

LDC (Proposed) Report		Application number	2022/5543/P
Officer		Expiry date	
Edward Hodgson		13/02/2023	
Application Address		Authorised Officer Signature	
15 Crediton Hill London NW6 1HS			
Conservation Area		Article 4 Direction	
West End Green		Basements	
Proposal			
Erection of single storey outbuilding and new timber fence in rear garden			
Recommendation:		Grant Certificate of Lawful Development	

Site Description:

The application relates to a two-storey semi-detached property located on the western side of Crediton Hill. The property is in the West End Green Conservation Area and the Fortune Green and West Hampstead Neighbourhood Plan Area but is not listed.

GPDO (2015), Schedule 2, Part 2, Class A		
Class A - gates, fences, walls etc		
If yes to any of the questions below the proposal is not permitted development		Yes/no
A.1 (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:	
A.1 (a, 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;	n/a
A.1 (a, ii)	in any other case, 1 metre above ground level;	No
A.1 (b)	the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level;	No
A.1 (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	No
A.1 (d)	it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.	No

Schedule 2, Part 1 (Development within the curtilage of a dwellinghouse)**Class E**

The provision within the curtilage of the dwellinghouse of—

(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

(b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas

If YES to any of the questions below, the proposal is not permitted development:		Yes/no
E.1 (a)	Is permission granted to use the dwellinghouse as a dwellinghouse only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)?	No
E.1 (b)	As a result of the works, will the total area of ground covered by buildings, enclosures and containers within the curtilage (other than the original dwellinghouse) exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse)?	No
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?	No
E.1 (d)	Would the building have more than a single storey?	No
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?	No. It would be located within 2m of the boundary of the curtilage of the dwellinghouse and measure 2.5m high with a flat roof.
E.1 (f)	Would the height of the eaves of the building exceed 2.5 metres?	No
E.1 (g)	Would the building, enclosure, pool or container be situated within the curtilage of a listed building?	No
E.1 (h)	Would it include the construction or provision of a verandah, balcony or raised platform?	No
E.1 (i)	Does it relate to a dwelling or a microwave antenna?	No
E.1 (j)	Would the capacity of the container exceed 3,500 litres?	n/a
E.1 (k)	Is the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) ?	No
E.2	In the case where any land is within the curtilage of the dwellinghouse which is within— (a) an area of outstanding natural beauty; (b) the Broads; (c) a National Park; or (d) a World Heritage Site	n/a

	Would the total area of ground covered by buildings, enclosures, pools and containers be situated more than 20 metres from any wall of the dwellinghouse exceed 10 square metres?	
Is the property in a conservation area? If YES to the question below then the proposal is not permitted development:		
E.3	Would any part of the building, enclosure, pool or container be situated on land between a wall forming a side elevation of the dwellinghouse and the boundary of the curtilage of the dwellinghouse?	No
<p>The proposal is considered to satisfy all criteria as set out under Schedule 2, Part 2, Class A and Schedule 2, Part 1, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and as such, would be permitted development and lawful. An informative is recommended to the effect that the outbuilding should only be used for a purpose(s) incidental to the enjoyment of the dwellinghouse.</p> <p><u>Recommendation:</u> Grant Certificate of Lawful Development</p>		