

Officer's Report

Application Number	HGY/2022/4558
Type	Lawful development: Proposed use
Location	77 Stanhope Gardens, Tottenham, London, N4 1HZ
Proposal	Certificate of lawfulness for the proposed installation of a rear dormer roof extension.
Case Officer	Mark Chan
Valid Date	20/12/2022
Applicant	Ms Natasha Chetty
Agent	other More Space

RECOMMENDATION

Approve

2. RECOMMENDATION

GRANT CERTIFICATE

3. Relevant Planning and Enforcement history

HGY/2017/0442 – Erection of single storey side and rear extension. Granted permission 26/04/2017.

4. DETAILS OF PROPOSAL

This is an application for a certificate of lawfulness for a rear dormer roof extension and two front 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.

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A certificate of lawfulness for a formation of a 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, <u>improved</u> 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> ;	*Calculations* $V1 = 3.543 \times 2.330 \div 2 \times 4.630 = 19.11\text{m}^3$ $V2 = (2.409 + 1.038) \div 2 \times 2.998 \times 3.900 = 20.15\text{m}^3$ Total cubic content = $V1 + V2 = 39.26\text{m}^3$	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

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

B.2. Conditions	Comment
(a) The materials used in any exterior <u>work</u> <u>must</u> 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,	Complies

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	
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 rooflights 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 <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 alteration would <u>not</u> 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.		YES
c) It would <u>not</u> result in the highest part of the alteration being higher than the highest part of the original roof.		YES
d) It would <u>not</u> 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.		YES

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;	Complies

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

9.0 RECOMMENDATION

Grant Certificate

Registered No. HGY/2022/4558

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.