LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 18/05/2016

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

## 1. APPLICATION DETAILS

**Reference No:** HGY/2016/1278 **Ward:** Seven Sisters

**Date received:** 21/04/2016

**Drawing number of plans:** ER.92.EX.01 & 02

**Address:** 92 Ermine Road N15 6DE

**Proposal:** Certificate of lawfulness for use of garage as a habitable room

**Applicant**: Mr Frankel

**Ownership:** Private

**Site Visit Date:** 18/05/2016

**Officer contact:** Anthony Traub

## 2. RECOMMENDATION

GRANT CERTIFICATE

REASON: 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.

## 3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Certificate of lawfulness for use of garage as a habitable room

## 4. RELEVANT PLANNING AND ENFORCEMENT HISTORY PLANNING APPLICATION HISTORY

N/a

## 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 on the neighbour's amenities or the character of the area cannot be taken into consideration for this submission.

## 6. ANALYSIS/ASSESSMENT OF THE APPLICATION

Section 55(1) of the Town & Country Planning Act 1990 defines “development” as; the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change in the use of any buildings or other land. For the purposes of this Act. ‘building operations’ includes –
a. demolition of buildings;
b. rebuilding;
c. structural alterations of or additions to buildings; and
d. other operations normally undertaken by a person carrying on business as a builder.
The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land -
a. the carrying out for maintenance, improvement or other alteration of any building or works, which –
i. affect only the interior of the building; or do not materially affect the external appearance of the building.

The subject building is not listed nor is it located within a conservation area. The proposal seeks to replace the garage door and replace with a matching brick and new windows to provide additional habitable floor space within the dwellinghouse. The proposal would not change the use class of the building nor do previous planning permissions protect the garage by way of conditions. The proposal is therefore considered to be development. However, given the nature of the works altering the facade of the building, and that the building is not listed nor within a conservation area, the proposed works are are not considered to require planning permission.

## 7. CIL APPLICABLE

There would be no increase in floor area and therefore the proposal is not liable for the Local or Mayoral CIL charge.

## 8. RECOMMENDATION

GRANT CERTIFICATE

Registered No. HGY/2016/1278

Applicant’s submissions: ER.92.EX.01 & 02

REASON: 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.