LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/1288 **Ward:** Fortis Green

Date received: 05/05/2015

Last amended date: N/a

Drawing number of plans: WK-2390-110, WK-2390-115, WK-2390-116, WK-2390-10, WK-2390-15.

Address: 26 Shakespeare Gardens N2 9LJ

Proposal: Certificate of lawfulness for erection of single storey rear extension, with alterations to existing bay and windows at ground floor level

Applicant: Ms Wendy Hill

Ownership: Private

Case Officer: Samuel Uff

2. RECOMMENDATION

GRANT CERTIFICATE

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

Wizard	Reference Number	Decision	Decision Date	Address	Notes
Planning	HGY/1997/0204	GTD	30-09-97	26 Shakespeare Gardens London	Demolition of existing garage and chimney stack and erection of two storey side extension and installation of one velux window to front and two velux windows to rear elevation.

Wizard	Reference Number	Decision	Decision Date	Address	Notes
Planning	OLD/1948/0318	GTD	24-09-48	26 Shakespeare Gardens	The erection of a garage.

4. DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for a single storey side extension, beyond the existing garage.

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 ** can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (England) Order 2015– 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.		Y
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.		Y
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.		Y
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.		Y
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 garage was approved permission after July 1948, so is not considered to be an original rear wall.	Y
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.	The side extension goes beyond the rear elevation by 500mm but would not link into any rear extension beyond the main rear elevation	Y
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;	The projecting part of the roof of the garage that is marginally over 3m is not the main part of the flat roof, which is 2.725m high.	Y
h) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would not—		Y

(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;		
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 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.		Y
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.	Y
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	N/a
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.	N/a

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

9.0 RECOMMENDATION

Grant Certificate

Registered No. HGY/2015/1288

Applicant's drawing No.(s) WK-2390-110, WK-2390-115, WK-2390-116, WK-2390-10, WK-2390-15.

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.