

LDC (Proposed) Report		Application number	2022/1427/P
Officer		Expiry date	
Matthew Dempsey		30/05/2022	
Application Address		Authorised Officer Signature	
105 Fellows Road London NW3 3JS			
Conservation Area		Article 4	
Proposal			
Replace garage door with window, installation of EV charging point, and erection of bin store at front. Insertion of 2 windows at side (west) elevation. Erection of single storey extension and garden room at rear.			
Recommendation:		Grant lawful development certificate	

Class A 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)	Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P, PA or Q of Part 3 of this Schedule (changes of use)	No
Comments:		
A.1 (b)	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 (c)	Will the height of the part of the dwellinghouse enlarged, improved or altered exceed the height of the highest part of the roof of the existing dwellinghouse?	No
A.1 (d)	Will the height of the eaves of the part of the dwellinghouse enlarged, improved or altered exceed the height of the eaves of the existing dwellinghouse?	No
A.1 (e)	Will the enlarged part of the dwellinghouse 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?	No
Is the property in a conservation area (article 2(3) land)? 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?	No

A.2(b)	Would the enlarged part of the dwellinghouse extend beyond a wall forming a side elevation of the original dwellinghouse?	No
A.2(c)	Would the enlarged part of the dwellinghouse have more than a single storey and extend beyond the rear wall of the original dwellinghouse?	No
A.2(d)	Would any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceed the limits set out in sub-paragraphs A.2(b) and A.2(c)?	No
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 a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, 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

* 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).

Class E:

Class E – buildings etc incidental to the enjoyment of a dwellinghouse		
<p>Class E. The provision within the curtilage of the dwellinghouse of—</p> <p>(a) 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</p> <p>(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas.</p>		
E.1	Development is not permitted by Class E if—	
E.1 (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);	Proposal complies
E.1 (b)	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);	Proposal complies
E.1 (c)	any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of	Proposal complies

	the original dwellinghouse;	
E.1 (d)	the building would have more than a single storey;	Proposal complies
E.1 (e)	the height of the building, enclosure or container would exceed—	
i	4 metres in the case of a building with a dual-pitched roof,	Proposal complies
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	Proposal complies
iii	3 metres in any other case;	Proposal complies
E.1 (f)	the height of the eaves of the building would exceed 2.5 metres;	Proposal complies
E.1 (g)	the building, enclosure, pool or container would be situated within the curtilage of a listed building;	Proposal complies
E.1 (h)	it would include the construction or provision of a verandah, balcony or raised platform;	
E.1 (i)	it relates to a dwelling or a microwave antenna; or	Proposal complies
E.1 (j)	the capacity of the container would exceed 3,500 litres.	Proposal complies
E.2	In the case of any land within the curtilage of the dwellinghouse which is within—	
E.2 (a)	an area of outstanding natural beauty;	Proposal complies
E.2 (b)	the Broads;	Proposal complies
E.2 (c)	a National Park; or	Proposal complies
E.2 (d)	a World Heritage Site,	Proposal complies
Development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from any wall of the dwellinghouse would exceed 10 square metres.		
E.3	In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land, development is not permitted by Class E if any part of the 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.	
Interpretation of Class E		
E.4	For the purposes of Class E, “purpose incidental to the enjoyment of the dwellinghouse as such” includes the keeping of poultry, bees, pet animals, birds or other livestock for the domestic needs or personal enjoyment of the occupants of the dwellinghouse.	

Class D:

Class D – electrical outlet for recharging vehicles	
Class D The installation, alteration or replacement, within an area lawfully used for off-street parking, of an electrical outlet mounted on a wall for recharging electric vehicles.	

D.1 Development is not permitted by Class D if the outlet and its casing would —		
D.1 (a)	exceed 0.2 cubic metres;	Proposal complies
D.1 (b)	face onto and be within 2 metres of a highway;	Proposal complies
D.1 (c)	be within a site designated as a scheduled monument; or	Proposal complies
D.1 (d)	be within the curtilage of a listed building.	Proposal complies
Conditions		
D.2	Development is permitted by Class D subject to the conditions that when no longer needed as a charging point for electric vehicles—	
D.2 (a)	the development is removed as soon as reasonably practicable; and	Added to decision notice
D.2 (b)	the wall on which the development was mounted or into which the development was set is, as soon as reasonably practicable, and so far as reasonably practicable, reinstated to its condition before that development was carried out.	Added to decision notice

Assessment:

The proposed new windows to both the front and side elevations; and, the erection of the single storey rear extension are permitted under Class A of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed garden pod to the rear is permitted under Class E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed EV charging point to the front is permitted under Class D of part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed bin store is not a permanent structure and has no foundation or fixing; and as such, is not classified as development and does not require planning permission.

It is therefore recommended to grant this certificate of lawful development for the proposed works as described and highlighted within the application drawings.