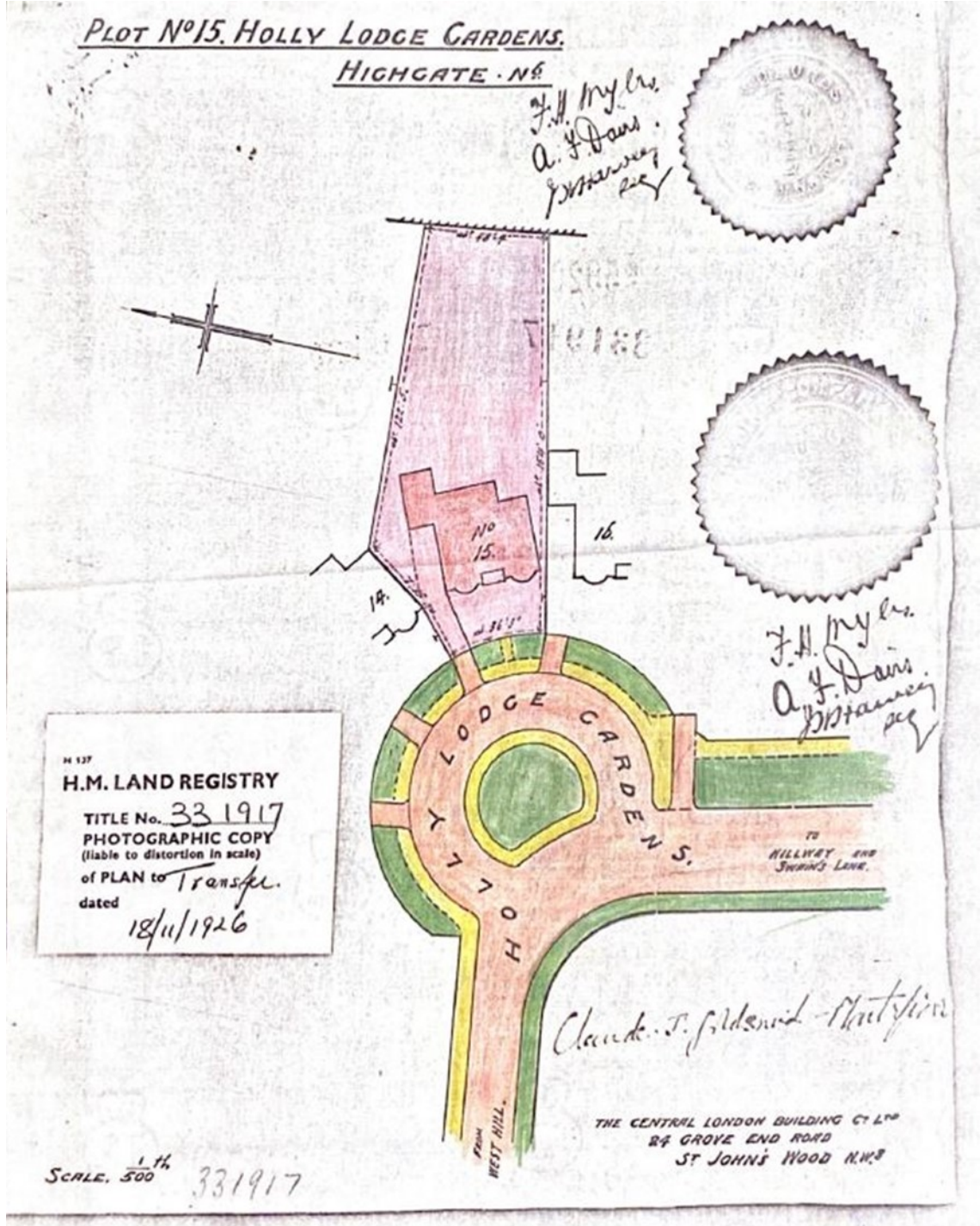
*E.3 the property is located within a conservation (article 2(3) land). Would any part of the proposed building, enclosure, pool or container would be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse.*

1.16 No. the proposed pool house would be in the rear garden.

### **Conclusion**

1.17 For the reasons set out above the single storey pool house proposed in the rear garden of the application property shown on the application drawings represents permitted development by virtue of Class E of Part 1 of the Order and therefore a Lawful Development Certificate should be issued to confirm this is the case.

APPENDIX 1



1926 Title plan showing the footprint of the original house