LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2016/2147 **Ward:** Muswell Hill

Date received: 27/06/2016

Drawing number of plans: 1508P.2.1A, 1508P.3.1A, 1508P.4.1A, 1508S2, 1508S3 & 1508S4

Address: 18 Linden Road N10 3DH

Proposal: Certificate of Lawfulness for proposed top floor extension of dormer and roof

Applicant: Mr & Mrs Gareth Davies

Ownership: (Private)

Case Officer: Sarah Madondo

2. RECOMMENDATION

GRANT CERTIFICATE

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

HGY/2011/1424 GTD 03-04-12 18 Linden Road London Erection of single storey rear extension

HGY/2015/1929 GTD - 14-08-15 18 Linden Road London Basement extension incorporating front lightwell (householder application)

4. DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for the erection of top floor extension of dormer and roof.

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 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);		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 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
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;	*Calculations* En-suite = 6.3m x 2.6m high = 16.380m.cu. + Dormer = 4.3m x 2.6m high = 11.18m.cu. minus slope of existing roof = 4.3m x 1.1m high = 4.73m.cu / 2 = 2.365m.cu. = 8.815m.cu. Total = 25.195m.cu.	Yes

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		Yes
f) 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
(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.	Yes
(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	Yes
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.	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 would not constitute permitted development by virtue of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) Order 2015 and requires Planning Permission

9.0 RECOMMENDATION

Grant Certificate

Registered No. HGY/2016/2147

Applicant's drawing No.(s) 1508P.2.1A, 1508P.3.1A, 1508P.4.1A, 1508S2, 1508S3 & 1508S4

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.