

Officer's Report

Application Number	HGY/2022/3456
Type	Lawful development: Proposed use
Location	80, Henningham Road, London, N17 7AN
Proposal	Certificate of lawfulness for the proposed erection of a single storey rear extension.
Case Officer	Michelle Meskell
Valid Date	29/09/2022
Applicant	Bunmi Adegbie
Agent	Mr Inan Gokcek

RECOMMENDATION

Permitted Development

RELEVANT PLANNING AND ENFORCEMENT HISTORY

HGY/2022/2090 Erection of single storey extension which extends beyond the rear wall of the original house by 4m, for which the maximum height would be 3.3m and for which the height of the eaves would be 3m.

DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for a proposed single storey 4m deep rear extension.

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 A: Development within the curtilage of a dwellinghouse

A certificate of lawfulness for an erection of a single storey rear 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 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) permission to use the dwellinghouse as a dwellinghouse has <u>not been</u> granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use)		Yes
b) The extension will <u>not</u> exceed more than 50% of the total curtilage of the site.		Yes
c) The height of the part of the dwellinghouse enlarged, <u>improved</u> or altered would <u>not</u> exceed the height of the highest part of the roof of the existing dwellinghouse.		Yes
d) The height of the eaves of the part of the dwellinghouse enlarged, <u>improved</u> or altered would <u>not</u> exceed the height of the eaves of the existing dwellinghouse.		Yes
e) The enlarged part of the dwellinghouse would <u>not</u> extend beyond a wall which— (i) fronts a highway, and (ii) forms either the principal elevation or a side elevation of the original dwellinghouse.		Yes
f) The enlarged part of the dwellinghouse would have a single storey and would <u>not</u> — (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 enlarged part of the dwellinghouse is a single storey <u>and —</u> (i) extends beyond the rear wall of the original dwellinghouse by 4 metres prior approval granted HGY/2022/2090, and does not (ii) exceed 4 metres in height.	Yes
(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and— (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height	NB- subject to condition A.4 prior notification.	N/A
h) The enlarged part of the dwellinghouse would 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) would not be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse.		N/A

i) 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 <u>not</u> exceed 3 metres;		Yes
j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would <u>not</u> — (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;		N/A
k) It would <u>not</u> consist of or include— (i) the construction or provision of a veranda, balcony or raised platform, (ii) the installation, <u>alteration</u> 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.		Yes
A.2. In the case of a dwellinghouse on article 2(3) 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 <u>tiles</u> ; (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

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.

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.

RECOMMENDATION

Grant Certificate

Registered No. HGY/2022/3456

Applicant's drawing No.(s) 01,02, 03,04 and 05,

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.