

Supporting Evidence

Application for a Prior Approval / Lawful Development Certificate: Proposed Use/Development

7 Hilltop Road, London, NW62QA

1. This document has been prepared in support of a Lawful Development Certificate application at 7 Hilltop Road, London, NW62QA, for the creation of a ground floor rear extension to the main building. The property is a detached dwelling on two floors.

The Proposal

2. The proposal involves the creation of a 4 meters extension, in addition to the existing 4 meters extension, for a total of 8 meters rear ground floor extension.

I believe that the proposed development is 'permitted development' under the Town and Country Planning (General Permitted Development) (England) Order 2015. The design of the 4 meters rear extension is permitted under Class A – Part 1 of the GDPO 2015.

The reasons for this are discussed below.

Assessment against the Town and Country Planning (General Permitted Development) (England) Order 2015

- Proposed ground floor rear extension

3. I consider that the proposed rear ground floor extension should be considered under Schedule 2, Part 1, Class A of the General Permitted development order (2015) which relates to 'The enlargement, improvement or other alteration of a dwellinghouse'.

4. Paragraph A.1 describes what development is not permitted by Class A of the Order. The text describing the types of development not permitted is included below, alongside a description of how the proposal relates to this:

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)

Part (a) relates to whether the existing dwellinghouse was granted permission to be a dwellinghouse through a different permitted development right. Since the dwelling is a purpose built dwelling, and permission was not been granted by Class M, N, P or Q of Part 3 of the schedule, this does not apply.

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)

The area covered by the proposed 8 meters extension is 40.4 sqm and, in addition to the existing 4 meters extension (additional 40.4 sqm) it is not exceeding the 50% of the total area of the curtilage.
(c) 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.

The proposed development is within the rear garden and it does not affect the principal elevation of the original dwellinghouse

(d) 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;

The proposed rear and side extensions are compliant both with (c) and (d)

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;;

The rear extension of the main building do not extend beyond the principal elevation of the house.

(f) subject to paragraph (g), the enlarged part of the dwellinghouse would 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; AND

*(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height; - **Prior Approval is currently extended by law.***

The proposed rear extension of the main building do not exceed 4 meters in height. It is required a Prior Approval for a 4 meter rear extension that, in addition to the existing 4 meter extension, will not extend a total of 8 meter extension of the semi-detached dwelling house.

(h) the enlarged part of the dwellinghouse would have more than a single 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;

Point h) is not applicable to the proposal.

(i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

The proposed height of the eaves of the extension do not exceed 3 meters.

(j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would— (i) exceed 4 metres in height, (ii) have more than a single storey, or (iii) have a width greater than half the width of the original dwellinghouse; or

(k) it would consist of or include— (i) the construction or provision of a verandah, 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.

N/a.

5. Paragraph A.2 is not it applicable as the land is not an Article 2(3) Land.

6. Paragraph A.3 Development is permitted by Class A subject to the following conditions

— *(a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;*

The rear extension will be finished in brickwork, matching the existing finishing materials of the existing house, including fascia and windows.

— *(b) any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must 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; and (c) where the enlarged part of the*

dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

Condition A.3 (b) is not applicable to the proposal.

7. Paragraph A.4 is not applicable to the proposal.

Conclusion

6. Based on the above assessment of the General permitted Development Order (England) 2015, it is evident that the scheme satisfies all the criteria and conditions, and therefore the proposal is 'permitted development' and does not require approval.

7. I therefore respectfully request that a Lawful Development Certificate confirming this is issued by the London Borough of Camden.

S Patel

November 2021