LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 04/05/2015

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/0704 **Ward:** White Hart Lane

Date received: 09/03/2015

Drawing number of plans: 01 - 04 incl.

Address: 41 Mayfair Gardens N17 7LP

Proposal: Certificate of lawfulness for formation of roof extension and ground floor rear extension

Applicant: Mr Myrteza Derri

Ownership: (Private)

Site Visit Date: 27/04/2015

Case Officer: Sarah Madondo

2. RECOMMENDATION

GRANT CERTIFICATE

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

NONE

4. DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for the erection of a single storey extension and the erection of a rear dormer. The proposed extension would be 3 metres deep, 3 metres high and 5.4 metres wide. The volume of the proposed rear dormer would be 20 cubic metre.

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 A: Development within the curtilage of a dwellinghouse

A certificate Lawfulness for a erection of single storey rear extension 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 A 'development within the curtilage of a dwellinghouse'

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

Class A.1. Requirement	Comment	Complies
a) The extension will not exceed more than 50% of the total curtilage of the site.		Yes
b) 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
c) The height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse.		Yes
d) The enlarged part of the dwellinghouse would not extend beyond a wall which— (i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the original dwellinghouse.		Yes
e) The enlarged part of the dwellinghouse would have a single storey and would not — (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.	The extension is 3 metres deep	Yes
f) The enlarged part of the dwellinghouse would not have more than one storey and— (i) does not 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.		Yes
g) 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 not exceed 3 metres;		Yes
h) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would not— (i) exceed 4 metres in height, (ii) have more than one storey, or (ii) have a width greater than half the width of the original dwellinghouse;		yes
i) It would not consist of or include— (i) the construction or provision of a veranda, balcony or raised platform, (ii) the installation, alteration or replacement of a		yes

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.		
A.2. In the case of a dwellinghouse on article 1(5) land, development is not permitted by Class A if— (a) it would 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; (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or (c) the enlarged part of the dwellinghouse would have more than one storey and extend beyond the rear wall of the original dwellinghouse.		Yes

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

A.3. 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.	yes
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; and	yes
Where the enlarged part of the dwellinghouse has more than one storey, the roof pitch of the enlarged part shall, so far as practicable, be the same as the roof pitch of the original dwellinghouse.	Yes

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

A certificate Lawfulness for a rear 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;	*Calculations* Total cubic content 5.57 x 3.4 x 2.09 = 20 m3	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.		

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.	yes
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	yes
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.	yes

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

A certificate Lawfulness for a installation of rooflights 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;	

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 A , B & 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/2015/0704

Applicant's drawing No.(s) 01 - 04 incl.

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.