

Officer's Report

Application Number	HGY/2022/4505
Type	Lawful development: Proposed use
Location	8 Courtman Road, Tottenham, London, N17 7HU
Proposal	Certificate of lawfulness for proposed: single storey rear extension and loft conversion/extension, including: installation of front rooflights and addition of rear dormer.
Case Officer	James Mead
Valid Date	24/01/2023
Applicant	Mr & Mrs Bajaziti
Agent	Mr Nicholas Papalexandrakos

RECOMMENDATION

Permitted Development

1. RECOMMENDATION

GRANT CERTIFICATE.

2. RELEVANT PLANNING HISTORY

- HGY/2022/2716: Erection of single storey extension which extends beyond the rear wall of the original house by 4m, for which the maximum height would be 3m and for which the height of the eaves would be 3m. Prior approval not required.

3. DETAILS OF PROPOSAL

This application seeks a lawful development certificate for the erection of a single storey rear extension, the addition of a rear dormer and the installation of front rooflights.

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 A: The enlargement, improvement or other alteration of a dwellinghouse.

A lawful development certificate for the 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 – Schedule 2, Part 1, Class A 'The enlargement, improvement or other alteration of a dwellinghouse'.

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

A.1

a) permission to use the dwellinghouse as a dwellinghouse has not been 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) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
Complies.

c) 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;
Complies.

d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would not exceed the height of the eaves of the existing dwellinghouse;
Complies.

e) the enlarged part of the dwellinghouse would not extend beyond a wall which—
i. forms the principal elevation of the original dwellinghouse; or
ii. fronts a highway and forms a side elevation of the original dwellinghouse;
Complies.

f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
i. would not 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. would not exceed 4 metres in height;
N/A – (g) is relevant.

g) 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. would not 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. would not exceed 4 metres in height;
Complies – It has been determined that prior approval is not required under HGY/2022/2716.

h) the enlarged part of the dwellinghouse would have more than a single storey and—
i. would 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 being enlarged which is opposite the rear wall of that dwellinghouse;
N/A – the extension would not have more than a single storey.

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 not exceed 3 metres;
Complies.

j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would not—
i. exceed 4 metres in height,
ii. have more than a single storey, or
iii. have a width greater than half the width of the original dwellinghouse;
N/A – the extension would not extend beyond a wall forming a side elevation.

ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in subparagraphs (e) to (j);

Complies.

k) it would not consist of or include—

- i. the construction or provision of a verandah, balcony or raised platform,
- ii. the installation, alteration 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.; or

Complies.

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

Complies.

A.2

N/A – The site is not on article 2(3) land.

A.3

a) the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;

Complies.

b) any upper-floor window located in 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; and

N/A – No upper floor side windows proposed.

c) where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.

N/A – The extension would not have more than a single storey.

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

A lawful development certificate 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:

B.1

a) permission to use the dwellinghouse as a dwellinghouse has not been 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) 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—

i. 40 cubic metres in the case of a terrace house, or

ii. 50 cubic metres in any other case;

Complies.

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.

B.2

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.

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—

- the eaves of the original roof are maintained or reinstated; and
- 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; 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 are proposed.

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

A lawful development certificate for the installation of 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:

C.1

a) permission to use the dwellinghouse as a dwellinghouse has not been 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.

C.2

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 side windows are proposed.

6.0 SUMMARY AND CONCLUSION

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

7.0 RECOMMENDATION

Grant Certificate.

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.

