LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 01/06/2015

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/1018 **Ward:** White Hart Lane

Date received: 09/04/2015

Last amended date: N/A

Drawing number of plans: 1025-SAL-EP-OS, 1025-SAL-EP-BP, 1025-SAL-EP-001, 1025-SAL-EP-002, 1025-SAL-EP-003, 1025-SAL-EP-004, 1025-SAL-EP-005

Address: 13 Spottons Grove N17 7JB

Proposal: Certificate of lawfulness for erection of rear ground floor extension and front porch

Applicant: Mr Kalender Kurt

Ownership: (Private)

Site Visit Date: 29/05/15

Case Officer: Eoin Concannon

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 erection of single storey rear extension measuring 3m deep, 3.15m high as well as a front porch measuring 1.84m wide by 1.25 metres deep.

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 single storey rear extension can be issued if the proposal meets all the criteria under Town and Country Planning (General Permitted Development) (England) Order 2015 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.		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—		Yes

(i) the construction or provision of a veranda, balcony or raised platform, (ii) the installation, alteration or replacement of a 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.		n/a

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.	The brickwork would match the existing build.
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	Non-applicable
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.	Non applicable

Class D: The erection or construction of a porch outside any external door of a dwellinghouse.

A certificate Lawfulness for a single storey front porch can be issued if the proposal meets all the criteria under Town and Country Planning (General Permitted Development) (England) Order 2015 – Part 1, Class D 'The provision within the curtilage of the dwellinghouse of:
(a) The erection or construction of a porch outside any external door of a dwellinghouse.'

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

Class D.1. Requirement	Comment	Complies
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);		Yes
b) the ground area (measured externally) of the structure would exceed 3 square metres;		Yes
c) any part of the structure would be more than 3 metres above ground level; or		Yes
d) any part of the structure would be within 2 metres of any boundary of the curtilage of the dwellinghouse with a highway.		Yes

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 and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and is considered to be lawful.

9.0 RECOMMENDATION

Grant Certificate

Registered No. HGY/2015/1018

Applicant's drawing No.(s) 1025-SAL-EP-OS, 1025-SAL-EP-BP, 1025-SAL-EP-001, 1025-SAL-EP-002, 1025-SAL-EP-003, 1025-SAL-EP-004, 1025-SAL-EP-005

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.