LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/2191 **Ward:** Woodside

Date received: 06/06/2016

Drawing number of plans: 37/01, 02 & 03

Address: 37 Berwick Road N22 5QB

Proposal: This application seeks a Certificate of Lawfulness for the erection of a dormer and 3x rooflights.

Applicant: Mr John Vignogna

Ownership: Private

Case Officer: Nanayaa Ampoma

2. RECOMMENDATION

GRANT CERTIFICATE

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

HGY/2013/0030: Erection of single storey front, rear and side extension. – *Granted 26/02/13*

HGY/2012/1681: Erection of single storey rear extension and erection of two storey side extension. *Refused 23/10/12*

HGY/2012/1080: Erection of single storey rear extension and erection of two storey side extension (householder application) – *Granted on Appeal 25 Feb 2013*

4. DETAILS OF PROPOSAL

This application seeks a Certificate of Lawfulness for the erection of a rear dormer and 3x rooflights.

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

The proposed works can be assessed under Class B. It should be noted that as the property already benefits a two storey extension, it is required that the volume of new roof be incorporated in the calculation.

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

A certificate Lawfulness for a erection of rear dormer and hip to gable extension 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 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) permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);		Complies
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.		Complies
c) 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.		Complies
d) 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;	Permission was given for a two-storey extension under appeal (HGY/2012/1080). This was built. As such the volume calculation should include this element. The inclusion of this element still means that the proposal complies with the 40 cubic metres allowance.	Complies
e) 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		Complies
f) The dwellinghouse is not on article 1(5) land.		Complies

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

B.2. Conditions	Comment
(a) The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.	Complies
(b) The enlargement must be constructed so that— (ii) other than in the case of a hip-to-gable enlargement or an enlargement which joins the original roof to the roof of a rear or side extension— (aa) the eaves of the original roof are maintained or reinstated; and (bb) the edge of the enlargement closest to the eaves of the original roof is, so far as practicable, not less than 0.2 metres from the eaves, measured along the roof slope from the outside edge of the eaves; and (ii) other than in the case of an enlargement which joins the original roof to the roof of a rear or side extension, no part of the enlargement extends beyond the outside face of any external wall of the original dwellinghouse	Complies
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.	Complies

Class C: Any other alteration to the roof 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 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) permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);		Complies
b) 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.		Complies
c) It would not result in the highest part of the		Complies

alteration being higher than the highest part of the original roof.		
d) 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.		Complies

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;	N/A

7 SUMMARY AND CONCLUSION

The proposed development would constitute permitted development by virtue of Schedule 2, Part 1, Classes B and C of the Town and Country Planning (General Permitted Development) Order 2015 and requires Planning Permission

8 RECOMMENDATION

Grant Certificate

Registered No. HGY/2016/2191

Applicant's drawing No.(s): 37/01B, 02B & 03B

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 LAWFUL.