

Officer's Report

Application Number	HGY/2022/4497
Type	Lawful development: Proposed use
Location	57 Oakdale Road, Tottenham, London, N4 1NU
Proposal	Certificate of lawfulness for proposed loft conversion/extension, including: installation of front rooflights and addition of rear dormer.
Case Officer	James Mead
Valid Date	21/12/2022
Applicant	Ms Ayala Ochert
Agent	other More Space

RECOMMENDATION

Permitted Development

1. RECOMMENDATION

GRANT CERTIFICATE.

2. RELEVANT PLANNING HISTORY

- No relevant planning history.

3. DETAILS OF PROPOSAL

This application seeks a certificate of lawfulness for a proposed loft conversion/extension, which would involve the installation of front rooflights and the addition of a rear dormer.

4. 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.

5. 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 the installation of a rear dormer can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (England) Order 2015 – Schedule 2, 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:

a) permission to use the dwellinghouse as a dwellinghouse was not granted by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);
Complies.

b) any part of the dwellinghouse would not, as a result of the works, exceed the height of the highest part of the existing roof;

Complies.

c) any part of the dwellinghouse would not, as a result of the works, 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— 40 cubic metres in the case of a terrace house;

Complies - Total cubic content increase = approximately 23 cubic metres.

e) it would not consist of or include—

(i) the construction or provision of a verandah, 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 2(3) land;

Complies.

g) the dwellinghouse was not built under Part 20 of this Schedule (construction of new dwellinghouses).; or

Complies.

h) the existing dwellinghouse has not been enlarged in reliance on the permission granted by Class AA

(enlargement of a dwellinghouse by construction of additional storeys).

Complies.

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

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 – Agent has confirmed that tiles would be used as the external materials and these would be of similar appearance to the existing roof materials.

b) the enlargement must be constructed so that—

i) 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

(i) 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; and

Complies.

c) any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse must 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 – no side windows proposed.

Class C: Any other alteration to the roof of a dwellinghouse

A certificate of lawfulness for the installation of two front rooflights can be issued if the proposal meets all the criteria under The Town and Country Planning (Generally Permitted Development) (England) Order 2015 – Schedule 2, Part 1, Class C ‘Any other alteration to the roof of a dwellinghouse’.

The current proposal will be assessed against these requirements as follows:

a) permission to use the dwellinghouse as a dwellinghouse was not granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Complies.

b) the alteration would not protrude more than 0.15 metres 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 alteration being higher than the highest part of the original roof;

Complies.

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.; or

Complies.

e) the dwellinghouse was not built under Part 20 of this Schedule (construction of new dwellinghouses).

Complies.

Development is permitted by Class C subject to the following conditions.

Development is permitted by Class C subject to the condition that any window located on a roof slope

forming a side elevation of the dwellinghouse must be—

(a) obscure-glazed; and

(b) 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 – No windows proposed in side elevation.

8.0 SUMMARY AND CONCLUSION

The proposed development constitutes permitted development by virtue of Schedule 2, Part 1, Classes B & C of the Town and Country Planning (General Permitted Development) Order 2015 and is considered to be lawful.

9.0 RECOMMENDATION

Grant Certificate.

