LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/0499 **Ward:** Noel Park

Date received: 18/02/2016

Last amended date: -

Drawing number of plans: 18/16/02

Address: 18 Hornsey Park Road N8 0JP

Proposal: Certificate of Lawfulness for erection of roof extension on rear roof slope and roof of three storey rear projection

Applicant: Mr E Elhinney

Ownership: Private

Site Visit Date: 09/03/2016

Officer contact: Neil Collins

RECOMMENDATION

REFUSE CERTIFICATE – Permission Required

SITE AND SURROUNDINGS

The application site comprises a three-storey dwelling house located on the eastern side of Hornsey Park Road

The property is not a Listed Building and is not located within a Conservation Area.

PLANNING HISTORY:

No relevant planning history

DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for erection of a rear dormer extension, including extension on the roof of the three storey rear projection, and the installation of two roof lights within the front roof slope.

CONSULTATION

NA

RESPONSES

NA

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.

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

Class C: Development comprising all other alterations to the roof of a dwellinghouse

Development comprising all other alterations to the roof of a single-family dwellinghouse is lawful if it falls within the provisions of Schedule 2, Part 1, Class C of the Town and Country Planning (General Permitted Development) Order 1995, as amended by The Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

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		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.	Materials to match
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	No - The extension would be closer to the eaves of the original dwellinghouse than 200mm (over the rear three storey projection).
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.	Not applicable in this case.

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

A certificate Lawfulness for a roof light 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—	n/a

(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;	

CIL APPLICABLE

N/A

SUMMARY AND CONCLUSION

The proposed development does not fall within the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and REQUIRES PERMISSION. The proposed fails to retain 200mm from the existing eaves of the host building.

RECOMMENDATION

Refuse Certificate

Registered No. HGY/2016/0499

Applicant's drawing No.(s)

The proposed development does not fall within the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and REQUIRES PERMISSION. The proposed fails to retain 200mm from the existing eaves of the host building.