

Officer's Report

Application Number HGY/2022/3536
Type Lawful development: Proposed use
Location 5, Portland Gardens, London, N4 1HU
Proposal Certificate of lawfulness for the proposed erection of a rear dormer and the installation of rooflights to the front roof slope.
Case Officer Michelle Meskell
Valid Date 12/10/2022
Applicant Mark Little
Agent Mr George Kain

RECOMMENDATION

Permitted Development

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

B.2. Conditions	Comment
(a) The materials used in any exterior <u>work must</u> be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.	The exterior materials would be of a similar appearance to the existing dwellinghouse.
(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 <u>eaves</u> ; 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	The edge of the enlargement would be not less than 0.2m from the eaves.
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.	No side-facing windows are proposed.

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

N/A

4. DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness, proposed use, for the erection of rear dormer with the installation of front velux 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

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

A certificate of lawfulness for a formation 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 <u>not</u> 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 <u>not</u> exceed the height of the highest part of the roof of the existing dwellinghouse.		Yes
c) The enlarged part of the dwellinghouse would <u>not</u> 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 <u>not</u> 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 <u>case</u> ;	Total cubic content = 39.30 <u>m3</u>	Yes
e) it would <u>not</u> 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 <u>not</u> on article 2(3) land.		Yes