

Mr Edward Hodgson  
Planning Services  
London Borough of Camden  
5 Pancras Square  
London  
N1C 4AG

12 December 2022

Dear Edward,

**Town and Country Planning Act 1990 (As Amended)**  
**Town and Country Planning (General Permitted Development)(England) Order 2015 (As Amended)**  
**Proposed Erection of Single Storey Outbuilding with a Flat Roof as well as Installation of**  
**Replacement Boundary Fencing at 2m High at No. 15 Crediton Hill, London, NW6 1HS**

On behalf of the applicant, Mr & Mrs Warren, I hereby submit the above Lawful Development Certificate (LDC) (Proposed Development) application to the London Borough of Camden (the Local Planning Authority [LPA]).

The LDC application comprises of this cover letter and the following:

- Completed application form; and
- Planning drawings:
  - Site Location Plan – Drawing Ref. CH\_EX\_LP\_RevB\_A3
  - Block Plan – CH\_PP\_BP\_RevB\_A3
  - Existing Site Layout Plan – CH\_EX\_SLP\_RevA\_A1
  - Proposed Site Layout Plan – CH\_PP\_SLP\_RevB\_A3
  - Existing Site Plan – CH\_EX\_GA\_GF\_RevA\_A1
  - Proposed Ground Floor Plan – CH\_PP\_GA\_GF\_RevB\_A3
  - Proposed Roof Plan – CH\_PP\_RP\_RevB\_A3
  - Existing North Elevation – CH\_EX\_GE\_North\_RevB\_A1
  - Proposed North Elevation – CH\_PP\_GE\_North\_RevB\_A3
  - Proposed East Elevation – CH\_PP\_GE\_East\_RevB\_A3
  - Existing South Elevation – CH\_EX\_GE\_South\_RevB\_A1
  - Proposed South Elevation – CH\_PP\_GE\_South\_RevB\_A3
  - Proposed West Elevation – CH\_PP\_GE\_West\_RevB\_A3

The relevant planning application fee of **£103.00 + £32.20** Portal Admin Fee has been paid online.

**Site Location**

As shown in **Figure 1**, the application site is located on the western side of Crediton Hill and accommodates a two-storey brick-built semi-detached dwelling with an existing single storey rear extension / conservatory as well as a single storey garage outbuilding to the southern edge of the application site. The site has a relatively large rear garden with no existing outbuilding at the rear garden area. The boundary fencing in the rear garden area is at approximately 1.7m high but that a large part of this needs replacing.

Figure 1 – Site Location, Aerial Views, and Site Photos





*North-westward View*



*North-eastward View*



*Rear Elevation (West Elevation)*





Rear Garden





Rear Garden

The application site is located within the West End Green Conservation Area but is not a statutorily Listed Building (NB. the nearest Listed Building is the Grade II\* listed Hampstead Synagogue located approx. 215m south-west of the site). The site is also not a Locally Listed Building.

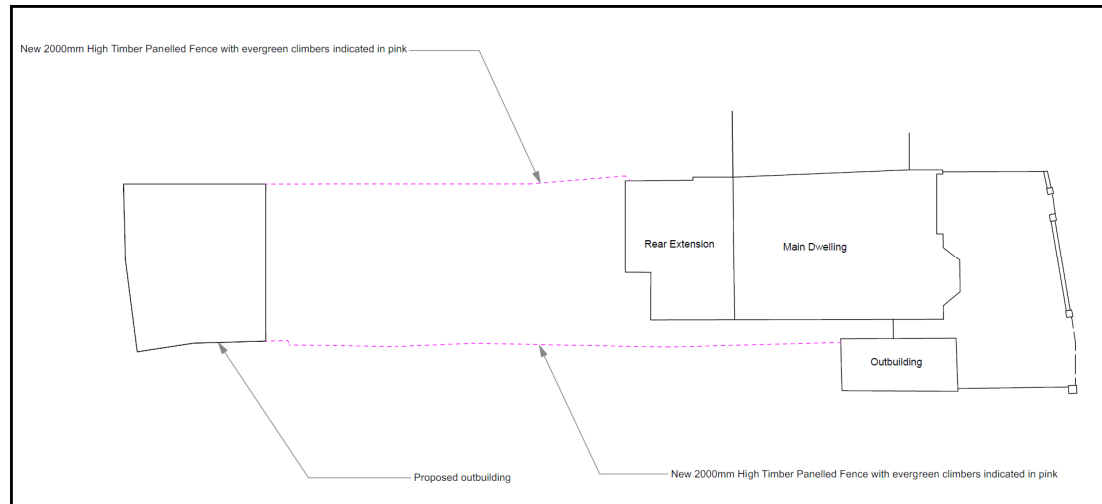
**Figure 2 – Map of West End Green Conservation Area**



### Relevant Planning History

As shown in **Figure 3**, a previous and similarly sized proposed outbuilding LDC was granted by the LPA on 4 October 2022 (LPA Ref. 2022/3407/P). The outbuilding would be 2.5m high (flat roof) by approx. 8.6m wide by 7.7m deep.

**Figure 3 – Outbuilding as granted under 2022/3407/P**

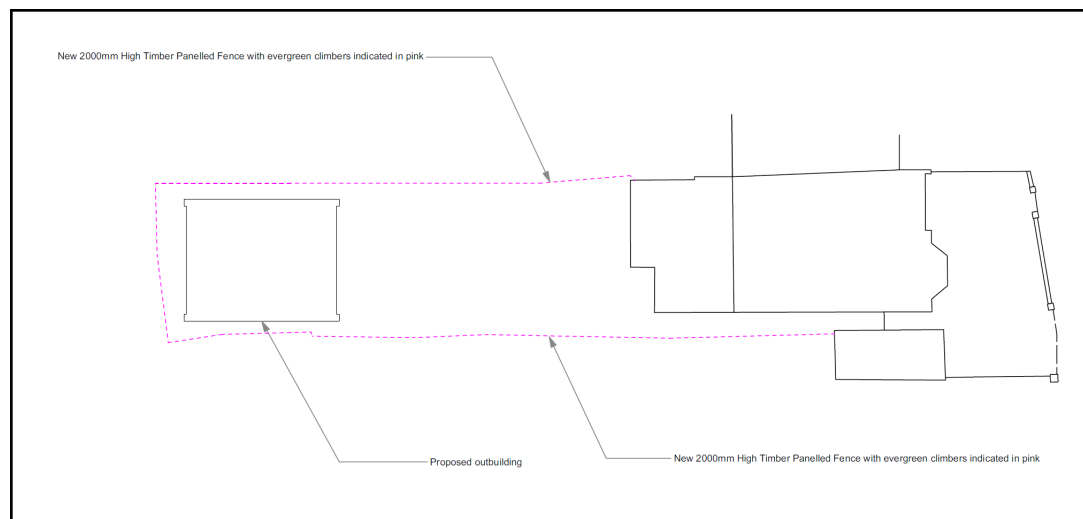


The applicant now proposes a new outbuilding proposal to be set back slightly from the boundary fencing in order to allow better accessibility.

### Proposed Development

The proposed development comprises of the erection of a single storey outbuilding (for incidental gym use) with a flat roof at the bottom of the rear garden that would measure approximately 7m wide by 9.3m in length and 2.5m high (with a flat roof). In terms of size and massing of the outbuilding this is very similar to the approved scheme under 2022/3407/P. The revised scheme is 0.2sqm smaller than the previously approved scheme.

The proposal also includes the erection of replacement timber boundary fencing at 2m high and within the rear garden area.



### Planning Considerations

It is considered that the erection of the proposed outbuilding and installation of replacement garden timber fencing at 2m high are permitted development.

For the new outbuilding, we consider this to fall under Schedule 2, Part 1, Class E of the GPDO 2015 (as amended). I outline the following limits whereby if exceeded it will not be permitted development. Our comments to the criteria are highlighted in blue to demonstrate how we accord with the permitted development regulations.

- **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).** Total curtilage area (excluding the ground area of the original dwelling and garage) is 379sqm. The proposed outbuilding to the rear of the garden would occupy 66sqm (Gross External Area [GEA]) and the existing rear extensions occupy 42sqm GEA. Therefore, the new outbuilding would only occupy 17.4% curtilage and even if we combine this with the existing rear extensions this will only occupy 108sqm GEA thus only 28.5% of the curtilage area. Therefore, our proposal will not exceed the 50% limit.
- **Any part of the building, enclosure, pool or container would be situated on land forward of a wall forming the principal elevation of the original dwellinghouse.** Not applicable.
- **The building would have more than a single storey.** The new outbuilding is single storey only.
- **The height of the building would exceed 2.5m and be within 2m of the boundary of the curtilage of the dwelling.** The new outbuilding has a flat roof and at only 2.5m high.
- **The height of the eaves of the building would exceed 2.5m.** Not applicable.
- **The building, enclosure, pool or container would be situated within the curtilage of a listed building.** Not applicable.
- **It would include the construction or provision of a verandah, balcony or raised platform.** Not applicable.
- **It relates to a dwelling or a microwave antenna.** Not applicable.
- **The new outbuilding is not situated within any of the following: a World Heritage Site; a National Park; an Area of Outstanding Natural Beauty; or the Broads.** Yes.
- **In the case of any land within the curtilage of the dwellinghouse which is article 2(3) land (i.e. this includes Conservation Areas), 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.** Not applicable.
- **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.** The new outbuilding is to be used as a gym room for the occupants of the application building – thus considered incidental to the enjoyment of the dwelling.

In terms of the proposed replacement boundary fencing at the rear garden (2m high max), this is considered permitted development under Schedule 2, Part 2, Class A (Gates, Fences, Walls etc).

<p><i>Class A – gates, fences, walls etc</i></p> <p><b>Permitted development</b></p> <p><i>A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.</i></p> <p><b>Development not permitted</b></p> <p><b>A.1</b> Development is not permitted by Class A if—</p> <p>(a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed—</p> <p>(i) for a school, 2 metres above ground level, provided that any part of the gate, fence, wall or means of enclosure which is more than 1 metre above ground level does not create an obstruction to the view of persons using the highway as to be likely to cause danger to such persons;</p> <p>(ii) in any other case, 1 metre above ground level;</p> <p>(b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level;</p> <p>(c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater; or</p> <p>(d) it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.</p> <p><b>Interpretation of Class A</b></p> <p><b>A.2</b> For the purposes of Class A, "school" includes—</p> <p>(a) premises which have changed use under Class S or T of Part 3 of this Schedule (changes of use) to become a state-funded school or registered nursery as defined in paragraph X of Part 3; and</p> <p>(b) a building permitted by Class C of Part 4 of this Schedule (temporary buildings and uses) to be used temporarily as a school, from the date the local planning authority is notified as provided in paragraph C.2(b) of Part 4.</p>
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In light of the above, we trust that a Certificate of Lawfulness (proposed use) can be granted accordingly.

Yours sincerely,

**Wai-kit Cheung** BSc(Hons), DipTP, MRTPI

Chartered Town Planner/ Independent Planning Consultant