LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/0736 **Ward:** Hornsey

Date received: 11/03/2015

Drawing number of plans: 1502-002 to 1502-012 inclusive.

Address: 34 Rathcoole Avenue N8 9NA

Proposal: Certificate of lawfulness for formation of rear dormer, insertion of front rooflight and repositioning / enlargement of rear rooflight

Applicant: Mr & Mrs Colin and Jane Hamilton

Ownership: Private

Case Officer: William Story

2. RECOMMENDATION

GRANT CERTIFICATE

2. RELEVANT PLANNING AND ENFORCEMENT HISTORY

Planning HGY/2010/0424 GTD 20-04-10 34 Rathcoole Avenue London Erection of single storey rear extension.

4. DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for formation of rear dormer, insertion of front rooflight and repositioning / enlargement of rear rooflight

5. RELEVANT PLANNING LEGISLATION

The application has been made under section 192 of the Town and Country Planning Act 1990 and relevant amendments. This not a planning application but instead the applicant seeks confirmation that the proposed development is lawful. As such, the impact of the proposed development of the neighbour's amenities or the character of the area cannot be taken into consideration for this submission.

6. ANALYSIS/ASSESSMENT OF THE APPLICATION

Class B: The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.

A certificate Lawfulness for a dormer can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (Amendment)

(No.2) (England) Order 2008 – Part 1, Class B 'The enlargement of a dwellinghouse consisting of an addition or alteration to its roof'.

The current proposal will be assessed against these requirements as follows:

Class B.1. Requirement	Comment	Complies
a) The height of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the highest part of the roof of the existing dwellinghouse.		Yes
b) The enlarged part of the dwellinghouse would not extend beyond the plane of any existing roof slope which forms the principal elevation of the dwellinghouse and fronts a highway.		Yes
c) The cubic content of the resulting roof space would not exceed the cubic content of the original roof space by more than i) 40 cubic metres in the case of a terrace house ii) 50 cubic metres in any other case;	V = L x W x H /2 = 4.5 x 2.07 x 3 =14m3 Total cubic content = 14m3	Yes
d) it would not consist of or include— (i)the construction or provision of a veranda, balcony or raised platform, or (ii)the installation, alteration or replacement of a chimney, flue or soil and vent pipe		Yes
e) The dwellinghouse is not on article 1(5) land.		Yes

Development is permitted by Class B subject to the following conditions:

B.2. Conditions	Comment
The materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.	Complies
The edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof	Complies
Any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse shall 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.	Complies

Class C: Any other alteration to the roof of a dwellinghouse

A certificate Lawfulness for a ** can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (Amendment) (No.2) (England) Order 2008 – Part 1, Class C 'Any other alteration to the roof of a dwellinghouse'.

The current proposal will be assessed against these requirements as follows:

Class C.1. Requirement	Comment	Complies
a) The alteration would not protrude more than 150 millimetres beyond the plane of the slope of the original roof when measured from the perpendicular with the external surface of the original roof.		Yes
b) It would not result in the highest part of the alteration being higher than the highest part of the original roof.		Yes
c) It would not consist of or include— (i)the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or (ii)the installation, alteration or replacement of solar photovoltaics or solar thermal equipment.		Yes

Development is permitted by Class C subject to the following conditions.

C.2. Conditions	Comment
Any window located on a roof slope forming a side elevation of the dwellinghouse shall 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;	Complies

7.0 CIL APPLICABLE

The increase in internal floor area would not exceed 100sqm and therefore the proposal is not liable for the Major's CIL charge.

8.0 SUMMARY AND CONCLUSION

The proposed development constitutes permitted development by virtue of Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and is considered to be lawful.

9.0 RECOMMENDATION

Grant Certificate

Registered No. HGY/2015/0736

Applicant's drawing No.(s) 1502-002 to 1502-012 inclusive.

In pursuance of their powers under the above Acts and Order the London Borough of Haringey as local planning Authority hereby CERTIFY that the above proposal described by the applicant constitutes PERMITTED DEVELOPMENT and is therefore LAWFUL.